SIXTY NINTH LEGISLATURE - REGULAR SESSION

SEVENTY FIFTH DAY

House Chamber, Olympia, Friday, March 28, 2025

The House was called to order at 9:55 a.m. by the Speaker (Representative Stearns presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

RESOLUTION

HOUSE RESOLUTION NO. 2025-4640, by Representatives Dufault, Mendoza, Corry, and Manjarrez

WHEREAS, The A.C. Davis High School Pirates girls basketball team from Yakima achieved a historic milestone by securing their first Class 4A state championship on March 8, 2025, at the Tacoma Dome; and

WHEREAS, The Pirates demonstrated exceptional skill and teamwork, culminating in a decisive 61-45 victory over Sumner High School in the championship game; and

WHEREAS, The championship game was a rematch against Sumner High School, to whom the Pirates had previously lost on March 1, 2025, with a score of 62-67; and

WHEREAS, The Pirates showcased remarkable resilience and determination by overcoming this prior defeat to claim the state title; and

WHEREAS, This journey exemplifies the spirit of perseverance and tenacity inherent in the students and communities in central Washington; and

WHEREAS, Senior guard Cheyenne Hull delivered an outstanding performance, scoring 26 points in the final and earning unanimous recognition as the tournament's Most Valuable Player; and

WHEREAS, The dedication and hard work of the players, coaches, and support staff have brought immense pride and honor to A.C. Davis High School and the Yakima Valley; and

WHEREAS, The support from families, friends, and the Yakima community played a pivotal role in the team's success, fostering an environment that emphasizes the importance of athletics in personal and academic development; and

WHEREAS, The achievements of the A.C. Davis High School Pirates girls basketball team highlight the positive impact of school sports programs in promoting teamwork, discipline, and resilience among young individuals;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives of the State of Washington honor and recognize the A.C. Davis High School Pirates girls basketball team for their remarkable achievement in winning the 2025 Class 4A state championship; and

BE IT FURTHER RESOLVED, That the House of Representatives recognize the contributions of each team member and coach:

Players:

- Tehya Wheeler, Guard, Freshman
- Averie Brandt, Guard, Sophomore
- Jayda Hernandez, Guard/Forward, Senior
- Ella Craig, Guard/Forward, Junior
- Cheyenne Hull, Guard, Sophomore
- Nevaeh "Deets" Parrish, Guard, Junior
- Brooklyne Gaytan, Guard/Forward, Senior
- Paige Gasseling, Forward, Sophomore
- Ayla Jones, Guard, Freshman
- Kobe Johnson, Guard, Sophomore
- Isa Garcia, Guard, Sophomore
- Aionna Perez, Post, Freshman

Coaching Staff:

- Head Coach: Akil White
- Assistant Coaches: Vic Garcia, Jennifer Mendoza, J.R. Washington

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to the principal of A.C. Davis High School, the team's head coach, and the superintendent of the Yakima School District to convey the respect and admiration of the House of Representatives.

With the consent of the House, HOUSE RESOLUTION NO. 4640 was adopted.

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

INTRODUCTION & FIRST READING

HB 2064 by Representative Farivar

AN ACT Relating to authorizing the secretary of state to develop and test electronic methods of ballot return for service and overseas voters, disabled voters, and certain incarcerated voters; and creating a new section.

Referred to Committee on State Government & Tribal Relations.

HB 2065 by Representative Couture

AN ACT Relating to reducing administrative staffing at institutions of higher education; adding a new section to chapter 28B.07 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Postsecondary Education & Workforce.

SB 5234 by Senators Shewmake and Nobles

AN ACT Relating to snowmobile registration fees; amending RCW 46.17.350; and creating a new section.

Referred to Committee on Transportation.

SSB 5583 by Senate Committee on Ways & Means (originally sponsored by Liias, Robinson and Nobles)

AN ACT Relating to recreational fishing and hunting licenses; amending RCW 77.08.010, 77.12.810, 77.32.070, 77.32.155, 77.32.350, 77.32.370, 77.32.430, 77.32.440, 77.32.450, 77.32.460, 77.32.470, 77.32.480, 77.32.520, 77.32.570, and 77.32.575; adding new sections to chapter 77.32 RCW; adding a new section to chapter 77.12 RCW; repealing 2009 c 420 s 7, 2011 c 339 s 40, 2016 c 223 ss 7, 8, and 9, and 2017 3rd sp.s. c 3 ss 1, 2, and 3 (uncodified); prescribing penalties; providing effective dates; and declaring an emergency.

Referred to Committee on Appropriations.

SB 5761 by Senators Frame and Nobles

AN ACT Relating to developing a schedule for court appointment of attorneys for children and youth in dependency and termination proceedings; and amending RCW 13.34.212.

Referred to Committee on Appropriations.

ESB 5769 by Senators Wellman, Wilson, C. and Nobles

AN ACT Relating to transition to kindergarten programs; amending RCW 28A.300.072; creating a new section; and providing an expiration date.

Referred to Committee on Appropriations.

ESB 5772 by Senators Hansen and Valdez

AN ACT Relating to calculating student enrollment for local effort assistance; and amending RCW 28A.500.015.

Referred to Committee on Appropriations.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

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

REPORTS OF STANDING COMMITTEES

March 26, 2025

SSB 5030 Prime Sponsor, Early Learning & K-12 Education: Improving access to educational services by reducing barriers to obtaining vital records and allowing alternative forms of documentation. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: Do pass. Signed by Representatives Bergquist, Chair; Cortes, Vice Chair; Eslick, Ranking Minority Member; Bernbaum; Goodman; Hill; Ortiz-Self; Penner and Taylor.

MINORITY recommendation: Without recommendation. Signed by Representatives Burnett, Assistant Ranking Minority Member; and Dent.

Referred to Committee on Appropriations

March 26, 2025

SB 5032 Prime Sponsor, Senator Wilson, C.: Expanding the duties of the office of the family and children's ombuds to include juvenile rehabilitation facilities operated by the department of children, youth, and families. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: Do pass. Signed by Representatives Bergquist, Chair; Cortes, Vice Chair; Eslick, Ranking Minority Member; Burnett, Assistant Ranking Minority Member; Bernbaum; Dent; Goodman; Hill; Ortiz-Self; Penner and Taylor.

Referred to Committee on Appropriations

March 27, 2025

ESB 5065 Prime Sponsor, Senator Liias: Prohibiting the use of certain animals in traveling animal acts. Reported by Committee on Community Safety

MAJORITY recommendation: Do pass. Signed by Representatives Goodman, Chair; Simmons, Vice Chair; Davis; Farivar; Fosse and Obras.

MINORITY recommendation: Without recommendation. Signed by Representatives Graham, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; and Burnett.

Referred to Committee on Rules for second reading

March 26, 2025

E2SSB 5098 Prime Sponsor, Transportation: Restricting the possession of weapons on the premises of state or local public buildings, parks or playground facilities where children are likely to be present, and county fairs and county fair facilities. Reported by Committee on Civil Rights & Judiciary

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 9.41.300 and 2024 c 285 s 1 are each amended to read as follows:

(1) It is unlawful for any person to enter the following places when he or she knowingly possesses or knowingly has under his or her control a weapon:

(a) The restricted access areas of a jail, or of a law enforcement facility, or any place used for the confinement of a person (i) arrested for, charged with, or convicted of an offense, (ii) held for extradition or as a material witness, or (iii) otherwise confined pursuant to an order of a court, except an order under chapter 13.32A or 13.34 RCW. Restricted access areas do not include common areas of egress or ingress open to the general public;

(b) Those areas in any building which are used in connection with court proceedings, including courtrooms, jury rooms, judge's chambers, offices and areas used to conduct court business, waiting areas, and corridors adjacent to areas used in connection with court proceedings. The restricted areas do not include common areas of ingress and egress to the building that is used in connection with court proceedings, when it is possible to protect court areas without restricting ingress and egress to the building. The restricted areas shall be the minimum necessary to fulfill the objective of this subsection (1)(b).

((~~For purposes of this subsection (1)(b), "weapon" means any firearm, explosive as defined in RCW 70.74.010, or any weapon of the kind usually known as slungshot, sand club, or metal knuckles, or any knife, dagger, dirk, or other similar weapon that is capable of causing death or bodily injury and is commonly used with the intent to cause death or bodily injury.~~))

In addition, the local legislative authority shall provide either a stationary locked box sufficient in size for pistols and key to a weapon owner for weapon storage, or shall designate an official to receive weapons for safekeeping, during the owner's visit to restricted areas of the building. The locked box or designated official shall be located within the same building used in connection with court

proceedings. The local legislative authority shall be liable for any negligence causing damage to or loss of a weapon either placed in a locked box or left with an official during the owner's visit to restricted areas of the building.

The local judicial authority shall designate and clearly mark those areas where weapons are prohibited, and shall post notices at each entrance to the building of the prohibition against weapons in the restricted areas;

(c) The restricted access areas of a public mental health facility licensed or certified by the department of health for inpatient hospital care and state institutions for the care of the mentally ill, excluding those facilities solely for evaluation and treatment. Restricted access areas do not include common areas of egress and ingress open to the general public;

(d) That portion of an establishment classified by the state liquor and cannabis board as off-limits to persons under 21 years of age;

(e) The restricted access areas of a commercial service airport designated in the airport security plan approved by the federal transportation security administration, including passenger screening checkpoints at or beyond the point at which a passenger initiates the screening process. These areas do not include airport drives, general parking areas and walkways, and shops and areas of the terminal that are outside the screening checkpoints and that are normally open to unscreened passengers or visitors to the airport. Any restricted access area shall be clearly indicated by prominent signs indicating that firearms and other weapons are prohibited in the area;

(f) The premises of a library established or maintained pursuant to the authority of chapter 27.12 RCW;

(g) The premises of a zoo or aquarium accredited or certified by the association of zoos and aquariums or the zoological association of America or a facility with a current signed memorandum of participation with an association of zoos and aquariums species survival plan; ((~~or~~))

(h) The premises of a transit station or transit facility. For purposes of this subsection, "transit station" and "transit facility" have the same meaning as defined in RCW 9.91.025. "Transit station" and "transit facility" do not include any "transit vehicle" as that term is defined in RCW 9.91.025;

(i) The premises of a city's, town's, county's, or other municipality's neighborhood, community, or regional park facilities where children are likely to be present. Cities, towns, counties, and other municipalities shall designate the park facilities within its boundaries where children are likely to be present and post appropriate signage at common access points of the park facility's premises to notify the public that weapons are prohibited within the park facility. Park facilities where children are likely to be present include, but are not limited to, park facilities that have: Playgrounds or children's play areas; sports fields; swim beaches or water play areas; teen centers, community centers, or performing arts centers; skate parks; and other recreational facilities likely to be used by children;

(j) The premises of a state or local public building. A "state or local public building" means a building or part of a building owned, leased, held, or used by the governmental entity of a city, town, county, or other municipality or by the state of Washington, if state or local public employees are regularly present for the purposes of performing their official duties and that is not regularly used, and not intended to be used, by state or local public employees as a place of residence. A state or local public building does not include Washington state department of transportation properties and facilities such as ferry terminals, ferry holding lanes, safety rest areas, and train depots which are used primarily by the general traveling public; in such areas weapons must remain in locked cases or remain in a locked portion of a vehicle; or

(k) The premises of county fairs and county fair facilities during the hours of operation in which the fair is open to the public. For the purpose of this subsection, "county fair" means fairs organized to serve the interests of single counties and are under county commissioner jurisdiction. This prohibition does not apply to gun shows operating on county fairgrounds.

(2)(a) Except as provided in (c) of this subsection, it is unlawful for any person to knowingly open carry a firearm or other weapon while knowingly at any permitted demonstration. This subsection (2)(a) applies whether the person carries the firearm or other weapon on his or her person or in a vehicle.

(b) It is unlawful for any person to knowingly open carry a firearm or other weapon while knowingly within 250 feet of the perimeter of a permitted demonstration after a duly authorized state or local law enforcement officer advises the person of the permitted demonstration and directs the person to leave until he or she no longer possesses or controls the firearm or other weapon. This subsection (2)(b) does not apply to any person possessing or controlling any firearm or other weapon on private property owned or leased by that person.

(c) Duly authorized federal, state, and local law enforcement officers and personnel are exempt from the provisions of this subsection (2) when carrying a firearm or other weapon in conformance with their employing agency's policy. Members of the armed forces of the United States or the state of Washington are exempt from the provisions of this subsection (2) when carrying a firearm or other weapon in the discharge of official duty or traveling to or from official duty.

(d) For purposes of this subsection, the following definitions apply:

(i) "Permitted demonstration" means either: (A) A gathering for which a permit has been issued by a federal agency, state agency, or local government; or (B) a gathering of 15 or more people who are assembled for a single event at a public place that has been declared as permitted by

the chief executive, sheriff, or chief of police of a local government in which the gathering occurs. A "gathering" means a demonstration, march, rally, vigil, sit-in, protest, picketing, or similar public assembly.

(ii) "Public place" means any site accessible to the general public for business, entertainment, or another lawful purpose. A "public place" includes, but is not limited to, the front, immediate area, or parking lot of any store, shop, restaurant, tavern, shopping center, or other place of business; any public building, its grounds, or surrounding area; or any public parking lot, street, right-of-way, sidewalk, public park, or other public grounds.

((~~(iii) "Weapon" has the same meaning given in subsection (1)(b) of this section.~~))

(e) Nothing in this subsection applies to the lawful concealed carry of a firearm by a person who has a valid concealed pistol license.

(3) Cities, towns, counties, and other municipalities may enact laws and ordinances:

(a) Restricting the discharge of firearms in any portion of their respective jurisdictions where there is a reasonable likelihood that humans, domestic animals, or property will be jeopardized. Such laws and ordinances shall not abridge the right of the individual guaranteed by Article I, section 24 of the state Constitution to bear arms in defense of self or others; and

(b) Restricting the possession of firearms in any stadium or convention center, operated by a city, town, county, or other municipality, except that such restrictions shall not apply to:

(i) Any pistol in the possession of a person licensed under RCW 9.41.070 or exempt from the licensing requirement by RCW 9.41.060; or

(ii) Any showing, demonstration, or lecture involving the exhibition of firearms.

(4)(a) Cities, towns, and counties may enact ordinances restricting the areas in their respective jurisdictions in which firearms may be sold, but, except as provided in (b) of this subsection, a business selling firearms may not be treated more restrictively than other businesses located within the same zone. An ordinance requiring the cessation of business within a zone shall not have a shorter grandfather period for businesses selling firearms than for any other businesses within the zone.

(b) Cities, towns, and counties may restrict the location of a business selling firearms to not less than 500 feet from primary or secondary school grounds, if the business has a storefront, has hours during which it is open for business, and posts advertisements or signs observable to passersby that firearms are available for sale. A business selling firearms that exists as of the date a restriction is enacted under this subsection (4)(b) shall be grandfathered according to existing law.

(5) Violations of local ordinances adopted under subsection (3) of this section must have the same penalty as provided for by state law.

(6) ((~~The~~))As soon as practicable, the perimeter of the premises of any specific location covered by subsection (1) of this section shall be posted at ((~~reasonable intervals~~))common public access points to alert the public as to the existence of any law restricting the possession of firearms on the premises.

(7) Subsection (1) of this section does not apply to:

(a) A person engaged in military activities sponsored by the federal or state governments, while engaged in official duties;

(b) Law enforcement personnel, except that subsection (1)(b) of this section does apply to a law enforcement officer who is present at a courthouse building as a party to an antiharassment protection order action or a domestic violence protection order action under chapter 7.105 or 10.99 RCW, or an action under Title 26 RCW where any party has alleged the existence of domestic violence as defined in RCW 7.105.010; ((~~or~~))

(c) Security personnel while engaged in official duties((~~.~~

~~(8) Subsection (1)(a), (b), (c), (e), (f), (g), and (h) of this section does not apply to correctional~~)); or

(d) Correctional personnel or community corrections officers, as long as they are employed as such, who have completed government-sponsored law enforcement firearms training, except that subsection (1)(b) of this section does apply to a correctional employee or community corrections officer who is present at a courthouse building as a party to an antiharassment protection order action or a domestic violence protection order action under chapter 7.105 or 10.99 RCW, or an action under Title 26 RCW where any party has alleged the existence of domestic violence as defined in RCW 7.105.010.

((~~(9)~~))(8) Subsection (1) of this section does not apply to firearms either on loan or that are part of a museum collection that may be in the possession of museum staff, volunteers, or contractors when they are on the premises and engaging in activities directly related to their official museum duties. This includes, but is not limited to, work in support of or related to exhibitions, curation, collections management, educational programming, or other standard practices expected within the museum industry. Additionally, subsection (1) of this section does not apply to individuals bringing a firearm at a preapproved date and time to a museum for loan or donation to the museum.

(9) Subsection (1)(a) of this section does not apply to a person licensed pursuant to RCW 9.41.070 who, upon entering the place or facility, directly and promptly proceeds to the administrator of the facility or the administrator's designee and obtains written permission to possess the firearm while on the premises or checks his or her firearm. The person may reclaim the firearms upon leaving but must immediately and directly depart from the place or facility.

(10) Subsection (1)(c) of this section does not apply to any administrator or

employee of the facility or to any person who, upon entering the place or facility, directly and promptly proceeds to the administrator of the facility or the administrator's designee and obtains written permission to possess the firearm while on the premises.

(11) Subsection (1)(d) of this section does not apply to the proprietor of the premises or his or her employees while engaged in their employment.

(12) Subsection (1)(g) of this section does not apply to employees of a zoo, aquarium, or animal sanctuary, while engaged in their employment if the weapon is owned by the zoo, aquarium, or animal sanctuary and maintained for the purpose of protecting its employees, animals, or the visiting public.

(13) Subsection (1)(f), (g), ((~~and~~)) (h), (i), (j), and (k) of this section does not apply to the activities of color guards and honor guards affiliated with the United States military, Washington state national guard, or Washington department of veterans' affairs related to burial or interment ceremonies including, but not limited to, any staging and logistical requirements of the color guard or honor guard.

(14) Subsection (1)(i), (j), and (k) of this section does not apply to the activities of color guards and honor guards affiliated with the United States military, Washington state national guard, or Washington department of veterans affairs related to permitted events where military rifle honors are customarily conducted, including but not limited to permitted events for Memorial Day, Veterans Day, Independence Day, Juneteenth, and Presidents' Day. This exemption also applies to any staging and logistical requirements of the color guard or honor guard.

(15) Subsection (1)(i), (j), and (k) of this section does not apply to any firing range certified by the Washington state patrol for firearms safety training and live fire exercises for the purpose of completing a firearm safety training program to obtain a permit to purchase a firearm pursuant to chapter . . ., Laws of 2025 (Engrossed Second Substitute House Bill No. 1163).

(16) Subsection (1)(f), (g), ((~~and~~)) (h), (i), (j), and (k) of this section does not apply to a person licensed to carry a concealed firearm pursuant to RCW 9.41.070.

((~~(15)~~))(17) Government-sponsored law enforcement firearms training must be training that correctional personnel and community corrections officers receive as part of their job requirement and reference to such training does not constitute a mandate that it be provided by the correctional facility.

((~~(16)~~))(18) Any person violating subsection (1) or (2) of this section is guilty of a gross misdemeanor.

((~~(17)~~))(19) "Weapon" as used in this section means ((~~any firearm, explosive as defined in RCW 70.74.010, or instrument or weapon listed in RCW 9.41.250~~))any firearm, explosive as defined in RCW 70.74.010, or any instrument of the kind usually known as slungshot, sand club, or metal knuckles, or any knife, dagger, dirk, or other similar instrument that is capable of causing death or bodily injury and is commonly used with the intent to cause death or bodily injury."

Correct the title.

Signed by Representatives Taylor, Chair; Farivar, Vice Chair; Entenman; Goodman; Peterson; Salahuddin; Thai and Walen.

MINORITY recommendation: Do not pass. Signed by Representatives Walsh, Ranking Minority Member; Abell, Assistant Ranking Minority Member; Burnett; Graham; and Jacobsen.

Referred to Committee on Appropriations

March 25, 2025

SB 5102 Prime Sponsor, Senator Hasegawa: Establishing a public records exemption for the proprietary information of public risk pools. Reported by Committee on State Government & Tribal Relations

MAJORITY recommendation: Do pass. Signed by Representatives Mena, Chair; Stearns, Vice Chair; Waters, Ranking Minority Member; Chase; Doglio and Farivar.

MINORITY recommendation: Without recommendation. Signed by Representative Walsh, Assistant Ranking Minority Member.

Referred to Committee on Rules for second reading

March 26, 2025

SB 5110 Prime Sponsor, Senator Kauffman: Providing tuition waivers for tribal elders at Washington's community and technical colleges. Reported by Committee on Postsecondary Education & Workforce

MAJORITY recommendation: Do pass. Signed by Representatives Paul, Chair; Nance, Vice Chair; Entenman; Keaton; Leavitt; Mendoza; Pollet; Reed; Salahuddin; Thomas and Timmons.

MINORITY recommendation: Do not pass. Signed by Representatives McEntire, Assistant Ranking Minority Member; Rude; and Schmidt.

MINORITY recommendation: Without recommendation. Signed by Representatives Ybarra, Ranking Minority Member; Graham; and Ley.

Referred to Committee on Appropriations

March 27, 2025

SSB 5123 Prime Sponsor, Early Learning & K-12 Education: Expanding protections for certain students to promote inclusivity in public schools. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Santos, Chair; Shavers, Vice Chair; Bergquist; Callan; Donaghy; Ortiz-Self; Pollet; Reeves; Rule; Scott and Stonier.

MINORITY recommendation: Do not pass. Signed by Representatives Rude, Ranking Minority Member; Keaton, Assistant Ranking Minority Member; Chase; Couture; Eslick; Marshall; McEntire; and Steele.

Referred to Committee on Appropriations

March 26, 2025

SSB 5139 Prime Sponsor, Human Services: Concerning reentry council. Reported by Committee on Community Safety

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 43.380.030 and 2016 c 188 s 4 are each amended to read as follows:

(1) The council comprises ((~~fifteen~~))22 members appointed by the governor.

(2) The governor must create a membership that includes:

(a)(i) Representatives of: The department of corrections; the health care authority; the department of social and health services; the employment security department; the juvenile rehabilitation administration; a statewide organization representing community and technical colleges; a statewide organization representing law enforcement interests; a statewide organization representing the interests of crime victims; a statewide organization representing prosecutors; a statewide organization representing public defenders; a statewide or local organization representing businesses and employers; housing providers; and faith-based organizations or communities;

(ii) At least two persons with experience reentering the community after incarceration; ((~~and~~))

(iii) Two other community leaders;

(iv) Two community members who are currently incarcerated, one of whom must be incarcerated in a men's correctional facility and one who must be incarcerated in a women's correctional facility; and

(v) Two persons who are either a survivor or victim of a crime as defined in RCW 7.69.020, one of whom does not identify as female, and one who does not identify as male.

(b) At least one position of the council must be reserved for an invited person with a background in tribal affairs, and such position has all of the same voting and other powers of other members.

(3) When making appointments, the governor shall consider:

(a) The racial and ethnic background of applicants in order for the membership to reflect the diversity of racial and ethnic backgrounds of all those who are incarcerated in the state;

(b) The gender of applicants in order for the membership to reflect the gender diversity of all those who are incarcerated in the state;

(c) The geographic location of all applicants in order for the membership to represent the different geographic regions of the state; and

(d) The experiences and background of all applicants relating to the incarcerated population.

Sec. 2. RCW 43.380.060 and 2016 c 188 s 7 are each amended to read as follows:

The members of the council ((~~shall serve without~~))may receive compensation as provided in RCW 43.03.220 and 43.03.270, ((~~but~~))and are entitled to be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060.

Sec. 3. RCW 43.380.070 and 2016 c 188 s 8 are each amended to read as follows:

(1) Meetings of the council must be held in accordance with the open public meetings act, chapter 42.30 RCW, and at the call of the cochairs or when a majority of the council membership so requests. Members may participate in a meeting of the council by means of a conference telephone or similar communication equipment as described in RCW 23B.08.200, provided that any member who is currently incarcerated may only attend and participate in council meetings virtually, unless the meeting is held at the correctional facility where the member is incarcerated.

(2) ((~~Seven~~))Twelve members of the council constitute a quorum.

(3) Once operational, the council must convene on a regular schedule at least four times during each year."

Correct the title.

Signed by Representatives Goodman, Chair; Simmons, Vice Chair; Davis; Farivar; Fosse and Obras.

MINORITY recommendation: Do not pass. Signed by Representative Graham, Ranking Minority Member.

MINORITY recommendation: Without recommendation. Signed by Representative Burnett.

Referred to Committee on Rules for second reading

March 26, 2025

ESSB 5142 Prime Sponsor, Law & Justice: Providing owners of real estate taken through eminent domain by school districts, or sold under threat of eminent domain, the opportunity to purchase the real estate back when it is not put to intended public use. Reported by Committee on Civil Rights & Judiciary

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** A new section is added to chapter 8.16 RCW to read as follows:

(1) For purposes of this section, real estate is acquired under threat of condemnation when a school district purchases the real estate without a judgment having been entered in a condemnation action brought under this chapter and the school district sends the property owner a written notice indicating an intent to pursue a condemnation action to acquire the real estate.

(2) At the time of an acquisition of real estate under threat of condemnation, or within a reasonable time after, a school district shall provide the previous property owner or owners a written statement

identifying the use for which the property is being acquired.

(3) Except as provided in subsections (5) through (8) of this section, before real estate acquired in a condemnation action brought under this chapter, or acquired under threat of condemnation, may be sold, transferred, or put to a use other than as a site for school facilities, or as additional grounds to existing school facilities, the school district shall send a written offer by certified mail to the previous owner or owners, or their heirs, assigns, or successors in interest, at their last known addresses, offering to sell the acquired real estate to the previous owner or owners, or their heirs, assigns, or successors in interest, in exchange for the amount paid by the school district to the clerk of the court as compensation for the real estate taken, or, in the case of property acquired under threat of condemnation, for the purchase price paid by the school district. Such previous owner, owners, or their heirs, assigns, or successors in interest shall have 60 days after receipt of such written offer to provide written acceptance to the school district. The school district's obligation to provide such written offer under this subsection is satisfied, and any subsequent disposition of the acquired real estate is not invalidated for lack of actual notice to any previous owner, owners, or their heirs, assigns, or successors in interest, when the school district has in good faith and with reasonable diligence attempted to ascertain the identity of all persons entitled to notice under this section and sent such written offer by certified mail to their last known addresses.

(4) For real estate acquired in a condemnation action brought under this chapter, or under threat of condemnation, a previous owner, owners, or their heirs, assigns, or successors in interest are entitled to notice and opportunity to repurchase the property as described in subsection (3) of this section if: (a) The public use for which the property was acquired is canceled before the property is put to that public use; (b) no actual progress is made toward the public use for which the property was acquired within 10 years after the date of acquisition; (c) the property becomes unnecessary for the public use for which it was acquired or a substantially similar public use; or (d)(i) no voter or state funding for the school or school facility has been requested or submitted to the voters, (ii) no applications to the applicable permitting jurisdictions have been submitted, (iii) no additional parcels of property need to be assembled or acquired, (iv) no school or school facility on the property is included in the district's six-year capital facilities plan, and (v) the property was acquired by the district more than one year ago.

(5) Once the school district puts acquired real estate to use as a site for school facilities, or as additional grounds to existing school facilities, its obligations under subsection (3) of this section terminate, even if the acquired real estate is subsequently put to a use other than as a site for school facilities or as additional grounds to existing school facilities.

(6) A school district's obligations and the rights of an owner, owners, or their heirs, assigns, or successors in interest to receive notice and to purchase back the acquired real estate under subsection (3) of this section terminate 15 years after the date that the real estate was acquired by the school district.

(7) A property owner, or their heirs, assigns, or successors in interest, may waive the rights to receive notice and to purchase back the acquired real estate by executing a written waiver.

(8) Subsection (3) of this section does not apply to a property owner who makes a written request that a school district acquire the property through a condemnation action unless the school district first sent the property owner a written notice indicating an intent to pursue a condemnation action to acquire the property.

NEW SECTION. **Sec. 2.** This act may be known and cited as the Houston eminent domain fairness act."

Correct the title.

Signed by Representatives Taylor, Chair; Farivar, Vice Chair; Walsh, Ranking Minority Member; Abell, Assistant Ranking Minority Member; Burnett; Entenman; Goodman; Graham; Jacobsen; Peterson; Salahuddin; Thai and Walen.

Referred to Committee on Rules for second reading

March 26, 2025

SB 5158 Prime Sponsor, Senator Valdez: Concerning student athlete insurance. Reported by Committee on Postsecondary Education & Workforce

MAJORITY recommendation: Do pass. Signed by Representatives Paul, Chair; Nance, Vice Chair; Ybarra, Ranking Minority Member; McEntire, Assistant Ranking Minority Member; Entenman; Graham; Keaton; Leavitt; Ley; Mendoza; Pollet; Reed; Rude; Salahuddin; Schmidt; Thomas and Timmons.

Referred to Committee on Rules for second reading

March 26, 2025

E2SSB 5175 Prime Sponsor, Ways & Means: Concerning the photovoltaic module stewardship and takeback program. Reported by Committee on Environment & Energy

MAJORITY recommendation: Do pass. Signed by Representatives Doglio, Chair; Hunt, Vice Chair; Berry; Duerr; Fey; Fitzgibbon; Kloba; Mena; Ramel; Stearns; Street and Wylie.

MINORITY recommendation: Do not pass. Signed by Representatives Dye, Ranking Minority Member; Klicker, Assistant Ranking Member; Barnard; Ley; Mendoza; Stuebe; and Ybarra.

Referred to Committee on Appropriations

March 26, 2025

SB 5199 Prime Sponsor, Senator Wilson, C.: Providing compensation to members of the department of children, youth, and families oversight board with direct lived experience. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: Do pass. Signed by Representatives Bergquist, Chair; Cortes, Vice Chair; Bernbaum; Goodman; Hill; Ortiz-Self and Taylor.

MINORITY recommendation: Do not pass. Signed by Representative Penner.

MINORITY recommendation: Without recommendation. Signed by Representatives Eslick, Ranking Minority Member; Burnett, Assistant Ranking Minority Member; and Dent.

Referred to Committee on Rules for second reading

March 26, 2025

SSB 5214 Prime Sponsor, Human Services: Concerning mobile market programs. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: Do pass. Signed by Representatives Bergquist, Chair; Cortes, Vice Chair; Eslick, Ranking Minority Member; Burnett, Assistant Ranking Minority Member; Bernbaum; Dent; Goodman; Hill; Ortiz-Self; Penner and Taylor.

Referred to Committee on Rules for second reading

March 26, 2025

E2SSB 5217 Prime Sponsor, Ways & Means: Expanding pregnancy-related accommodations. Reported by Committee on Labor & Workplace Standards

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Department" means the department of labor and industries.

(2) "Director" means the director of the department of labor and industries or authorized representative.

(3) "Employee" means an employee who is employed in the business of the employee's employer whether by way of manual labor or otherwise.

(4) "Employer" has the same meaning and must be interpreted consistent with how that term is defined in RCW 49.60.040, except that for the purposes of this chapter only, "employer" includes any employer who employs one or more persons and any religious or sectarian organization not organized for private profit.

(5) "Pregnancy" includes the employee's pregnancy and pregnancy-related health conditions, including the need to express breast milk.

(6) "Reasonable accommodation" means:

(a) Providing more frequent, longer, or flexible restroom breaks;

(b) Modifying a no food or drink policy;

(c) Job restructuring, part-time or modified work schedules, reassignment to a vacant position, or acquiring or modifying equipment, devices, or an employee's work station;

(d) Providing seating or allowing the employee to sit more frequently if the employee's job requires the employee to stand;

(e) Providing for a temporary transfer to a less strenuous or less hazardous position;

(f) Providing assistance with manual labor and limits on lifting;

(g) Scheduling flexibility for prenatal and postpartum visits;

(h) Providing reasonable break time for an employee to express breast milk for two years after the child's birth each time the employee has a need to express milk and providing a private location, other than a bathroom, if such a location exists at the place of business or worksite, which may be used by the employee to express breast milk. If the business location does not have a space for the employee to express milk, the employer shall work with the employee to identify a convenient location and work schedule to accommodate their needs; and

(i) Any further pregnancy accommodation an employee may request, and to which an employer must give reasonable consideration in consultation with information provided on pregnancy accommodation by the department or the attending health care provider of the employee.

(7) "Undue hardship" means an action requiring significant difficulty or expense. An employer may not claim undue hardship for the accommodations under subsection (6)(a), (b), and (d) of this section, or for limits on lifting over 17 pounds.

NEW SECTION. **Sec. 2.** (1) It is an unfair practice for any employer to:

(a) Fail or refuse to make reasonable accommodation for an employee for pregnancy, unless the employer can demonstrate that doing so would impose an undue hardship on the employer's program, enterprise, or business;

(b) Take adverse action against an employee who requests, declines, or uses an accommodation under this section that affects the terms, conditions, or privileges of employment;

(c) Deny employment opportunities to an otherwise qualified employee if such denial is based on the employer's need to make reasonable accommodation required by this section;

(d) Require an employee to take leave if another reasonable accommodation can be provided for the employee's pregnancy.

(2) An employer may request that the employee provide written certification from the employee's treating health care professional regarding the need for reasonable accommodation, except for accommodations listed in section 1(6)(h) and section 8 of this act.

(3)(a) This chapter does not require an employer to create additional employment

that the employer would not otherwise have created, unless the employer does so or would do so for other classes of employees who need accommodation.

(b) This chapter does not require an employer to discharge any employee, transfer any employee with more seniority, or promote any employee who is not qualified to perform the job, unless the employer does so or would do so to accommodate other classes of employees who need accommodation.

(4) Any break time and any time traveling to a location, identified by the employer and employee as provided in section 1(6)(h) of this act, to express milk must be paid to the employee at the employee's regular compensation rate. An employee must not be required to use paid leave during break or travel time to express milk during work. Any break time to express milk is in addition to meal and rest periods under chapter 49.12 RCW.

(5) The department must provide online education materials explaining the respective rights and responsibilities of employers and employees who have a health condition related to pregnancy or childbirth. The online education materials must be prominently displayed on the department's website.

NEW SECTION. **Sec. 3.** (1) The department shall investigate complaints and enforce this chapter. Prior to issuing any order under this subsection, the department must first contact the employer and attempt in good faith to reach agreement on reasonable accommodation or interim accommodation. If the department and the employer are unable to reach agreement, the department may issue a temporary order immediately restraining any such condition, practice, method, process, or means in the workplace that violates any provision of this chapter. This temporary order may be in effect no longer than 90 calendar days. To extend the order beyond 90 calendar days, the department must seek a restraining order, or other such relief as appears appropriate under the circumstances, in the superior court of the county wherein such condition of employment or practice exists.

(2) In addition to the complaint process with the department, any person believed to have been injured by a violation of this chapter has a civil cause of action in court to enjoin further violations, or to recover the actual damages sustained by the person, or both, together with the cost of suit and reasonable attorneys' fees or any other appropriate remedy authorized by state or federal law.

(3) This section does not preempt, limit, diminish, or otherwise affect any other provision of law relating to sex discrimination or pregnancy, or in any way diminish or limit legal protections or coverage for pregnancy, childbirth, or pregnancy-related health conditions.

(4) The department may assess civil penalties for a violation of this chapter. For a violation of the accommodation described in section 1(6)(h) of this act, the department may assess a civil penalty under this chapter or RCW 49.17.530, but may not assess duplicative penalties for the same violation.

NEW SECTION. **Sec. 4.** (1) The department must adopt rules for purposes of implementing and enforcing this chapter including, but not limited to, rules establishing processes for enforcement and appeals of citations issued, and rules concerning the collection of civil penalties and other amounts owed. The rules must be at least equal to enforcement of the protections provided by chapter 49.46 RCW.

(2) The department must deposit all civil penalties paid under this chapter in the supplemental pension fund established under RCW 51.44.033.

NEW SECTION. **Sec. 5.** (1) The provisions of RCW 43.10.005 as they existed immediately prior to January 1, 2027, apply to employee and employer conduct, acts, or omissions occurring on or before December 31, 2026, including but not limited to the enforcement provisions set forth in RCW 43.10.005(6) as they existed immediately prior to January 1, 2027. Accordingly, a cause of action for conduct, acts, or omissions occurring on or before December 31, 2026, under RCW 43.10.005 as it existed immediately prior to January 1, 2027, remains available within its applicable statute of limitations. As an exercise of the state's police powers and for remedial purposes, this subsection applies retroactively to claims based on conduct, acts, or omissions that occurred on or before December 31, 2026.

(2) The provisions of this chapter apply to employee and employer conduct, acts, or omissions occurring on or after January 1, 2027, including but not limited to the enforcement provisions set forth in section 3 of this act.

NEW SECTION. **Sec. 6.** This chapter may be known and cited as the healthy starts act.

Sec. 7. RCW 2.36.100 and 2023 c 205 s 1 are each amended to read as follows:

(1) Except for a person who is not qualified for jury service under RCW 2.36.070 or who chooses to opt out of jury service under subsection (2) of this section, no person may be excused from jury service by the court except upon a showing of undue hardship, extreme inconvenience, public necessity, or any reason deemed sufficient by the court for a period of time the court deems necessary.

(2)(a) A person who is 80 years of age or older may request to be excused from jury service if the person attests that the person is unable to serve due to health reasons. An attestation form must be developed by the court and may not include a requirement that a doctor's note be provided. This request must be granted by the court.

(b) A person who is breastfeeding or expressing breast milk for an infant under 24 months old may request to delay or be excused from jury service if the person

attests that the person is unable to serve for this reason. An attestation form must be developed by the court and may not include a requirement that a doctor's note be provided. This request must be granted by the court.

(3) At the discretion of the court's designee, after a request by a prospective juror to be excused, a prospective juror excused from juror service for a particular time may be assigned to another jury term within the twelve-month period. If the assignment to another jury term is made at the time a juror is excused from the jury term for which he or she was summoned, a second summons under RCW 2.36.095 need not be issued. This subsection does not apply to people excused from jury service under subsection (2) of this section.

(4) When the jury source list has been fully summoned within a consecutive twelve-month period and additional jurors are needed, jurors who have already served during the consecutive twelve-month period may be summoned again for service. A juror who has previously served may only be excused if he or she served at least one week of juror service within the preceding twelve months. An excuse for prior service shall be granted only upon the written request of the prospective juror, which request shall certify the terms of prior service. Prior jury service may include service in superior court, in a court of limited jurisdiction, in the United States District Court, or on a jury of inquest.

NEW SECTION. **Sec. 8.** RCW 43.10.005 (Workplace pregnancy accommodations—Unfair practices—Definitions) and 2020 c 111 s 1, 2019 c 134 s 1, & 2017 c 294 s 3 are each repealed.

NEW SECTION. **Sec. 9.** Sections 1 through 6 of this act constitute a new chapter in Title 49 RCW.

NEW SECTION. **Sec. 10.** This act takes effect January 1, 2027."

Correct the title.

Signed by Representatives Berry, Chair; Fosse, Vice Chair; Scott, Vice Chair; Schmidt, Ranking Minority Member; Bronoske; Obras and Ortiz-Self.

MINORITY recommendation: Without recommendation. Signed by Representatives Ybarra, Assistant Ranking Minority Member; and McEntire.

Referred to Committee on Appropriations

March 26, 2025

ESSB 5219 Prime Sponsor, Human Services: Concerning partial confinement eligibility and alignment. Reported by Committee on Community Safety

MAJORITY recommendation: Do pass. Signed by Representatives Goodman, Chair; Simmons, Vice Chair; Davis; Farivar; Fosse and Obras.

MINORITY recommendation: Without recommendation. Signed by Representatives Graham, Ranking Minority Member; and Burnett.

Referred to Committee on Appropriations

March 27, 2025

SB 5224 Prime Sponsor, Senator Lovick: Concerning officer certification definitions, processes, and commissioning. Reported by Committee on Community Safety

MAJORITY recommendation: Do pass. Signed by Representatives Goodman, Chair; Simmons, Vice Chair; Graham, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; Burnett; Davis; Farivar; Fosse and Obras.

Referred to Committee on Rules for second reading

March 26, 2025

SSB 5292 Prime Sponsor, Labor & Commerce: Concerning paid family and medical leave rates. Reported by Committee on Labor & Workplace Standards

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 50A.10.030 and 2023 c 116 s 1 are each amended to read as follows:

(1) The department shall assess for each individual in employment with an employer and for each individual electing coverage a premium based on the amount of the individual's wages subject to subsection (4) of this section.

(2) The commissioner shall determine the percentage of paid claims related to family leave benefits and the percentage of paid claims related to medical leave benefits and set the family leave premium and the medical leave premium by applying the proportional share of paid claims for each type of leave to the total premium rate set in subsection (6) of this section.

(3)(a) For family leave premiums, an employer may deduct from the wages of each employee up to the full amount of the premium required.

(b) For medical leave premiums, an employer may deduct from the wages of each employee up to 45 percent of the full amount of the premium required.

(c) An employer may elect to pay all or any portion of the employee's share of the premium for family leave or medical leave benefits, or both.

(4) The commissioner must annually set a maximum limit on the amount of wages that is subject to a premium assessment under this section that is equal to the maximum wages subject to taxation for social security as determined by the social security administration.

(5)(a) Employers with fewer than 50 employees employed in the state are not required to pay the employer portion of premiums for family and medical leave.

(b) If an employer with fewer than 50 employees elects to pay the premiums, the employer is then eligible for assistance under RCW 50A.24.010.

(6)(a) ((~~On or around October 20th of each year,~~))Annually, the commissioner must ((~~calculate the total premium rate as follows:~~

~~(i) Calculate an amount that equals 140 percent of the prior fiscal year's expenses, including the total amount of benefits paid and the department's administrative costs;~~

~~(ii) Subtract the balance of the family and medical leave insurance account created in RCW 50A.05.070 as of September 30th from the amount determined in (a)(i) of this subsection (6); and~~

((~~(iii) Divide the difference in (a)(ii) of this subsection (6) by the prior fiscal year's taxable wages. The quotient must be carried to the fourth decimal place and then rounded up to the nearest one hundredth of one percent~~))set the total premium rate based on the annual report provided pursuant to RCW 50A.05.050 from the office of actuarial services created in RCW 50A.05.130.

(b) ((~~The commissioner must set the total premium rate at the rate calculated in (a) of this subsection (6) subject to the following conditions:~~

~~(i) If the commissioner determines the total premium rate calculated in (a) of this subsection exceeds a rate necessary to maintain a three-month reserve at the end of the following rate collection year, the commissioner must set the total premium rate at the minimum rate necessary to close the rate collection year with a three-month reserve; and~~

~~(ii)~~)) The total premium rate must not exceed ((~~1.20 percent.~~

~~(c) For the purposes of this subsection (6):~~

~~(i) "Taxable wages" means the total amount of wages subject to a premium assessment under this section for all individuals in employment with an employer and all individuals electing coverage.~~

~~(ii) "Three-month reserve" means the average monthly expenses, including the total amount of benefits paid and the department's administrative costs, in the prior 12 calendar months from the date of the calculation in this subsection multiplied by three.~~))the following rates during the following date ranges:

Date Range:	Maximum total premium rate:
Beginning January 1, 2027, through December 31, 2028	1.4 percent
Beginning January 1, 2029, through December 31, 2030	1.6 percent
Beginning January 1, 2031, through December 31, 2032	1.8 percent
Beginning January 1, 2033, and ongoing	2 percent

(7)(a) The employer must collect from the employees the premiums provided under this section through payroll deductions and remit the amounts collected to the department.

(b) In collecting employee premiums through payroll deductions, the employer shall act as the agent of the employees and shall remit the amounts to the department as required by this title.

(c) On September 30th of each year, the department shall average the number of employees reported by an employer over the last four completed calendar quarters to determine the size of the employer for the next calendar year for the purposes of this section and RCW 50A.24.010.

(8) Premiums shall be collected in the manner and at such intervals as provided in this title and directed by the department.

(9) Premiums collected under this section are placed in trust for the employees and employers that the program is intended to assist.

(10) A city, code city, town, county, or political subdivision may not enact a charter, ordinance, regulation, rule, or resolution:

(a) Creating a paid family or medical leave insurance program that alters or amends the requirements of this title for any private employer;

(b) Providing for local enforcement of the provisions of this title; or

(c) Requiring private employers to supplement duration of leave or amount of wage replacement benefits provided under this title.

Sec. 2. RCW 50A.05.050 and 2022 c 233 s 7 are each amended to read as follows:

(1) Beginning December 1, 2020, and annually thereafter, the department shall report to the legislature on the entire program, including:

(a) Projected and actual program participation;

(b) Premium rates;

(c) Fund balances;

(d) Benefits paid;

(e) Demographic information on program participants, including income, gender, race, ethnicity, geographic distribution by county and legislative district, and employment sector;

(f) Costs of providing benefits;

(g) Elective coverage participation;

(h) Voluntary plan participation;

(i) Outreach efforts; and

(j) Small business assistance.

(2)(a) Beginning January 1, 2023, the office of actuarial services created in RCW 50A.05.130 must annually report((~~, by November 1st,~~)) to the advisory committee in RCW 50A.05.030 on the experience and financial condition of the family and medical leave insurance account, and the lowest future premium rates necessary to ((~~maintain~~)):

(i) Maintain solvency of the family and medical leave insurance account in the next four years while limiting fluctuation in premium rates; and

(ii) By the end of rate collection year 2030 and each year thereafter, close the

rate collection year with a four-month reserve.

(b) For calendar years 2023 through 2028, the annual reports in (a) of this subsection must be submitted to the appropriate committees of the legislature in compliance with RCW 43.01.036.

(c) For the purposes of this subsection (2), "four-month reserve" means the average monthly expenses, including the total amount of benefits paid and the department's administrative costs, using actuarial projection for the following calendar year, multiplied by four.

(3) Beginning October 1, 2023, the department must report quarterly to the advisory committee in RCW 50A.05.030 on premium collections, benefit payments, the family and medical leave insurance account balance, and other program expenditures.

NEW SECTION. **Sec. 3.** This act takes effect January 1, 2027."

Correct the title.

Signed by Representatives Berry, Chair; Fosse, Vice Chair; Scott, Vice Chair; Bronoske; Obras and Ortiz-Self.

MINORITY recommendation: Do not pass. Signed by Representatives Schmidt, Ranking Minority Member; Ybarra, Assistant Ranking Minority Member; and McEntire.

Referred to Committee on Rules for second reading

March 26, 2025

SSB 5323 Prime Sponsor, Law & Justice: Concerning the penalties for theft and possession of stolen property from first responders. Reported by Committee on Community Safety

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 9A.56.150 and 2009 c 431 s 12 are each amended to read as follows:

(1) A person is guilty of possessing stolen property in the first degree if he or she possesses stolen property, other than a firearm as defined in RCW 9.41.010 or a motor vehicle, which ((~~exceeds~~)):

(a) Exceeds five thousand dollars in value; or

(b) Was property or equipment used by firefighters or emergency medical service providers that is critical to their work in an emergency setting and taken from a fire station, fire department vehicle, or emergency medical services building, facility, structure, or vehicle; and

(i) The loss of the property or equipment significantly hindered or delayed the firefighter's or emergency medical service provider's ability to respond to an ongoing emergency; or

(ii) The property or equipment exceeds $1,000 in value.

(2) Possessing stolen property in the first degree is a class B felony.

Sec. 2. RCW 9A.56.030 and 2017 c 266 s 10 are each amended to read as follows:

(1) Except as provided in RCW 9A.56.400, a person is guilty of theft in the first degree if he or she commits theft of:

(a) Property or services which exceed(s) five thousand dollars in value other than a firearm as defined in RCW 9.41.010;

(b) Property of any value, other than a firearm as defined in RCW 9.41.010 or a motor vehicle, taken from the person of another;

(c) A search and rescue dog, as defined in RCW 9.91.175, while the search and rescue dog is on duty; ((~~or~~))

(d) Commercial metal property, nonferrous metal property, or private metal property, ((~~as those terms are defined in RCW 19.290.010,~~)) and the costs of the damage to the owner's property exceed five thousand dollars in value; or

(e) Property or equipment used by firefighters or emergency medical service providers that is critical to their work in an emergency setting and taken from a fire station, fire department vehicle, or emergency medical services building, facility, structure, or vehicle; and

(i) The loss of the property or equipment significantly hindered or delayed the firefighter's or emergency medical service provider's ability to respond to an ongoing emergency; or

(ii) The property or equipment exceeds $1,000 in value.

(2) Theft in the first degree is a class B felony."

Correct the title.

Signed by Representatives Goodman, Chair; Simmons, Vice Chair; Graham, Ranking Minority Member; Burnett; Davis; Farivar; Fosse and Obras.

Referred to Committee on Rules for second reading

March 27, 2025

SSB 5327 Prime Sponsor, Early Learning & K-12 Education: Concerning learning standards and graduation requirements. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Santos, Chair; Shavers, Vice Chair; Rude, Ranking Minority Member; Keaton, Assistant Ranking Minority Member; Bergquist; Callan; Donaghy; Eslick; Ortiz-Self; Pollet; Reeves; Rule; Scott; Steele and Stonier.

MINORITY recommendation: Without recommendation. Signed by Representatives Chase; Couture; Marshall; and McEntire.

Referred to Committee on Appropriations

March 26, 2025

E2SSB 5355 Prime Sponsor, Ways & Means: Improving safety at institutions of higher education while supporting student survivors of sexual assault. Reported by Committee on Postsecondary Education & Workforce

MAJORITY recommendation: Do pass. Signed by Representatives Paul, Chair; Nance, Vice Chair; Ybarra, Ranking Minority Member; McEntire, Assistant Ranking

Minority Member; Entenman; Graham; Keaton; Leavitt; Ley; Mendoza; Pollet; Reed; Rude; Salahuddin; Schmidt; Thomas and Timmons.

Referred to Committee on Rules for second reading

March 27, 2025

2SSB 5356 Prime Sponsor, Ways & Means: Concerning training provided by the criminal justice training commission. Reported by Committee on Community Safety

MAJORITY recommendation: Do pass. Signed by Representatives Goodman, Chair; Simmons, Vice Chair; Graham, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; Burnett; Davis; Farivar; Fosse and Obras.

Referred to Committee on Rules for second reading

March 27, 2025

SSB 5388 Prime Sponsor, Ways & Means: Concerning department of corrections behavioral health certification. Reported by Committee on Community Safety

MAJORITY recommendation: Do pass. Signed by Representatives Goodman, Chair; Simmons, Vice Chair; Graham, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; Burnett; Davis; Farivar; Fosse and Obras.

Referred to Committee on Appropriations

March 26, 2025

SSB 5394 Prime Sponsor, Ways & Means: Reducing the developmental disabilities administration's no-paid services caseload services. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: Do pass. Signed by Representatives Bergquist, Chair; Cortes, Vice Chair; Eslick, Ranking Minority Member; Burnett, Assistant Ranking Minority Member; Bernbaum; Dent; Goodman; Hill; Ortiz-Self; Penner and Taylor.

Referred to Committee on Appropriations

March 25, 2025

SB 5414 Prime Sponsor, Senator Hasegawa: Requiring social equity impact analysis in performance audits and legislative public hearings thereon. Reported by Committee on State Government & Tribal Relations

MAJORITY recommendation: Do pass. Signed by Representatives Mena, Chair; Stearns, Vice Chair; Doglio and Farivar.

MINORITY recommendation: Do not pass. Signed by Representatives Waters, Ranking Minority Member; Walsh, Assistant Ranking Minority Member; and Chase.

Referred to Committee on Rules for second reading

March 27, 2025

ESSB 5445 Prime Sponsor, Environment, Energy & Technology: Encouraging utility investment in local energy resilience. Reported by Committee on Environment & Energy

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** The legislature finds that, as Washington works towards meeting its goals under the clean energy transformation act, we see many larger-scale renewable energy projects proposed. These projects can come with significant challenges. This act aims to incentivize the development of local distributed energy resources. This may include expediting installation of small-scale wind energy developments, solar energy developments on landfills, structures, and other developed lands, and the placement of solar panels on agricultural lands that ensure the continued viability of agriculture alongside energy production. The legislature also finds that local economies benefit from distributed energy projects, which can create high quality jobs, provide opportunities for training apprentice workers, and improve grid resilience. The legislature intends to support utilities in investing in local distributed energy resilience by providing greater incentives in the energy independence act for utilities who invest in distributed energy priority projects.

NEW SECTION. **Sec. 2.** A new section is added to chapter 43.21F RCW to read as follows:

(1) The following categories of clean energy facilities and nonproject activities that reduce environmental impacts are determined to constitute distributed energy priorities:

(a) Solar energy generation and accompanying energy storage and electricity transmission and distribution, including vehicle charging equipment, when such facilities are located:

(i) Within the easement, right-of-way, or existing footprint of electrical transmission facilities or electric utility infrastructure sites;

(ii) Within the easement, right-of-way, or existing footprint of a state highway or city or county road;

(iii) On structures over or enclosing irrigation canals, drainage ditches, and irrigation, agricultural, livestock supply, stormwater, or wastewater reservoirs or similar impoundments of state waters that do not host salmon or steelhead trout runs;

(iv) On elevated structures over parking lots;

(v) On lands within a transportation facility, including but not limited to airports and railroad facilities, or restricted from other developments by transportation facility operations;

(vi) On closed or capped portions of landfills;

(vii) On reclaimed or former surface mine lands or contaminated sites that have been remediated under chapter 70A.305 RCW or the federal comprehensive environmental response, compensation, and liability act (42 U.S.C. Sec. 9601 et seq.) in a manner that includes an asphalt or soil cap;

(viii) As an agrivoltaic facility; and

(ix) On existing structures;

(b) Wind energy generation that is not a utility-scale wind energy facility as defined in RCW 70A.550.010, and accompanying energy storage and transmission and distribution equipment, including vehicle charging equipment;

(c) Energy storage, when such facilities are located:

(i) Within the easement, right-of-way, or existing footprint of electrical transmission facilities or electric utility infrastructure sites;

(ii) Within the easement, right-of-way, or existing footprint of a state highway or city or county road;

(iii) On lands within a transportation facility, including but not limited to airports and railroad facilities, or restricted from other developments by transportation facility operations;

(iv) On closed or capped portions of landfills;

(v) On reclaimed or former surface mine lands;

(vi) On contaminated sites that have been remediated under chapter 70A.305 RCW or the federal comprehensive environmental response, compensation, and liability act (42 U.S.C. Sec. 9601 et seq.) in a manner that includes an asphalt or soil cap; and

(vii) On or in existing structures;

(d) Programs that reduce electric demand, manage the level or timing of electricity consumption, or provide electricity storage, renewable or nonemitting electric energy, capacity, or ancillary services to an electric utility and that are located on the distribution system, any subsystem of the distribution system, or behind the customer meter, including conservation and energy efficiency; and

(e) Programs that reduce energy demand, manage the level or timing of energy consumption, or provide thermal energy storage.

(2)(a) The department must review and, when appropriate, periodically recommend to the legislature additional types of distributed energy priorities for inclusion on the list under subsection (1) of this section.

(b) The identification of distributed energy priorities in subsection (1) of this section applies to the maximum extent practical under state and federal law, but does not include any development sites or activities prohibited under other state or federal laws.

(3)(a) For purposes of this section, "agrivoltaic facility" means a ground-mounted photovoltaic solar energy system that is designed to be operated coincident with continued productive agricultural use of the land.

(b) Eligible agricultural products and uses include any combination of:

(i) Crop production;

(ii) Grazing;

(iii) Animal husbandry; and

(iv) Apiaries with pollinator habitat that have been designed and installed to enable the agricultural producer the flexibility to change what products are produced, raised, or grown at any point throughout the life of the facility.

(c) An agrivoltaic facility must not permanently or significantly degrade the agricultural or ecological productivity of the land after the cessation of the operation of the facility or involve the sale of a water right associated with the land.

(d) An agrivoltaic facility must be constructed, installed, and operated to achieve integrated and simultaneous production of both solar energy and marketable agricultural products by an agricultural producer:

(i) On land beneath or between rows of solar panels, or both; and

(ii) As soon as agronomically feasible and optimal for the agricultural producer after the commercial solar operation date, and continuing until facility decommissioning.

(e) Solar panel arrays must be designed and installed in a manner that supports the continuation of a viable farm operation for the life of the array, and must consider, as appropriate, the availability of light, water infrastructure for crops or animals, and panel height and spacing relative to farm machinery needs.

NEW SECTION. **Sec. 3.** A new section is added to chapter 43.21C RCW to read as follows:

The following actions are categorically exempt from the requirements of this chapter, except when undertaken wholly or partly on lands covered by water:

(1)(a) Except as provided in (b) of this subsection, the placement of an array of solar energy generation panels or associated equipment with a footprint of less than 1,000 square feet, or the construction of structures with a footprint of less than 1,000 square feet that support solar energy generation panels or associated equipment, when such arrays or structures are located on previously disturbed or developed lands including, but not limited to, driveways, lawns, patios, and walkways, and are not located on the portions of lands that are eligible for current use valuation under chapter 84.34 RCW as open space land, farm and agricultural land, or timberland;

(b) Multiple arrays or structures with a footprint of less than 1,000 square feet undertaken by the same owner or operator on the same parcel, as defined in RCW 17.10.010, that exceed 1,000 square feet in aggregate are deemed connected actions and are not eligible for the categorical exemption established in this subsection;

(2) The construction of structures that support solar energy generation panels or associated equipment on elevated structures located wholly over parking lots; and

(3) Solar energy generation and accompanying energy storage and electricity transmission and distribution when such facilities do not involve penetration of an asphalt or soil cap, are served by and accessible to emergency fire response services, as determined by the entity that would be lead agency for purposes of the chapter, and are located wholly on:

(a) Closed or capped portions of landfills; or

(b) Reclaimed or former surface mine lands.

Sec. 4. RCW 84.34.020 and 2014 c 125 s 2 are each amended to read as follows:

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

(1) "Open space land" means (a) any land area so designated by an official comprehensive land use plan adopted by any city or county and zoned accordingly((~~,~~)); or (b) any land area, the preservation of which in its present use would (i) conserve and enhance natural or scenic resources, or (ii) protect streams or water supply, or (iii) promote conservation of soils, wetlands, beaches or tidal marshes, or (iv) enhance the value to the public of abutting or neighboring parks, forests, wildlife preserves, nature reservations or sanctuaries or other open space, or (v) enhance recreation opportunities, or (vi) preserve historic sites, or (vii) preserve visual quality along highway, road, and street corridors or scenic vistas, or (viii) retain in its natural state tracts of land not less than one acre situated in an urban area and open to public use on such conditions as may be reasonably required by the legislative body granting the open space classification((~~,~~)); or (c) any land meeting the definition of farm and agricultural conservation land under subsection (8) of this section. As a condition of granting open space classification, the legislative body may not require public access on land classified under (b)(iii) of this subsection for the purpose of promoting conservation of wetlands.

(2) "Farm and agricultural land" means:

(a) Any parcel of land that is ((~~twenty~~))20 or more acres or multiple parcels of land that are contiguous and total ((~~twenty~~))20 or more acres:

(i) Devoted primarily to the production of livestock or agricultural commodities for commercial purposes;

(ii) Enrolled in the federal conservation reserve program or its successor administered by the United States department of agriculture; or

(iii) Other similar commercial activities as may be established by rule;

(b)(i) Any parcel of land that is five acres or more but less than ((~~twenty~~))20 acres devoted primarily to agricultural uses, which has produced a gross income from agricultural uses equivalent to, as of January 1, 1993:

(A) ((~~One hundred dollars~~))$100 or more per acre per year for three of the five calendar years preceding the date of application for classification under this chapter for all parcels of land that are classified under this subsection or all parcels of land for which an application for classification under this subsection is made with the granting authority prior to January 1, 1993; and

(B) On or after January 1, 1993, ((~~two hundred dollars~~))$200 or more per acre per year for three of the five calendar years preceding the date of application for classification under this chapter;

(ii) For the purposes of (b)(i) of this subsection, "gross income from agricultural uses" includes, but is not limited to, the wholesale value of agricultural products donated to nonprofit food banks or feeding programs;

(c) Any parcel of land of less than five acres devoted primarily to agricultural uses which has produced a gross income as of January 1, 1993, of:

(i) ((~~One thousand dollars~~))$1,000 or more per year for three of the five calendar years preceding the date of application for classification under this chapter for all parcels of land that are classified under this subsection or all parcels of land for which an application for classification under this subsection is made with the granting authority prior to January 1, 1993; and

(ii) On or after January 1, 1993, ((~~fifteen hundred dollars~~))$1,500 or more per year for three of the five calendar years preceding the date of application for classification under this chapter. Parcels of land described in (b)(i)(A) and (c)(i) of this subsection will, upon any transfer of the property excluding a transfer to a surviving spouse or surviving state registered domestic partner, be subject to the limits of (b)(i)(B) and (c)(ii) of this subsection;

(d) Any parcel of land that is five acres or more but less than ((~~twenty~~))20 acres devoted primarily to agricultural uses, which meet one of the following criteria:

(i) Has produced a gross income from agricultural uses equivalent to two hundred dollars or more per acre per year for three of the five calendar years preceding the date of application for classification under this chapter;

(ii) Has standing crops with an expectation of harvest within seven years, except as provided in (d)(iii) of this subsection, and a demonstrable investment in the production of those crops equivalent to one hundred dollars or more per acre in the current or previous calendar year. For the purposes of this subsection (2)(d)(ii), "standing crop" means Christmas trees, vineyards, fruit trees, or other perennial crops that: (A) Are planted using agricultural methods normally used in the commercial production of that particular crop; and (B) typically do not produce harvestable quantities in the initial years after planting; or

(iii) Has a standing crop of short rotation hardwoods with an expectation of harvest within ((~~fifteen~~))15 years and a demonstrable investment in the production of those crops equivalent to ((~~one hundred dollars~~))$100 or more per acre in the current or previous calendar year;

(e) Any lands including incidental uses as are compatible with agricultural purposes, including wetlands preservation, provided such incidental use does not exceed ((~~twenty~~))20 percent of the classified land and the land on which appurtenances necessary to the production, preparation, or sale of the agricultural products exist in conjunction with the lands producing such

products. Agricultural lands also include any parcel of land of one to five acres, which is not contiguous, but which otherwise constitutes an integral part of farming operations being conducted on land qualifying under this section as "farm and agricultural lands";

(f) The land on which housing for employees and the principal place of residence of the farm operator or owner of land classified pursuant to (a) of this subsection is sited if: The housing or residence is on or contiguous to the classified parcel; and the use of the housing or the residence is integral to the use of the classified land for agricultural purposes;

(g) Any land that is used primarily for equestrian related activities for which a charge is made, including, but not limited to, stabling, training, riding, clinics, schooling, shows, or grazing for feed and that otherwise meet the requirements of (a), (b), or (c) of this subsection; ((~~or~~))

(h) Any land primarily used for commercial horticultural purposes, including growing seedlings, trees, shrubs, vines, fruits, vegetables, flowers, herbs, and other plants in containers, whether under a structure or not, subject to the following:

(i) The land is not primarily used for the storage, care, or selling of plants purchased from other growers for retail sale;

(ii) If the land is less than five acres and used primarily to grow plants in containers, such land does not qualify as "farm and agricultural land" if more than ((~~twenty-five~~))25 percent of the land used primarily to grow plants in containers is open to the general public for on-site retail sales;

(iii) If more than ((~~twenty~~))20 percent of the land used for growing plants in containers qualifying under this subsection (2)(h) is covered by pavement, none of the paved area is eligible for classification as "farm and agricultural land" under this subsection (2)(h). The eligibility limitations described in this subsection (2)(h)(iii) do not affect the land's eligibility to qualify under (e) of this subsection; and

(iv) If the land classified under this subsection (2)(h), in addition to any contiguous land classified under this subsection, is less than ((~~twenty~~))20 acres, it must meet the applicable income or investment requirements in (b), (c), or (d) of this subsection; or

(i) Lands identified in (a) through (h) of this subsection on which an agrivoltaic facility is located.

(3) "Timberland" means any parcel of land that is five or more acres or multiple parcels of land that are contiguous and total five or more acres which is or are devoted primarily to the growth and harvest of timber for commercial purposes. Timberland means the land only and does not include a residential homesite. The term includes land used for incidental uses that are compatible with the growing and harvesting of timber but no more than ((~~ten~~))10 percent of the land may be used for such incidental uses. It also includes the land on which appurtenances necessary for the production, preparation, or sale of the timber products exist in conjunction with land producing these products.

(4) "Current" or "currently" means as of the date on which property is to be listed and valued by the assessor.

(5) "Owner" means the party or parties having the fee interest in land, except that where land is subject to real estate contract "owner" means the contract vendee.

(6)(a) "Contiguous" means land adjoining and touching other property held by the same ownership. Land divided by a public road, but otherwise an integral part of a farming operation, is considered contiguous.

(b) For purposes of this subsection (6):

(i) "Same ownership" means owned by the same person or persons, except that parcels owned by different persons are deemed held by the same ownership if the parcels are:

(A) Managed as part of a single operation; and

(B) Owned by:

(I) Members of the same family;

(II) Legal entities that are wholly owned by members of the same family; or

(III) An individual who owns at least one of the parcels and a legal entity or entities that own the other parcel or parcels if the entity or entities are wholly owned by that individual, members of his or her family, or that individual and members of his or her family.

(ii) "Family" includes only:

(A) An individual and his or her spouse or domestic partner, child, stepchild, adopted child, grandchild, parent, stepparent, grandparent, cousin, or sibling;

(B) The spouse or domestic partner of an individual's child, stepchild, adopted child, grandchild, parent, stepparent, grandparent, cousin, or sibling;

(C) A child, stepchild, adopted child, grandchild, parent, stepparent, grandparent, cousin, or sibling of the individual's spouse or the individual's domestic partner; and

(D) The spouse or domestic partner of any individual described in (b)(ii)(C) of this subsection (6).

(7) "Granting authority" means the appropriate agency or official who acts on an application for classification of land pursuant to this chapter.

(8) "Farm and agricultural conservation land" means either:

(a) Land that was previously classified under subsection (2) of this section, that no longer meets the criteria of subsection (2) of this section, and that is reclassified under subsection (1) of this section; or

(b) Land that is traditional farmland that is not classified under chapter 84.33 or 84.34 RCW, that has not been irrevocably devoted to a use inconsistent with agricultural uses, and that has a high potential for returning to commercial agriculture.

(9) "Agrivoltaic facility" has the same meaning as described in section 2 of this act.

Sec. 5. RCW 84.34.070 and 2017 c 251 s 1 are each amended to read as follows:

(1)(a) When land has once been classified under this chapter, it must remain under such classification and must not be applied to other use except as provided by subsection (2) of this section for at least ten years from the date of classification. It must continue under such classification until and unless withdrawn from classification after notice of request for withdrawal is made by the owner. After the initial ((~~ten~~))10-year classification period has elapsed, notice of request for withdrawal of all or a portion of the land may be given by the owner to the assessor or assessors of the county or counties in which the land is situated. If a portion of a parcel is removed from classification, the remaining portion must meet the same requirements as did the entire parcel when the land was originally granted classification under this chapter unless the remaining parcel has different income criteria. Within seven days the assessor must transmit one copy of the notice to the legislative body that originally approved the application. The assessor or assessors, as the case may be, must withdraw the land from the classification and the land is subject to the additional tax and applicable interest due under RCW 84.34.108. Agreement to tax according to use is not considered to be a contract and can be abrogated at any time by the legislature in which event no additional tax or penalty may be imposed.

(b) If the assessor gives written notice of removal as provided in RCW 84.34.108(1)(d)(i) of all or a portion of land classified under this chapter before the owner gives a notice of request for withdrawal in (a) of this subsection, the provisions of RCW 84.34.108 apply.

(2)(a) The following reclassifications are not considered withdrawals or removals and are not subject to additional tax under RCW 84.34.108:

(i) Reclassification between lands under RCW 84.34.020 (2) and (3);

(ii) Reclassification of land classified under RCW 84.34.020 (2) or (3) or designated under chapter 84.33 RCW to open space land under RCW 84.34.020(1);

(iii) Reclassification of land classified under RCW 84.34.020 (2) or (3) to forestland designated under chapter 84.33 RCW; and

(iv) Reclassification of land classified as open space land under RCW 84.34.020(1)(c) and reclassified to farm and agricultural land under RCW 84.34.020(2) if the land had been previously classified as farm and agricultural land under RCW 84.34.020(2).

(b) Designation as forestland under RCW 84.33.130(1) as a result of a merger adopted under RCW 84.34.400 is not considered a withdrawal or removal and is not subject to additional tax under RCW 84.34.108.

(3) Applications for reclassification are subject to applicable provisions of RCW 84.34.037, 84.34.035, 84.34.041, and chapter 84.33 RCW.

(4) The income criteria for land classified under RCW 84.34.020(2) (b) and (c) may be deferred for land being reclassified from land classified under RCW 84.34.020 (1)(c) or (3), or chapter 84.33 RCW into RCW 84.34.020(2) (b) or (c) for a period of up to five years from the date of reclassification.

(5) The addition of an agrivoltaic facility to farm and agricultural lands does not constitute a reclassification for purposes of this chapter and is not considered a withdrawal or removal subject to additional tax under RCW 84.34.108.

NEW SECTION. **Sec. 6.** RCW 82.32.805 and 82.32.808 do not apply to sections 4 and 5 of this act.

Sec. 7. RCW 19.285.040 and 2024 c 278 s 2 are each amended to read as follows:

(1) Each qualifying utility shall pursue all available conservation that is cost-effective, reliable, and feasible.

(a) By January 1, 2010, using methodologies consistent with those used by the Pacific Northwest electric power and conservation planning council in the most recently published regional power plan as it existed on June 12, 2014, or a subsequent date as may be provided by the department or the commission by rule, each qualifying utility shall identify its achievable cost-effective conservation potential through 2019. Nothing in the rule adopted under this subsection precludes a qualifying utility from using its utility specific conservation measures, values, and assumptions in identifying its achievable cost-effective conservation potential. At least every two years thereafter, the qualifying utility shall review and update this assessment for the subsequent ten-year period.

(b) Beginning January 2010, each qualifying utility shall establish and make publicly available a biennial acquisition target for cost-effective conservation consistent with its identification of achievable opportunities in (a) of this subsection, and meet that target during the subsequent two-year period. At a minimum, each biennial target must be no lower than the qualifying utility's pro rata share for that two-year period of its cost-effective conservation potential for the subsequent ten-year period.

(c)(i) Except as provided in (c)(ii) and (iii) of this subsection, beginning on January 1, 2014, cost-effective conservation achieved by a qualifying utility in excess of its biennial acquisition target may be used to help meet the immediately subsequent two biennial acquisition targets, such that no more than 20 percent of any biennial target may be met with excess conservation savings.

(ii) Beginning January 1, 2014, a qualifying utility may use single large facility conservation savings in excess of its biennial target to meet up to an additional five percent of the immediately subsequent two biennial acquisition targets, such that no more than 25 percent of any biennial target may be met with excess conservation savings allowed under all of the provisions of this section combined. For the purposes of this subsection (1)(c)(ii), "single large facility conservation savings" means cost-effective conservation savings achieved in a single biennial period at the

premises of a single customer of a qualifying utility whose annual electricity consumption prior to the conservation savings exceeded five average megawatts.

(iii) Beginning January 1, 2012, and until December 31, 2017, a qualifying utility with an industrial facility located in a county with a population between 95,000 and 115,000 that is directly interconnected with electricity facilities that are capable of carrying electricity at transmission voltage may use cost-effective conservation from that industrial facility in excess of its biennial acquisition target to help meet the immediately subsequent two biennial acquisition targets, such that no more than 25 percent of any biennial target may be met with excess conservation savings allowed under all of the provisions of this section combined.

(d) In meeting its conservation targets, a qualifying utility may count high-efficiency cogeneration owned and used by a retail electric customer to meet its own needs. High-efficiency cogeneration is the sequential production of electricity and useful thermal energy from a common fuel source, where, under normal operating conditions, the facility has a useful thermal energy output of no less than 33 percent of the total energy output. The reduction in load due to high-efficiency cogeneration shall be: (i) Calculated as the ratio of the fuel chargeable to power heat rate of the cogeneration facility compared to the heat rate on a new and clean basis of a best-commercially available technology combined-cycle natural gas-fired combustion turbine; and (ii) counted towards meeting the biennial conservation target in the same manner as other conservation savings.

(e) A qualifying utility is considered in compliance with its biennial acquisition target for cost-effective conservation in (b) of this subsection if events beyond the reasonable control of the utility that could not have been reasonably anticipated or ameliorated prevented it from meeting the conservation target. Events that a qualifying utility may demonstrate were beyond its reasonable control, that could not have reasonably been anticipated or ameliorated, and that prevented it from meeting the conservation target include: (i) Natural disasters resulting in the issuance of extended emergency declarations; (ii) the cancellation of significant conservation projects; and (iii) actions of a governmental authority that adversely affects the acquisition of cost-effective conservation by the qualifying utility.

(f) The commission may determine if a conservation program implemented by an investor-owned utility is cost-effective based on the commission's policies and practice.

(g) In addition to the requirements of RCW 19.280.030(3), in assessing the cost-effective conservation required under this section, a qualifying utility is encouraged to promote the adoption of air conditioning, as defined in RCW 70A.60.010, with refrigerants not exceeding a global warming potential of 750 and the replacement of stationary refrigeration systems that contain ozone-depleting substances or hydrofluorocarbon refrigerants with a high global warming potential.

(h) The commission may rely on its standard practice for review and approval of investor-owned utility conservation targets.

(2)(a) Except as provided in (j) of this subsection, each qualifying utility shall use eligible renewable resources or acquire equivalent renewable energy credits, or any combination of them, to meet the following annual targets:

(i) At least three percent of its load by January 1, 2012, and each year thereafter through December 31, 2015;

(ii) At least nine percent of its load by January 1, 2016, and each year thereafter through December 31, 2019; and

(iii) At least 15 percent of its load by January 1, 2020, and each year thereafter.

(b) ((~~(A)~~))(i) Except as provided in (b)(ii) of this subsection, a qualifying utility may count distributed generation at double the facility's electrical output if the utility: ((~~(i)~~))(A) Owns or has contracted for the distributed generation and the associated renewable energy credits; or ((~~(ii)~~))(B) has contracted to purchase the associated renewable energy credits.

(ii) For new distributed generation that is a distributed energy priority described in section 2 of this act that commences operation after the effective date of this act located within the geographical area in which the utility provides service, through December 31, 2029, the qualifying utility may count the distributed generation at four times the facility's electrical output if the utility: (A) Owns or has contracted for the distributed generation and the associated renewable energy credits; or (B) has contracted to purchase the associated renewable energy credits.

(c) In meeting the annual targets in (a) of this subsection, a qualifying utility shall calculate its annual load based on the average of the utility's load for the previous two years.

(d) A qualifying utility shall be considered in compliance with an annual target in (a) of this subsection if: (i) The utility's weather-adjusted load for the previous three years on average did not increase over that time period; (ii) after December 7, 2006, the utility did not commence or renew ownership or incremental purchases of electricity from resources other than coal transition power or renewable resources other than on a daily spot price basis and the electricity is not offset by equivalent renewable energy credits; and (iii) the utility invested at least one percent of its total annual retail revenue requirement that year on eligible renewable resources, renewable energy credits, or a combination of both.

(e) A qualifying utility may use renewable energy credits to meet the requirements of this section, subject to the limitations of this subsection.

(i) A renewable energy credit from electricity generated by a resource other than freshwater may be used to meet a requirement applicable to the year in which the credit was created, the year before the year in which the credit was created, or the

year after the year in which the credit was created.

(ii) A renewable energy credit from electricity generated by freshwater:

(A) May only be used to meet a requirement applicable to the year in which the credit was created; and

(B) Must be acquired by the qualifying utility through ownership of the generation facility or through a transaction that conveyed both the electricity and the nonpower attributes of the electricity.

(iii) A renewable energy credit transferred to an investor-owned utility pursuant to the Bonneville power administration's residential exchange program may not be used by any utility other than the utility receiving the credit from the Bonneville power administration.

(iv) Each renewable energy credit may only be used once to meet the requirements of this section and must be retired using procedures of the renewable energy credit tracking system.

(f) In complying with the targets established in (a) of this subsection, a qualifying utility may not count:

(i) Eligible renewable resources or distributed generation where the associated renewable energy credits are owned by a separate entity; or

(ii) Eligible renewable resources or renewable energy credits obtained for and used in an optional pricing program such as the program established in RCW 19.29A.090.

(g) Where fossil and combustible renewable resources are cofired in one generating unit located in the Pacific Northwest where the cofiring commenced after March 31, 1999, the unit shall be considered to produce eligible renewable resources in direct proportion to the percentage of the total heat value represented by the heat value of the renewable resources.

(h)(i) A qualifying utility that acquires an eligible renewable resource or renewable energy credit may count that acquisition at one and two-tenths times its base value:

(A) Where the eligible renewable resource comes from a facility that commenced operation after December 31, 2005; and

(B) Where the developer of the facility used apprenticeship programs approved by the council during facility construction.

(ii) The council shall establish minimum levels of labor hours to be met through apprenticeship programs to qualify for this extra credit.

(i) A qualifying utility shall be considered in compliance with an annual target in (a) of this subsection if events beyond the reasonable control of the utility that could not have been reasonably anticipated or ameliorated prevented it from meeting the renewable energy target. Such events include weather-related damage, mechanical failure, strikes, lockouts, and actions of a governmental authority that adversely affect the generation, transmission, or distribution of an eligible renewable resource under contract to a qualifying utility.

(j)(i) Beginning January 1, 2016, only a qualifying utility that owns or is directly interconnected to a qualified biomass energy facility may use qualified biomass energy to meet its compliance obligation under this subsection.

(ii) A qualifying utility may no longer use electricity and associated renewable energy credits from a qualified biomass energy facility if the associated industrial pulping or wood manufacturing facility ceases operation other than for purposes of maintenance or upgrade.

(k) An industrial facility that hosts a qualified biomass energy facility may only transfer or sell renewable energy credits associated with qualified biomass energy generated at its facility to the qualifying utility with which it is directly interconnected with facilities owned by such a qualifying utility and that are capable of carrying electricity at transmission voltage. The qualifying utility may only use an amount of renewable energy credits associated with qualified biomass energy that are equivalent to the proportionate amount of its annual targets under (a)(ii) and (iii) of this subsection that was created by the load of the industrial facility. A qualifying utility that owns a qualified biomass energy facility may not transfer or sell renewable energy credits associated with qualified biomass energy to another person, entity, or qualifying utility.

(l) A qualifying utility shall be considered in compliance if the utility uses any combination of eligible renewable resources as defined in RCW 19.285.030, accelerated conservation, and demand response as defined in subsection (4) of this section to meet its compliance obligations under this subsection (2).

(m) Beginning January 1, 2020, a qualifying utility may use eligible renewable resources as identified under RCW 19.285.030(12) (g) and (h) to meet its compliance obligation under this subsection (2). A qualifying utility may not transfer or sell these eligible renewable resources to another utility for compliance purposes under this chapter.

((~~(m)~~)) (n) Beginning January 1, 2030, a qualifying utility is considered to be in compliance with an annual target in (a) of this subsection if the utility uses electricity from: (i) Renewable resources and renewable energy credits as defined in RCW 19.285.030; and (ii) nonemitting electric generation as defined in RCW 19.405.020, in an amount equal to 100 percent of the utility's average annual retail electric load. Nothing in this subsection relieves the requirements of a qualifying utility to comply with subsection (1) of this section.

((~~(n)~~)) (o) A qualifying utility shall exclude from its annual targets under this subsection (2) its voluntary renewable energy purchases.

(3) Utilities that become qualifying utilities after December 31, 2006, shall meet the requirements in this section on a time frame comparable in length to that provided for qualifying utilities as of December 7, 2006.

(4) For the purposes of this section, the following definitions apply:

(a)(i) "Accelerated conservation" means conservation included in the qualifying

utility's most recent cost-effective conservation potential established in compliance with subsection (1)(a) of this section and in excess of the biennial acquisition target established in compliance with subsection (1)(b) of this section.

(ii) Accelerated conservation acquired in the target year must be in an amount no less than the annual target amount under subsection (2)(a) of this section, as measured in megawatt-hours.

(iii) The amount of accelerated conservation must be measured as the annual energy savings measured in megawatt-hours multiplied by the number of years the conservation measure acquired will be in operation between the effective date of this section until January 1, 2030.

(iv) Any conservation savings used under this alternative compliance method may not be included as excess conservation savings under subsection (1)(c) of this section.

(b) "Demand response" has the same meaning as in RCW 19.405.020, except that "demand response" also includes energy storage that is a distributed energy priority identified in section 2 of this act when the energy storage enables the utility to reduce system peak demand. For the purpose of quantifying the amount of demand response eligible to be claimed under subsection (2)(l) of this section, the following requirements apply:

(i) The amount of demand response must be converted to a megawatt-hour amount by determining the reduction in peak load in megawatts the demand response measure could deliver, dividing this value by the system peak demand in megawatts of the qualifying utility, and multiplying this value by the average annual system load of the utility in megawatt-hours.

(ii) A utility claiming demand response resources under this subsection must maintain and apply measurement and verification protocols to determine the amount of capacity resulting from demand response resources and to verify the acquisition or installation of the demand response resources being recorded or claimed. A utility may provide a measurement or verification protocol that is not a direct measurement, but must document its methodologies, assumptions, and factual inputs.

NEW SECTION. **Sec. 8.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

Correct the title.

Signed by Representatives Doglio, Chair; Hunt, Vice Chair; Dye, Ranking Minority Member; Klicker, Assistant Ranking Member; Abbarno; Abell; Barnard; Berry; Duerr; Fey; Fitzgibbon; Kloba; Ley; Mena; Mendoza; Ramel; Stearns; Street; Stuebe; Wylie and Ybarra.

Referred to Committee on Appropriations

March 26, 2025

SSB 5469 Prime Sponsor, Housing: Prohibiting algorithmic rent fixing and noncompete agreements in the rental housing market. Reported by Committee on Housing

MAJORITY recommendation: Do pass. Signed by Representatives Peterson, Chair; Hill, Vice Chair; Richards, Vice Chair; Entenman; Gregerson; Lekanoff; Reed; Thomas; Timmons and Zahn.

MINORITY recommendation: Do not pass. Signed by Representatives Low, Ranking Minority Member; Jacobsen, Assistant Ranking Minority Member; Manjarrez, Assistant Ranking Minority Member; Barkis; Connors; Dufault; and Engell.

Referred to Committee on Appropriations

March 26, 2025

SB 5542 Prime Sponsor, Senator Boehnke: Expanding tuition waivers for high school completers at community and technical colleges. Reported by Committee on Postsecondary Education & Workforce

MAJORITY recommendation: Do pass. Signed by Representatives Paul, Chair; Nance, Vice Chair; Ybarra, Ranking Minority Member; McEntire, Assistant Ranking Minority Member; Entenman; Graham; Keaton; Leavitt; Ley; Mendoza; Pollet; Reed; Rude; Salahuddin; Schmidt; Thomas and Timmons.

Referred to Committee on Rules for second reading

March 26, 2025

SB 5543 Prime Sponsor, Senator Boehnke: Providing equity in eligibility for the college bound scholarship. Reported by Committee on Postsecondary Education & Workforce

MAJORITY recommendation: Do pass. Signed by Representatives Paul, Chair; Nance, Vice Chair; Ybarra, Ranking Minority Member; Entenman; Leavitt; Mendoza; Pollet; Reed; Salahuddin; Thomas and Timmons.

MINORITY recommendation: Do not pass. Signed by Representatives McEntire, Assistant Ranking Minority Member; and Rude.

MINORITY recommendation: Without recommendation. Signed by Representatives Graham; Keaton; Ley; and Schmidt.

Referred to Committee on Appropriations

March 26, 2025

ESSB 5557 Prime Sponsor, Health & Long-Term Care: Codifying emergency rules to protect the right of a pregnant person to access treatment for emergency medical conditions in hospital emergency departments. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Bronoske, Chair; Lekanoff, Vice Chair; Rule, Vice Chair; Davis; Macri; Obras; Parshley; Shavers; Simmons; Stonier; Stuebe; Thai and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representative Marshall, Assistant Ranking Minority Member.

MINORITY recommendation: Without recommendation. Signed by Representatives Schmick, Ranking Minority Member; Low; and Manjarrez.

Referred to Committee on Rules for second reading

March 26, 2025

SSB 5587 Prime Sponsor, Housing: Concerning affordable housing development in counties not closing the gap between estimated existing housing units within the county and existing housing needs. Reported by Committee on Housing

MAJORITY recommendation: Do pass. Signed by Representatives Peterson, Chair; Hill, Vice Chair; Richards, Vice Chair; Low, Ranking Minority Member; Jacobsen, Assistant Ranking Minority Member; Manjarrez, Assistant Ranking Minority Member; Barkis; Connors; Engell; Entenman; Gregerson; Lekanoff; Reed; Thomas; Timmons and Zahn.

MINORITY recommendation: Without recommendation. Signed by Representative Dufault.

Referred to Committee on Appropriations

March 26, 2025

SB 5632 Prime Sponsor, Senator Hansen: Protecting the confidentiality of records and information that may be relevant to another state's enforcement of its laws. Reported by Committee on Civil Rights & Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Taylor, Chair; Farivar, Vice Chair; Entenman; Goodman; Peterson; Salahuddin; Thai and Walen.

MINORITY recommendation: Do not pass. Signed by Representatives Walsh, Ranking Minority Member; Abell, Assistant Ranking Minority Member; Burnett; Graham; and Jacobsen.

Referred to Committee on Rules for second reading

March 27, 2025

SB 5641 Prime Sponsor, Senator Harris: Encouraging public school instruction in awareness of blood donation. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Santos, Chair; Shavers, Vice Chair; Rude, Ranking Minority Member; Keaton, Assistant Ranking Minority Member; Bergquist; Callan; Couture; Donaghy; Eslick; Marshall; McEntire; Ortiz-Self; Pollet; Reeves; Rule; Scott; Steele and Stonier.

MINORITY recommendation: Without recommendation. Signed by Representative Chase.

Referred to Committee on Rules for second reading

March 26, 2025

E2SSB 5651 Prime Sponsor, Ways & Means: Concerning exemptions from garnishment. Reported by Committee on Civil Rights & Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Taylor, Chair; Farivar, Vice Chair; Entenman; Goodman; Jacobsen; Peterson; Salahuddin; Thai and Walen.

MINORITY recommendation: Do not pass. Signed by Representative Graham.

MINORITY recommendation: Without recommendation. Signed by Representatives Walsh, Ranking Minority Member; Abell, Assistant Ranking Minority Member; and Burnett.

Referred to Committee on Rules for second reading

March 26, 2025

SSB 5655 Prime Sponsor, Early Learning & K-12 Education: Concerning child care centers operated in existing buildings. Reported by Committee on Early Learning & Human Services

MAJORITY recommendation: Do pass. Signed by Representatives Bergquist, Chair; Cortes, Vice Chair; Eslick, Ranking Minority Member; Burnett, Assistant Ranking Minority Member; Bernbaum; Dent; Goodman; Hill; Ortiz-Self; Penner and Taylor.

Referred to Committee on Rules for second reading

March 26, 2025

ESSB 5663 Prime Sponsor, Higher Education & Workforce Development: Concerning entirely online course offerings at community and technical colleges. Reported by Committee on Postsecondary Education & Workforce

MAJORITY recommendation: Do pass. Signed by Representatives Paul, Chair; Nance, Vice Chair; Ybarra, Ranking Minority Member; McEntire, Assistant Ranking Minority Member; Entenman; Graham; Keaton; Leavitt; Ley; Mendoza; Pollet; Reed; Rude; Salahuddin; Schmidt; Thomas and Timmons.

Referred to Committee on Rules for second reading

March 26, 2025

SB 5672 Prime Sponsor, Senator Muzzall: Delaying the home care aide certification requirements. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Bronoske, Chair; Lekanoff, Vice Chair; Rule, Vice Chair; Schmick, Ranking Minority Member; Caldier, Assistant Ranking Minority Member; Marshall, Assistant Ranking Minority Member; Davis; Low; Macri; Manjarrez; Obras; Parshley; Shavers; Simmons; Stonier; Stuebe; Thai and Tharinger.

Referred to Committee on Rules for second reading

March 26, 2025

ESSB 5719 Prime Sponsor, Local Government: Concerning local government hearing examiners. Reported by Committee on Local Government

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 36.70.970 and 1995 c 347 s 425 are each amended to read as follows:

(1) As an alternative to those provisions of this chapter relating to powers or duties of the planning commission to hear and issue recommendations on applications for plat approval and applications for amendments to the zoning ordinance, the county legislative authority of a rural county may adopt a hearing examiner system under which a hearing examiner or hearing examiners may hear and issue decisions on proposals for plat approval and for amendments to the zoning ordinance when the amendment which is applied for is not of general applicability. In addition, the legislative authority may vest in a hearing examiner the power to hear and decide those issues it believes should be reviewed and decided by a hearing examiner, including but not limited to:

(a) Applications for conditional uses, variances, shoreline permits, or any other class of applications for or pertaining to development of land or land use;

(b) Appeals of administrative decisions or determinations; and

(c) Appeals of administrative decisions or determinations pursuant to chapter 43.21C RCW.

The legislative authority shall prescribe procedures to be followed by a hearing examiner.

Any county which vests in a hearing examiner the authority to hear and decide conditional uses and variances shall not be required to have a zoning adjuster or board of adjustment.

(2) Each county legislative authority electing to use a hearing examiner pursuant to this section shall by ordinance specify the legal effect of the decisions made by the examiner and whether, for appeals of administrative permit decisions, substantial weight must be given to the expertise of the administrative decision maker. Such legal effect may vary for the different classes of applications decided by the examiner but shall include one of the following:

(a) The decision may be given the effect of a recommendation to the legislative authority;

(b) The decision may be given the effect of an administrative decision appealable within a specified time limit to the legislative authority; or

(c) Except in the case of a rezone or development agreement, the decision may be given the effect of a final decision of the legislative authority.

(3) Each final decision of a hearing examiner shall be in writing and shall include findings and conclusions, based on the record, to support the decision. Such findings and conclusions shall also set forth the manner in which the decision would carry out and conform to the county's comprehensive plan and the county's development regulations. Each final decision of a hearing examiner, unless a longer period is mutually agreed to in writing by the applicant and the hearing examiner, shall be rendered within ten working days following conclusion of all testimony and hearings.

NEW SECTION. **Sec. 2.** A new section is added to chapter 36.70 RCW to read as follows:

(1) The county legislative authority of a county that is not a rural county must adopt a hearing examiner system under which a hearing examiner or hearing examiners hear and issue decisions on quasi-judicial development permit applications subject to the zoning ordinance. In addition, the legislative authority may vest in a hearing examiner the power to hear and decide those issues it believes should be reviewed and decided by a hearing examiner including, but not limited to:

(a) Appeals of administrative decisions or determinations; and

(b) Appeals of administrative decisions or determinations pursuant to chapter 43.21C RCW.

(2) The decision of the hearing examiner constitutes the final decision, subject to appeal under chapter 36.70C RCW.

(3) The legislative authority shall adopt procedures to be followed by a hearing examiner ensuring all decisions are consistent with the future land use map of adopted comprehensive plans and comply with clear and objective development regulations.

(4) Any county which vests in a hearing examiner the authority to hear and decide conditional uses and variances is not required to have a zoning adjuster or board of adjustment.

(5) A county required to secure the services of a hearing examiner under this chapter may, at its discretion, require applicants to cover reasonable costs associated with the hearing examiner's services through application fees or other cost-recovery mechanisms. Any fees imposed under this subsection must be proportionate to the actual costs incurred and publicly disclosed in the jurisdiction's fee schedule.

(6) To enhance cost-effectiveness and improve operational efficiency, a county may enter into interlocal agreements with other jurisdictions or contract with regional or shared hearing examiners, in accordance with the provisions outlined in chapter 39.34 RCW.

(7) Each final decision of a hearing examiner must be in writing and include findings and conclusions, based on the record, to support the decision. Such findings and conclusions must also set forth the manner in which the decision is consistent with the future land use map of adopted comprehensive plans and complies with clear and objective development regulations. Each final decision of a hearing examiner, unless a longer period is mutually agreed to in writing by the applicant and the hearing examiner, must be rendered within 10 business days following the conclusion of all testimony and hearings.

(8) In the event of the absence or inability of a hearing examiner to act, the county legislative authority must document efforts to secure a hearing examiner and provide a written determination demonstrating that it has made a good faith effort to secure hearing examiner services, describing the unavailability of hearing

examiner services, summarizing the steps taken under this section, and stating the need to utilize the legislative authority to perform the duties and responsibilities designated to the hearing examiner under this chapter. The county legislative authority may assume the duties and responsibilities designated to the hearing examiner under this chapter only until a hearing examiner is appointed or qualified hearing examiner services are retained and available to perform those duties. The authority of the county legislative authority to assume the hearing examiner's duties is limited to the duration of the vacancy or unavailability of a hearing examiner or hearing examiner services.

(9) A county may establish a process in which an applicant may elect either legislative review or hearing examiner review for any land use application covered under this chapter.

(10) Counties that are required to submit their next comprehensive plan update in 2027 pursuant to RCW 36.70A.130 must adopt or amend by ordinance, and incorporate into their development regulations, zoning regulations, and other official controls, the requirements of this section in their next comprehensive plan update. All other counties must implement the requirements of this section within two years of the effective date of this section.

Sec. 3. RCW 35.63.130 and 1995 c 347 s 423 are each amended to read as follows:

(1) As an alternative to those provisions of this chapter relating to powers or duties of the planning commission to hear and report on any proposal to amend a zoning ordinance, the legislative body of a city ((~~or county~~))with a population of 2,000 or less may adopt a hearing examiner system under which a hearing examiner or hearing examiners may hear and decide applications for amending the zoning ordinance when the amendment which is applied for is not of general applicability. In addition, the legislative body may vest in a hearing examiner the power to hear and decide those issues it believes should be reviewed and decided by a hearing examiner, including but not limited to:

(a) Applications for conditional uses, variances, subdivisions, shoreline permits, or any other class of applications for or pertaining to development of land or land use;

(b) Appeals of administrative decisions or determinations; and

(c) Appeals of administrative decisions or determinations pursuant to chapter 43.21C RCW.

The legislative body shall prescribe procedures to be followed by the hearing examiner.

(2) Each city ((~~or county~~)) legislative body electing to use a hearing examiner pursuant to this section shall by ordinance specify the legal effect of the decisions made by the examiner and whether, for appeals of administrative permit decisions, substantial weight must be given to the expertise of the administrative decision maker. The legal effect of such decisions may vary for the different classes of applications decided by the examiner but shall include one of the following:

(a) The decision may be given the effect of a recommendation to the legislative body;

(b) The decision may be given the effect of an administrative decision appealable within a specified time limit to the legislative body; or

(c) Except in the case of a rezone or development agreement, the decision may be given the effect of a final decision of the legislative body.

(3) Each final decision of a hearing examiner shall be in writing and shall include findings and conclusions, based on the record, to support the decision. Such findings and conclusions shall also set forth the manner in which the decision would carry out and conform to the city's ((~~or county's~~)) comprehensive plan and the city's ((~~or county's~~)) development regulations. Each final decision of a hearing examiner, unless a longer period is mutually agreed to in writing by the applicant and the hearing examiner, shall be rendered within ((~~ten~~))10 working days following conclusion of all testimony and hearings.

NEW SECTION. **Sec. 4.** A new section is added to chapter 35.63 RCW to read as follows:

(1) The legislative body of a city with a population greater than 2,000 must adopt a hearing examiner system under which a hearing examiner or hearing examiners hear and decide quasi-judicial development permit applications subject to the zoning ordinance. In addition, the legislative body may vest in a hearing examiner the power to hear and decide those issues it believes should be reviewed and decided by a hearing examiner including, but not limited to:

(a) Appeals of administrative decisions or determinations; and

(b) Appeals of administrative decisions or determinations pursuant to chapter 43.21C RCW.

(2) The decision of the hearing examiner constitutes the final decision, subject to appeal under chapter 36.70C RCW.

(3) The legislative body shall adopt procedures to be followed by a hearing examiner ensuring all decisions are consistent with the future land use map of adopted comprehensive plans and comply with clear and objective development regulations.

(4) The legislative body shall prescribe procedures to be followed by the hearing examiner.

(5) A city required to secure the services of a hearing examiner under this chapter may, at its discretion, require applicants to cover reasonable costs associated with the hearing examiner's services through application fees or other cost-recovery mechanisms. Any fees imposed under this subsection must be proportionate to the actual costs incurred and publicly disclosed in the jurisdiction's fee schedule.

(6) To enhance cost-effectiveness and improve operational efficiency, the legislative body may enter into interlocal agreements with other jurisdictions or

contract with regional or shared hearing examiners, in accordance with the provisions outlined in chapter 39.34 RCW.

(7) Each final decision of a hearing examiner must be in writing and include findings and conclusions, based on the record, to support the decision. Such findings and conclusions must also set forth the manner in which the decision is consistent with the future land use map of adopted comprehensive plans and complies with clear and objective development regulations. Each final decision of a hearing examiner, unless a longer period is mutually agreed to in writing by the applicant and the hearing examiner, must be rendered within 10 business days following the conclusion of all testimony and hearings.

(8) In the event of the absence or inability of a hearing examiner to act, the city legislative body must document efforts to secure a hearing examiner and provide a written determination demonstrating that it has made a good faith effort to secure hearing examiner services, describing the unavailability of hearing examiner services, summarizing the steps taken under this section, and stating the need to utilize the legislative body to perform the duties and responsibilities designated to the hearing examiner under this chapter. The city legislative body may assume the duties and responsibilities designated to the hearing examiner under this chapter only until a hearing examiner is appointed or qualified hearing examiner services are retained and available to perform those duties. The authority of the city legislative body to assume the hearing examiner's duties is limited to the duration of the vacancy or unavailability of a hearing examiner or hearing examiner services.

(9) A city may establish a process in which an applicant may elect either legislative review or hearing examiner review for any land use application covered under this chapter.

(10) Cities that are required to submit their next comprehensive plan update in 2027 pursuant to RCW 36.70A.130 must adopt or amend by ordinance, and incorporate into their development regulations, zoning regulations, and other official controls, the requirements of this section in their next comprehensive plan update. All other cities must implement the requirements of this section within two years of the effective date of this section.

Sec. 5. RCW 35A.63.170 and 1995 c 347 s 424 are each amended to read as follows:

(1) As an alternative to those provisions of this chapter relating to powers or duties of the planning commission to hear and report on any proposal to amend a zoning ordinance, the legislative body of a city <u>with a population of 2,000 or less</u> may adopt a hearing examiner system under which a hearing examiner or hearing examiners may hear and decide applications for amending the zoning ordinance when the amendment which is applied for is not of general applicability. In addition, the legislative body may vest in a hearing examiner the power to hear and decide those issues it believes should be reviewed and decided by a hearing examiner, including but not limited to:

(a) Applications for conditional uses, variances, subdivisions, shoreline permits, or any other class of applications for or pertaining to development of land or land use;

(b) Appeals of administrative decisions or determinations; and

(c) Appeals of administrative decisions or determinations pursuant to chapter 43.21C RCW.

The legislative body shall prescribe procedures to be followed by a hearing examiner. If the legislative authority vests in a hearing examiner the authority to hear and decide variances, then the provisions of RCW 35A.63.110 shall not apply to the city.

(2) Each city legislative body electing to use a hearing examiner pursuant to this section shall by ordinance specify the legal effect of the decisions made by the examiner <u>and whether, for appeals of administrative permit decisions, substantial weight must be given to the expertise of the administrative decision maker</u>. The legal effect of such decisions may vary for the different classes of applications decided by the examiner but shall include one of the following:

(a) The decision may be given the effect of a recommendation to the legislative body;

(b) The decision may be given the effect of an administrative decision appealable within a specified time limit to the legislative body; or

(c) Except in the case of a rezone <u>or development agreement</u>, the decision may be given the effect of a final decision of the legislative body.

(3) Each final decision of a hearing examiner shall be in writing and shall include findings and conclusions, based on the record, to support the decision. Such findings and conclusions shall also set forth the manner in which the decision would carry out and conform to the city's comprehensive plan and the city's development regulations. Each final decision of a hearing examiner, unless a longer period is mutually agreed to in writing by the applicant and the hearing examiner, shall be rendered within ten working days following conclusion of all testimony and hearings.

<u>NEW SECTION.</u> **Sec. 6.** A new section is added to chapter 35A.63 RCW to read as follows:

(1) The legislative body of a city with a population greater than 2,000 must adopt a hearing examiner system under which a hearing examiner or hearing examiners hear and decide quasi-judicial development permit applications subject to the zoning ordinance. In addition, the legislative body may vest in a hearing examiner the power to hear and decide those issues it believes should be reviewed and decided by a hearing examiner including, but not limited to:

(a) Appeals of administrative decisions or determinations; and

(b) Appeals of administrative decisions or determinations pursuant to chapter 43.21C RCW.

(2) The decision of the hearing examiner constitutes the final decision, subject to appeal under chapter 36.70C RCW.

(3) The legislative body shall adopt procedures to be followed by a hearing examiner ensuring all decisions are consistent with the future land use map of adopted comprehensive plans and comply with clear and objective development regulations.

(4) The legislative body shall prescribe procedures to be followed by a hearing examiner. If the legislative authority vests in a hearing examiner the authority to hear and decide variances, then the provisions of RCW 35A.63.110 do not apply to the city.

(5) A city required to secure the services of a hearing examiner under this chapter may, at its discretion, require applicants to cover reasonable costs associated with the hearing examiner's services through application fees or other cost-recovery mechanisms. Any fees imposed under this subsection must be proportionate to the actual costs incurred and publicly disclosed in the jurisdiction's fee schedule.

(6) To enhance cost-effectiveness and improve operational efficiency, the legislative body may enter into interlocal agreements with other jurisdictions or contract with regional or shared hearing examiners, in accordance with the provisions outlined in chapter 39.34 RCW.

(7) Each final decision of a hearing examiner must be in writing and include findings and conclusions, based on the record, to support the decision. Such findings and conclusions must also set forth the manner in which the decision is consistent with the future land use map of the city's comprehensive plan and the city's clear and objective development regulations. Each final decision of a hearing examiner, unless a longer period is mutually agreed to in writing by the applicant and the hearing examiner, must be rendered within 10 business days following the conclusion of all testimony and hearings.

(8) In the event of the absence or inability of a hearing examiner to act, the city legislative body must document efforts to secure a hearing examiner and provide a written determination demonstrating that it has made a good faith effort to secure hearing examiner services, describing the unavailability of hearing examiner services, summarizing the steps taken under this section, and stating the need to utilize the legislative body to perform the duties and responsibilities designated to the hearing examiner under this chapter. The city legislative body may assume the duties and responsibilities designated to the hearing examiner under this chapter only until a hearing examiner is appointed or qualified hearing examiner services are retained and available to perform those duties. The authority of the city legislative body to assume the hearing examiner's duties is limited to the duration of the vacancy or unavailability of a hearing examiner or hearing examiner services.

(9) A city may establish a process in which an applicant may elect either legislative review or hearing examiner review for any land use application covered under this chapter.

(10) Cities that are required to submit their next comprehensive plan update in 2027 pursuant to RCW 36.70A.130 must adopt or amend by ordinance, and incorporate into their development regulations, zoning regulations, and other official controls, the requirements of this section in their next comprehensive plan update. All other cities must implement the requirements of this section within two years of the effective date of this section.

Sec. 7. RCW 58.17.330 and 1995 c 347 s 429 are each amended to read as follows:

(1) As an alternative to those provisions of this chapter requiring a planning commission to hear and issue recommendations for plat approval, the county ((~~or city legislative body may adopt a hearing examiner system and shall specify by ordinance the legal effect of the decisions made by the examiner~~))legislative authority of a county that qualifies as a rural county as defined in RCW 36.70.020 or the city legislative authority of a city with a population of 2,000 or less may adopt a hearing examiner system and shall specify by ordinance the legal effect of the decisions made by the examiner and whether, for appeals of administrative permit decisions, substantial weight must be given to the expertise of the administrative decision maker. The legal effect of such decisions shall include one of the following:

(a) The decision may be given the effect of a recommendation to the legislative body;

(b) The decision may be given the effect of an administrative decision appealable within a specified time limit to the legislative body; or

(c) The decision may be given the effect of a final decision of the legislative body.

The legislative authority shall prescribe procedures to be followed by a hearing examiner.

(2) Each final decision of a hearing examiner shall be in writing and shall include findings and conclusions, based on the record, to support the decision. Each final decision of a hearing examiner, unless a longer period is mutually agreed to by the applicant and the hearing examiner, shall be rendered within ((~~ten~~))10 working days following conclusion of all testimony and hearings.

NEW SECTION. **Sec. 8.** A new section is added to chapter 58.17 RCW to read as follows:

(1) The county legislative authority of a county that does not qualify as a rural county as defined in RCW 36.70.020 or the city legislative body of a city with a population greater than 2,000 must adopt a hearing examiner system for all quasi-judicial land use decisions including, but not limited to, preliminary plats, planned unit developments, variances, and conditional use approvals.

(2) The decision of the hearing examiner constitutes the final decision on all quasi-judicial permit applications including, but not limited to, preliminary plat, planned unit development, variance, and conditional use applications, subject to appeal under chapter 36.70C RCW.

(3) The legislative authority shall adopt procedures to be followed by a hearing examiner ensuring all decisions are consistent with the future land use map of adopted comprehensive plans and comply with clear and objective development regulations.

(4) The legislative authority shall prescribe procedures to be followed by a hearing examiner.

(5) The legislative authority required to secure the services of a hearing examiner under this chapter may, at its discretion, require applicants to cover reasonable costs associated with the hearing examiner's services through application fees or other cost-recovery mechanisms. Any fees imposed under this subsection must be proportionate to the actual costs incurred and publicly disclosed in the jurisdiction's fee schedule.

(6) To enhance cost-effectiveness and improve operational efficiency, the legislative authority may enter into interlocal agreements with other jurisdictions or contract with regional or shared hearing examiners, in accordance with the provisions outlined in chapter 39.34 RCW.

(7) Each final decision of a hearing examiner must be in writing and include findings and conclusions, based on the record, to support the decision. Each final decision of a hearing examiner, unless a longer period is mutually agreed to by the applicant and the hearing examiner, must be rendered within 10 business days following the conclusion of all testimony and hearings.

(8) In the event of the absence or inability of a hearing examiner to act, the city legislative body or county legislative authority must document efforts to secure a hearing examiner and provide a written determination demonstrating that it has made a good faith effort to secure hearing examiner services, describing the unavailability of hearing examiner services, summarizing the steps taken under this section, and stating the need to utilize the city legislative body or county legislative authority to perform the duties and responsibilities designated to the hearing examiner under this chapter. The city legislative body or county legislative authority may assume the duties and responsibilities designated to the hearing examiner under this chapter only until a hearing examiner is appointed or qualified hearing examiner services are retained and available to perform those duties. The authority of the city legislative body or county legislative authority to assume the hearing examiner's duties is limited to the duration of the vacancy or unavailability of a hearing examiner or hearing examiner services.

(9) A city or county may establish a process in which an applicant may elect either legislative review or hearing examiner review for any land use application covered under this chapter.

(10) Cities or counties that are required to submit their next comprehensive plan update in 2027 pursuant to RCW 36.70A.130 must adopt or amend by ordinance, and incorporate into their development regulations, zoning regulations, and other official controls, the requirements of this section in their next comprehensive plan update. All other cities and counties must implement the requirements of this section within two years of the effective date of this section.

Sec. 9. RCW 36.70.020 and 2009 c 549 s 4106 are each amended to read as follows:

The following words or terms as used in this chapter shall have the following meaning unless a different meaning is clearly indicated by the context:

(1) "Approval by motion" is a means by which a board, through other than by ordinance, approves and records recognition of a comprehensive plan or amendments thereto.

(2) "Board" means the board of county commissioners.

(3) "Certification" means the affixing on any map or by adding to any document comprising all or any portion of a comprehensive plan a record of the dates of action thereon by the commission and by the board, together with the signatures of the officer or officers authorized by ordinance to so sign.

(4) "Commission" means a county or regional planning commission.

(5) "Commissioners" means members of a county or regional planning commission.

(6) "Comprehensive plan" means the policies and proposals approved and recommended by the planning agency or initiated by the board and approved by motion by the board (a) as a beginning step in planning for the physical development of the county; (b) as the means for coordinating county programs and services; (c) as a source of reference to aid in developing, correlating, and coordinating official regulations and controls; and (d) as a means for promoting the general welfare. Such plan shall consist of the required elements set forth in RCW 36.70.330 and may also include the optional elements set forth in RCW 36.70.350 which shall serve as a policy guide for the subsequent public and private development and official controls so as to present all proposed developments in a balanced and orderly relationship to existing physical features and governmental functions.

(7) "Conditional use" means a use listed among those classified in any given zone but permitted to locate only after review by the board of adjustment, or zoning adjustor if there be such, and the granting of a conditional use permit imposing such performance standards as will make the use compatible with other permitted uses in the same vicinity and zone and assure against imposing excessive demands upon public utilities, provided the county ordinances specify the standards and criteria that shall be applied.

(8) "Department" means a planning department organized and functioning as any other department in any county.

(9) "Element" means one of the various categories of subjects, each of which constitutes a component part of the comprehensive plan.

(10) "Ex officio member" means a member of the commission who serves by virtue of his or her official position as head of a department specified in the ordinance creating the commission.

(11) "Official controls" means legislatively defined and enacted policies, standards, precise detailed maps and other criteria, all of which control the physical development of a county or any part thereof or any detail thereof, and are the means of translating into regulations and ordinances all or any part of the general objectives of the comprehensive plan. Such official controls may include, but are not limited to, ordinances establishing zoning, subdivision control, platting, and adoption of detailed maps.

(12) "Ordinance" means a legislative enactment by a board; in this chapter the word, "ordinance", is synonymous with the term "resolution", as representing a legislative enactment by a board of county commissioners.

(13) "Planning agency" means (a) a planning commission, together with its staff members, employees and consultants, or (b) a department organized and functioning as any other department in any county government together with its planning commission.

(14) "Rural county" means a county with a population density of less than 100 persons per square mile or a county smaller than 225 square miles as determined by the office of financial management pursuant to RCW 43.62.035.

(15) "Variance." A variance is the means by which an adjustment is made in the application of the specific regulations of a zoning ordinance to a particular piece of property, which property, because of special circumstances applicable to it, is deprived of privileges commonly enjoyed by other properties in the same vicinity and zone and which adjustment remedies disparity in privileges."

Correct the title.

Signed by Representatives Duerr, Chair; Parshley, Vice Chair; Hunt and Zahn.

MINORITY recommendation: Do not pass. Signed by Representative Griffey.

MINORITY recommendation: Without recommendation. Signed by Representatives Klicker, Ranking Minority Member; Stuebe, Assistant Ranking Minority Member.

Referred to Committee on Appropriations

March 26, 2025

SJM 8002 Prime Sponsor, Senator Hasegawa: Concerning Medicare. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Bronoske, Chair; Lekanoff, Vice Chair; Rule, Vice Chair; Davis; Macri; Obras; Parshley; Shavers; Simmons; Stonier; Thai and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Schmick, Ranking Minority Member; Caldier, Assistant Ranking Minority Member; Marshall, Assistant Ranking Minority Member; Low; Manjarrez; and Stuebe.

Referred to Committee on Rules for second reading

March 26, 2025

SJM 8004 Prime Sponsor, Senator Hasegawa: Concerning Universal Health Care. Reported by Committee on Health Care & Wellness

MAJORITY recommendation: Do pass. Signed by Representatives Bronoske, Chair; Lekanoff, Vice Chair; Rule, Vice Chair; Davis; Macri; Obras; Parshley; Shavers; Simmons; Stonier; Thai and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Schmick, Ranking Minority Member; Caldier, Assistant Ranking Minority Member; Marshall, Assistant Ranking Minority Member; Low; Manjarrez; and Stuebe.

Referred to Committee on Rules for second reading

March 26, 2025

SJM 8005 Prime Sponsor, Senator Hasegawa: Requesting that Congress enact legislation that would reinstate the separation of commercial and investment banking functions that were in effect under the Glass-Steagall act. Reported by Committee on Consumer Protection & Business

MAJORITY recommendation: Do pass. Signed by Representatives Walen, Chair; Berry; Donaghy; Fosse; Kloba; Morgan; Reeves; Ryu and Santos.

MINORITY recommendation: Do not pass. Signed by Representative Steele.

MINORITY recommendation: Without recommendation. Signed by Representatives Dufault, Assistant Ranking Minority Member; Abbarno; Corry; and Volz.

Referred to Committee on Rules for second reading

There being no objection, the bills and memorials listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

There being no objection, the House adjourned until 10:30 a.m., Monday, March 31, 2025, the 78th Day of the 2025 Regular Session.

LAURIE JINKINS, Speaker

BERNARD DEAN, Chief Clerk