

SIXTY EIGHTH LEGISLATURE - REGULAR SESSION

FIFTY NINTH DAY

House Chamber, Olympia, Wednesday, March 8, 2023

The House was called to order at 10:30 a.m. by the Speaker (Representative Bronoske presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Ryan George and Bridget Kronland. The Speaker (Representative Bronoske presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Reverend Robert Watson, Jr., State Commander, Washington State Command Council, National Association for Black Veterans.

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

RESOLUTION

HOUSE RESOLUTION NO. 2023-4624, by Representatives Senn and Berry

WHEREAS, Deborah Senn, born on March 8, 1949, was a tireless consumer advocate who was elected in 1992 becoming the first woman elected to serve as the state's insurance commissioner; and

WHEREAS, Commissioner Senn was a national leader on a broad range of issues, including implementing the nation's first regulations for environmental clean-up claims, protecting victims of domestic violence from insurance discrimination, guaranteeing women have access to obstetrician gynecologists, lowering the waiting period on preexisting conditions, and implementing equal recognition of all licensed health care providers; and

WHEREAS, Commissioner Senn was the first insurance commissioner in the United States to call for regulatory action on behalf of Holocaust victims denied insurance benefits, leading to the creation of the International Commission on Holocaust Era Insurance Claims in 1998, and resulting in tens of thousands of elderly claimants around the world receiving long delayed compensation; and

WHEREAS, Commissioner Senn, through the United States Department of Treasury, consulted with finance ministries and central banks in developing and transitioning countries to strengthen their ability to regulate the insurance sector and effectively safeguard consumers; and

WHEREAS, Deborah Senn represented a container ship captain who won a major gender discrimination case after being denied a license to become the first female vessel pilot in Puget Sound; and

WHEREAS, Commissioner Senn loved supporting and mentoring women in public service; and

WHEREAS, Judaism played an important role in developing Senn's commitment to Tikkun Olam, the Jewish concept of "repair of the world"; and

WHEREAS, Commissioner Senn loved watching baseball, showing vizslas at dog shows, singing and writing plays, playing tennis, and spending time in Hawaii; and

WHEREAS, Commissioner Senn was married for 38 years to Rudi Bertschi who called her "his magic"; and

WHEREAS, Commissioner Senn died on February 18, 2022, from complications of metastatic pancreatic cancer;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives recognize the contributions and positive generational impacts of Deborah Senn's service on this day.

There being no objection, HOUSE RESOLUTION NO. 4624 was adopted.

SPEAKER'S PRIVILEGE

The Speaker (Representative Bronoske presiding) recognized the family of former Insurance Commissioner Deborah Senn and asked the chamber to acknowledge them.

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

MESSAGES FROM THE SENATE

Tuesday, March 7, 2023

Mme. Speaker:

The Senate has passed:

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5144
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5186
 ENGROSSED SENATE BILL NO. 5534
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5716

and the same are herewith transmitted.

Sarah Bannister, Secretary

Wednesday, March 8, 2023

Mme. Speaker:

The Senate has passed:

SECOND SUBSTITUTE SENATE BILL NO. 5048
 ENGROSSED SENATE BILL NO. 5175
 SENATE BILL NO. 5274
 SUBSTITUTE SENATE BILL NO. 5304
 SUBSTITUTE SENATE BILL NO. 5491
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5580
 SUBSTITUTE SENATE BILL NO. 5672

and the same are herewith transmitted.

Colleen Rust, Deputy Secretary

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

INTRODUCTION & FIRST READING

ESSB 5102 by Senate Committee on Early Learning & K-12 Education (originally sponsored by Wellman, Frame, Hunt, Liias, Saldaña, Trudeau, Valdez and Wilson, C.)

AN ACT Relating to school library information and technology programs; amending RCW 28A.320.240; adding new sections to chapter 28A.320 RCW; and creating a new section.

Referred to Committee on Education.

2SSB 5134 by Senate Committee on Ways & Means (originally sponsored by Wilson, C., Dhingra, Frame, Hasegawa, Kuderer, Nguyen, Nobles, Randall, Saldaña and Wellman)

AN ACT Relating to reentry services and supports; amending RCW 72.02.100 and 72.09.270; and creating a new section.

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

SSB 5178 by Senate Committee on Transportation (originally sponsored by Fortunato and Gildon)

AN ACT Relating to large debris removal from state highways; and amending RCW 70A.200.060 and 70A.200.140.

Referred to Committee on Transportation.

E2SSB 5236 by Senate Committee on Ways & Means (originally sponsored by Robinson, Keiser, Conway, Frame, Hunt, Kauffman, Lovelett, Nguyen, Nobles, Pedersen, Shewmake, Stanford, Trudeau, Valdez and Wilson, C.)

AN ACT Relating to improving nurse and health care worker safety and patient care by establishing minimum staffing standards in hospitals, requiring hospital staffing committees to develop staffing plans, addressing mandatory overtime and meal and rest breaks, and providing for enforcement; amending RCW 70.41.410, 70.41.420, 70.41.425, 49.12.480, 49.28.130, 49.28.140, and 49.28.150; adding a new section to chapter 70.41 RCW; adding a new chapter to Title 49 RCW; creating a new section; recodifying RCW 70.41.410, 70.41.420, 70.41.425, 49.12.480, 49.28.130, 49.28.140, and 49.28.150; repealing 2017 c 249 s 4 (uncodified); prescribing penalties; providing effective dates; and declaring an emergency.

Referred to Committee on Labor & Workplace Standards.

2SSB 5268 by Senate Committee on Ways & Means (originally sponsored by Hasegawa, Warnick, Hunt, Keiser, Kuderer, Nguyen, Nobles, Saldaña, Valdez, Wagoner and Wilson, C.)

AN ACT Relating to equity and efficiencies in public works procurement including modifying small works roster requirements; amending RCW 39.04.010, 39.19.030, 39.10.200, 39.10.210, 39.10.220, 39.10.230, 39.10.240, 39.10.330, 39.10.360, 39.10.380, 39.10.385, 39.10.908, 28A.335.190, 28B.10.350, 28B.50.330, 35.22.620, 35.23.352, 35.61.135, 35.82.076, 36.32.235, 36.32.250, 36.77.075, 39.04.200, 39.04.380, 39.12.040, 52.14.110, 53.08.120, 54.04.070, 57.08.050, 70.44.140, 87.03.436, and 43.131.408; adding new sections to chapter 39.04 RCW; creating a new section; repealing RCW 39.04.155 and 39.04.156; providing effective dates; and declaring an emergency.

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

2SSB 5290 by Senate Committee on Ways & Means (originally sponsored by Mullet, Kuderer, Fortunato, Lias, Nobles, Saldaña and Wilson, C.)

AN ACT Relating to consolidating local permit review processes; amending RCW 36.70B.140, 36.70B.020, 36.70B.070, 36.70B.080, and 36.70B.160; adding new sections to chapter 36.70B RCW; creating a new section; and providing an effective date.

Referred to Committee on Local Government.

SSB 5318 by Senate Committee on Human Services (originally sponsored by Nobles, Kuderer, Nguyen and Wilson, C.)

AN ACT Relating to limiting estate recovery; and amending RCW 41.05A.090, 43.20B.080, and 70.129.040.

Referred to Committee on Civil Rights & Judiciary.

SB 5330 by Senators Torres, Muzzall, Shewmake, Van De Wege, Warnick, Kuderer and Lovick

AN ACT Relating to the Washington pesticide application act; amending RCW 17.21.020, 17.21.130, and 17.21.132; and adding a new section to chapter 17.21 RCW.

Referred to Committee on Agriculture and Natural Resources.

ESSB 5334 by Senate Committee on Local Government, Land Use & Tribal Affairs (originally sponsored by Lovelett, Kuderer, Frame, Hasegawa, Nguyen, Nobles and Wilson, C.)

AN ACT Relating to providing a local government option for the funding of essential affordable housing programs; amending RCW 67.28.181 and 82.14.410; and adding a new section to chapter 67.28 RCW.

Referred to Committee on Local Government.

SSB 5358 by Senate Committee on State Government & Elections (originally sponsored by Gildon, Nobles, Conway, Holy, Lovelett, Nguyen, Randall, Torres, Wagoner, Wellman, Wilson, C. and Wilson, L.)

AN ACT Relating to expanding veterans' services and programs; amending RCW 43.60A.101; adding new sections to chapter 43.60A RCW; creating a new section; and providing expiration dates.

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

SSB 5388 by Senate Committee on Health & Long Term Care (originally sponsored by Rivers, Cleveland, Muzzall, Conway, Frame, Hasegawa, Keiser, Lovelett, Lovick, Pedersen, Rolfes, Saldaña, Valdez and Wilson, C.)

AN ACT Relating to improving diversity in clinical trials; and adding a new chapter to Title 69 RCW.

Referred to Committee on Health Care & Wellness.

SSB 5389 by Senate Committee on Health & Long Term Care (originally sponsored by Cleveland, Rivers, Robinson, Van De Wege, Conway, Holy, Schoesler, Wilson, L., Lovick, Randall and Wilson, C.)

AN ACT Relating to the practice of optometry, including expanding the optometric scope of practice to include specified procedures not including the use of lasers, requiring a licensing endorsement to perform these procedures that is based upon mandated educational criteria and hands-on training, and amending the board of optometry's operating procedures; and amending RCW 18.53.010, 18.54.050, and 18.54.070.

Referred to Committee on Health Care & Wellness.

SB 5390 by Senators Shewmake, Warnick, Rolfes, Stanford, Nguyen and Wilson, C.

AN ACT Relating to establishing a programmatic safe harbor agreement on forestlands; and adding a new section to chapter 76.09 RCW.

Referred to Committee on Agriculture and Natural Resources.

2SSB 5412 by Senate Committee on Transportation (originally sponsored by Salomon, Lias, Kuderer, Lovelett, Mullet and Pedersen)

AN ACT Relating to reducing local governments' land use permitting workloads, by ensuring objective and timely design review for housing and other land use proposals within

cities and counties and allowing proposed housing within urban growth boundaries to rely on environmental reviews completed at the comprehensive planning level; amending RCW 36.70B.160 and 43.21C.229; and adding a new section to chapter 36.70A RCW.

Referred to Committee on Local Government.

SSB 5415 by Senate Committee on Law & Justice (originally sponsored by Trudeau, Pedersen, Dhingra, Saldaña, Valdez and Wilson, C.)

AN ACT Relating to public defense services for persons committed as not guilty by reason of insanity; amending RCW 2.70.020, 10.77.020, 10.77.140, 10.77.150, 10.77.165, 10.77.180, 10.77.190, 10.77.200, 10.77.205, and 10.77.250; reenacting and amending RCW 10.77.010; adding new sections to chapter 2.70 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Civil Rights & Judiciary.

SSB 5433 by Senate Committee on Agriculture, Water, Natural Resources & Parks (originally sponsored by Muzzall, Shewmake, Lias, Lovelett, MacEwen, Nguyen and Salomon)

AN ACT Relating to derelict aquatic structures; and adding a new chapter to Title 79 RCW.

Referred to Committee on Agriculture and Natural Resources.

SSB 5454 by Senate Committee on Ways & Means (originally sponsored by Cleveland, Robinson, King, Keiser, Van De Wege, Conway, Kuderer, Lias, Nguyen, Shewmake, Stanford and Valdez)

AN ACT Relating to industrial insurance coverage for posttraumatic stress disorders affecting registered nurses; amending RCW 51.08.142; and providing an effective date.

Referred to Committee on Labor & Workplace Standards.

SSB 5499 by Senate Committee on Health & Long Term Care (originally sponsored by Mullet, Rivers, King, Cleveland, Braun, Muzzall, Gildon, Hunt and Padden)

AN ACT Relating to the multistate nurse licensure compact; amending RCW 18.79.020, 18.79.202, 18.79.030, 18.130.040, 18.130.040, 18.130.064, and 43.70.110; adding new sections to chapter 18.79 RCW; adding a new section to chapter 70.41 RCW; adding a new section to chapter 71.12 RCW; adding a new section to chapter 70.230 RCW; adding a new section to chapter 18.51 RCW; adding a new section to chapter 18.20 RCW; adding a new section to chapter 70.127 RCW; adding a new section to chapter 70.128 RCW; adding a new section to chapter 18.52C RCW; adding a new chapter to Title 18 RCW; providing an effective date; and providing an expiration date.

Referred to Committee on Postsecondary Education & Workforce.

SSB 5523 by Senate Committee on Higher Education & Workforce Development (originally sponsored by Dhingra, Conway, Nobles, Shewmake, Trudeau and Wilson, C.)

AN ACT Relating to addressing the forensic pathologist shortage; amending RCW 68.50.104; reenacting and amending RCW 43.79A.040; adding a new chapter to Title 28B RCW; and creating a new section.

Referred to Committee on Postsecondary Education & Workforce.

SSB 5532 by Senate Committee on Ways & Means (originally sponsored by King, Cleveland, Lovelett, Warnick and Wellman)

AN ACT Relating to providing enhanced payment to low volume, small rural hospitals; amending RCW 74.09.5225; creating a new section; providing an effective date; and declaring an emergency.

Referred to Committee on Health Care & Wellness.

SSB 5538 by Senate Committee on Ways & Means (originally sponsored by Cleveland, Dhingra and Wilson, C.)

AN ACT Relating to postretirement employment in nursing positions for a state agency; amending RCW 41.37.050 and 41.40.037; and declaring an emergency.

Referred to Committee on Appropriations.

SSB 5547 by Senate Committee on Health & Long Term Care (originally sponsored by Robinson, Muzzall, Hasegawa and Mullet)

AN ACT Relating to transparency for nursing pools that provide health care personnel to hospitals and long-term care facilities; amending RCW 18.52C.030 and 18.52C.040; reenacting and amending RCW 18.52C.020; and adding a new section to chapter 18.52C RCW.

Referred to Committee on Health Care & Wellness.

E2SSB 5582 by Senate Committee on Ways & Means (originally sponsored by Holy, Randall, Rivers, Robinson, Dozier, King, Conway, Shewmake, Padden, Lovick, Gildon, Muzzall, Lovelett, Mullet, Nobles, Saldaña, Valdez, Van De Wege, Wellman, Wilson, C. and Wilson, L.)

AN ACT Relating to reducing barriers and expanding educational opportunities to increase the supply of nurses in Washington; amending RCW 18.79.150 and 18.79.110; adding a new section to chapter 28B.50 RCW; adding a new section to chapter 28C.18 RCW; adding new sections to chapter 18.79 RCW; adding a new section to chapter 28A.700 RCW; creating new sections; and providing expiration dates.

Referred to Committee on Postsecondary Education & Workforce.

SB 5621 by Senators Muzzall, Robinson, Keiser, Lovelett, Rolfes, Schoesler, Short, Wagoner and Warnick

AN ACT Relating to protecting workers displaced as a result of finfish aquaculture facility closures; and amending RCW 50.04.075.

Referred to Committee on Labor & Workplace Standards.

SB 5700 by Senators Van De Wege, Cleveland and Dhingra

AN ACT Relating to modernization of state health care authority-related laws; amending RCW 41.05.006, 41.05.009, 41.05.011, 41.05.013, 41.05.015, 41.05.031, 41.05.035, 41.05.039, 41.05.046, 41.05.066, 41.05.068, 41.05.130, 41.05.160, 41.05.220, 41.05.310, 41.05.320, 41.05.400, 41.05.413, 41.05.520, 41.05.540, 41.05.550, 41.05.601, 41.05.650, 41.05.660, 41.05A.120, 41.05A.160, 41.05A.170, 70.320.050, 70.390.020, 71.24.380, 74.09.010, 74.09.171, 74.09.215, 74.09.220, 74.09.325, 74.09.328, 74.09.470, 74.09.4701, 74.09.480, 74.09.522, 74.09.630, 74.09.634, 74.09.645, 74.09.650, 74.09.653, 74.09.655, 74.09.657, and 74.09.860; reenacting and amending RCW 41.05.021, 71.24.035, 74.09.053, and 74.09.659; decodifying RCW 41.05.033, 41.05.110, 41.05.280, 41.05.680, and 74.09.756; and repealing RCW 41.05.090, 41.05.205, 41.05.240, and 74.09.720.

Referred to Committee on Health Care & Wellness.

SB 5732 by Senators Randall, Rolfes, Conway, Hasegawa, Hunt, Kuderer, Lovelett, Shewmake, Stanford, Valdez and Wilson, C.

AN ACT Relating to protecting senior citizens' and disabled veterans' property tax exemption eligibility; amending RCW 84.36.381; and creating a new section.

Referred to Committee on Finance.

SJM 8006 by Senators Hasegawa, Cleveland, Billig, Kuderer, Lovelett, Nguyen, Shewmake, Stanford, Valdez and Wilson, C.

Requesting that the federal government create a universal health care program.

Referred to Committee on Health Care & Wellness.

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 sixth order of business.

SECOND READING

HOUSE BILL NO. 1714, by Representatives Stonier, Senn, Callan, Kloba, Santos, Bergquist and Timmons

Allowing school districts to apply for financial literacy education professional development grants.

The bill was read the second time.

Representative Stonier moved the adoption of amendment (392):

On page 2, line 7, after "the grant." insert "School districts that currently integrate financial literacy education into professional development are also eligible to qualify for a grant under this section if the professional development has been approved by the financial education public-private partnership."

Representatives Stonier and Corry spoke in favor of the adoption of the amendment.

Amendment (392) was adopted.

The bill was ordered engrossed.

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

Representatives Stonier and Corry spoke in favor of the passage of the bill.

MOTIONS

On motion of Representative Leavitt, Representatives Hansen and Berry were excused.

On motion of Representative Griffey, Representative Chambers was excused.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1714.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1714, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Bronoske, Caldier, Callan, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Berry, Chambers and Hansen

ENGROSSED HOUSE BILL NO. 1714, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1636, by Representatives Orwall, Walsh and Timmons

Concerning foreclosure protections for homeowners in common interest communities.

The bill was read the second time.

Representative Orwall moved the adoption of the striking amendment (032):

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 64.32.200 and 2021 c 222 s 3 are each amended to read as follows:

(1) The declaration may provide for the collection of all sums assessed by the association of apartment owners for the share of the common expenses chargeable to any apartment and the collection may be enforced in any manner provided in the declaration including, but not limited to, (a) ~~((ten))~~ 10 days notice shall be given the delinquent apartment owner to the effect that unless such assessment is paid within ~~((ten))~~ 10 days any or all utility services will be forthwith severed and shall remain severed until such assessment is paid, or (b) collection of such assessment may be made by such lawful method of enforcement, judicial or extra-judicial, as may be provided in the declaration and/or bylaws.

(2) All sums assessed by the association of apartment owners but unpaid for the share of the common expenses chargeable to any apartment shall constitute a lien on such apartment prior to all other liens except only (a) tax liens on the apartment in favor of any assessing unit and/or special district, and (b) all sums unpaid on all mortgages of record. Such lien is not subject to the ban against execution or forced sales of homesteads under RCW 6.13.080 and, subject to the provisions in subsection ~~((+4))~~ (5) of this section, may be foreclosed by suit by the manager or board of directors, acting on behalf of the apartment owners, in like manner as a mortgage of real property. In any such foreclosure the apartment owner shall be required to pay a reasonable rental for the

apartment, if so provided in the bylaws, and the plaintiff in such foreclosures shall be entitled to the appointment of a receiver to collect the same. The manager or board of directors, acting on behalf of the apartment owners, shall have power, unless prohibited by the declaration, to bid on the apartment at foreclosure sale, and to acquire and hold, lease, mortgage, and convey the same. Upon an express waiver in the complaint of any right to a deficiency judgment, the period of redemption shall be eight months after the sale. Suit to recover any judgment for any unpaid common expenses shall be maintainable without foreclosing or waiving the liens securing the same.

(3) Where the mortgagee of a mortgage of record or other purchaser of an apartment obtains possession of the apartment as a result of foreclosure of the mortgage, such possessor, his or her successors and assigns shall not be liable for the share of the common expenses or assessments by the association of apartment owners chargeable to such apartment which became due prior to such possession. Such unpaid share of common expenses of assessments shall be deemed to be common expenses collectible from all of the apartment owners including such possessor, his or her successors and assigns.

(4)(a) When the association, or the manager or board of directors on its behalf, mails to the apartment owner by first-class mail the first notice of delinquency for past due assessments to the apartment address and to any other address that the owner has provided to the association, the association shall include a first preforeclosure notice that states as follows:

THIS IS A NOTICE OF DELINQUENCY FOR PAST DUE ASSESSMENTS FROM THE APARTMENT OWNERS' ASSOCIATION TO WHICH YOUR HOME BELONGS. THIS NOTICE IS ONE STEP IN A PROCESS THAT COULD RESULT IN YOUR LOSING YOUR HOME. CONTACT A HOUSING COUNSELOR OR AN ATTORNEY LICENSED IN WASHINGTON NOW to assess your situation and refer you to mediation if you might benefit. DO NOT DELAY. BE CAREFUL of people who claim they can help you. There are many individuals and businesses that prey upon borrowers in distress. REFER TO THE CONTACTS BELOW for sources of assistance.

SEEKING ASSISTANCE

Housing counselors and legal assistance may be available at little or no cost to you. If you would like assistance in determining your rights and opportunities to keep your house, you may contact the following:

The statewide foreclosure hotline for assistance and referral to housing counselors recommended by the Housing Finance Commission

Telephone:
Website:

The United States Department of Housing and Urban Development

Telephone:
Website:

The statewide civil legal aid hotline for assistance and referrals to other housing counselors and attorneys

Telephone:
Website:

The association shall obtain the toll-free numbers and website information from the department of commerce for inclusion in the notice.

(b) If, when a delinquent account is referred to an association's attorney, the first preforeclosure notice required under (a) of this subsection has not yet been mailed to the apartment owner, the association or the association's attorney shall mail the first preforeclosure notice to the apartment owner in order to satisfy the requirement in (a) of this subsection.

(c) Mailing the first preforeclosure notice pursuant to (a) of this subsection does not satisfy the requirement in subsection (5)(b) of this section to mail a second preforeclosure notice at or after the date that assessments have become past due for at least 90 days. The second preforeclosure notice may not be mailed sooner than 60 days after the first preforeclosure notice is mailed.

(5) An association, or the manager or board of directors on its behalf, may not commence an action to foreclose a lien on an apartment under this section unless:

(a) The apartment owner, at the time the action is commenced, owes at least a sum equal to the greater of:

(i) Three months or more of assessments, not including fines, late charges, interest, attorneys' fees, or costs incurred by the association in connection with the collection of a delinquent owner's account; or

(ii) \$200 of assessments, not including fines, late charges, interest, attorneys' fees, or costs incurred by the association in connection with the collection of a delinquent owner's account;

(b) At or after the date that assessments have become past due for at least 90 days, but no sooner than 60 days after the first preforeclosure notice required in subsection (4)(a) of this section is mailed, the association has mailed, by first-class mail, to the owner, at the apartment address and to any other address which the owner has provided to the association, a second notice of delinquency, which ~~((shall state as follows:~~

THIS IS A NOTICE OF DELINQUENCY FOR PAST DUE ASSESSMENTS

FROM THE APARTMENT OWNERS' ASSOCIATION TO WHICH YOUR HOME BELONGS.

THIS NOTICE IS ONE STEP IN A PROCESS THAT COULD RESULT IN YOUR LOSING YOUR HOME.

CONTACT A HOUSING COUNSELOR OR AN ATTORNEY LICENSED IN WASHINGTON NOW to assess your situation and refer you to mediation if you might benefit. DO NOT DELAY.

BE CAREFUL of people who claim they can help you. There are many individuals and businesses that prey upon borrowers in distress.

REFER TO THE CONTACTS BELOW for sources of assistance.

SEEKING ASSISTANCE

~~Housing counselors and legal assistance may be available at little or no cost to you. If you would like assistance in determining your rights and opportunities to keep your house, you may contact the following:~~

~~The statewide foreclosure hotline for assistance and referral to housing counselors recommended by the Housing Finance Commission~~

~~Telephone:~~
~~Website:~~

~~The United States Department of Housing and Urban Development~~

~~Telephone:~~
~~Website:~~

~~The statewide civil legal aid hotline for assistance and referrals to other housing counselors and attorneys~~

~~Telephone:~~
~~Website:~~

~~The association shall obtain the toll-free numbers and website information from the department of commerce for inclusion in the notice) must include a second preforeclosure notice that contains the same information as the first preforeclosure notice provided to the apartment owner pursuant to subsection (4)(a) of this section. The second preforeclosure notice may not be mailed sooner than 60 days after the first preforeclosure notice required in subsection (4)(a) of this section is mailed;~~

(c) At least 180 days have elapsed from the date the minimum amount required in (a) of this subsection has accrued; and

(d) The board approves commencement of a foreclosure action specifically against that apartment.

~~((+5-))~~ (6) Every aspect of a collection, foreclosure, sale, or other conveyance under this section, including the method, advertising, time, date, place, and terms, must be commercially reasonable.

Sec. 2. RCW 64.32.200 and 2021 c 222 s 4 are each amended to read as follows:

(1) The declaration may provide for the collection of all sums assessed by the association of apartment owners for the share of the common expenses chargeable to any apartment and the collection may be enforced in any manner provided in the declaration including, but not limited to, (a) ~~((ten))~~ 10 days notice shall be given the delinquent apartment owner to the effect that unless such assessment is paid within ~~((ten))~~ 10 days any or all utility services will be forthwith severed and shall remain severed until such assessment is paid, or (b) collection of such assessment may be made by such lawful method of enforcement, judicial or extra-judicial, as may be provided in the declaration and/or bylaws.

(2) All sums assessed by the association of apartment owners but unpaid for the share of the common expenses chargeable to any apartment shall constitute a lien on such apartment prior to all other liens except only (a) tax liens on the apartment in favor of any assessing unit and/or special district, and (b) all sums unpaid on all mortgages of record. Such lien is not subject to the ban against execution or forced sales of homesteads under RCW

6.13.080 and, subject to the provisions in subsection ~~((+4))~~ (5) of this section, may be foreclosed by suit by the manager or board of directors, acting on behalf of the apartment owners, in like manner as a mortgage of real property. In any such foreclosure the apartment owner shall be required to pay a reasonable rental for the apartment, if so provided in the bylaws, and the plaintiff in such foreclosures shall be entitled to the appointment of a receiver to collect the same. The manager or board of directors, acting on behalf of the apartment owners, shall have power, unless prohibited by the declaration, to bid on the apartment at foreclosure sale, and to acquire and hold, lease, mortgage, and convey the same. Upon an express waiver in the complaint of any right to a deficiency judgment, the period of redemption shall be eight months after the sale. Suit to recover any judgment for any unpaid common expenses shall be maintainable without foreclosing or waiving the liens securing the same.

(3) Where the mortgagee of a mortgage of record or other purchaser of an apartment obtains possession of the apartment as a result of foreclosure of the mortgage, such possessor, his or her successors and assigns shall not be liable for the share of the common expenses or assessments by the association of apartment owners chargeable to such apartment which became due prior to such possession. Such unpaid share of common expenses of assessments shall be deemed to be common expenses collectible from all of the apartment owners including such possessor, his or her successors and assigns.

(4)(a) When the association, or the manager or board of directors on its behalf, mails to the apartment owner by first-class mail the first notice of delinquency for past due assessments to the apartment address and to any other address that the owner has provided to the association, the association shall include a first preforeclosure notice that states as follows:

THIS IS A NOTICE OF DELINQUENCY FOR PAST DUE ASSESSMENTS

FROM THE APARTMENT OWNERS' ASSOCIATION TO WHICH YOUR HOME BELONGS.

THIS NOTICE IS ONE STEP IN A PROCESS THAT COULD RESULT IN YOUR LOSING YOUR HOME.

CONTACT A HOUSING COUNSELOR OR AN ATTORNEY LICENSED IN WASHINGTON NOW to assess your situation and refer you to mediation if you might benefit. DO NOT DELAY.

BE CAREFUL of people who claim they can help you. There are many individuals and businesses that prey upon borrowers in distress.

REFER TO THE CONTACTS BELOW for sources of assistance.

SEEKING ASSISTANCE

Housing counselors and legal assistance may be available at little or no cost to you. If you would like assistance in determining your rights and opportunities to keep your house, you may contact the following:

The statewide foreclosure hotline for assistance and referral to housing

~~counselors recommended by the Housing Finance Commission~~

~~Telephone:
Website:~~

~~The United States Department of Housing and Urban Development~~

~~Telephone:
Website:~~

~~The statewide civil legal aid hotline for assistance and referrals to other housing counselors and attorneys~~

~~Telephone:
Website:~~

~~The association shall obtain the toll-free numbers and website information from the department of commerce for inclusion in the notice.~~

~~(b) If, when a delinquent account is referred to an association's attorney, the first preforeclosure notice required under (a) of this subsection has not yet been mailed to the apartment owner, the association or the association's attorney shall mail the first preforeclosure notice to the apartment owner in order to satisfy the requirement in (a) of this subsection.~~

~~(c) Mailing the first preforeclosure notice pursuant to (a) of this subsection does not satisfy the requirement in subsection (5)(b) of this section to mail a second preforeclosure notice at or after the date that assessments have become past due for at least 90 days. The second preforeclosure notice may not be mailed sooner than 60 days after the first preforeclosure notice is mailed.~~

~~(5) An association, or the manager or board of directors on its behalf, may not commence an action to foreclose a lien on an apartment under this section unless:~~

~~(a) The apartment owner, at the time the action is commenced, owes at least a sum equal to the greater of:~~

~~(i) Three months or more of assessments, not including fines, late charges, interest, attorneys' fees, or costs incurred by the association in connection with the collection of a delinquent owner's account; or~~

~~(ii) \$200 of assessments, not including fines, late charges, interest, attorneys' fees, or costs incurred by the association in connection with the collection of a delinquent owner's account;~~

~~(b) At or after the date that assessments have become past due for at least 90 days, but no sooner than 60 days after the first preforeclosure notice required in subsection (4)(a) of this section is mailed, the association has mailed, by first-class mail, to the owner, at the apartment address and to any other address which the owner has provided to the association, a second notice of delinquency, which ((shall state as follows:~~

~~**THIS IS A NOTICE OF DELINQUENCY FOR PAST DUE ASSESSMENTS FROM THE APARTMENT OWNERS' ASSOCIATION TO WHICH YOUR HOME BELONGS.**~~

~~**THIS NOTICE IS ONE STEP IN A PROCESS THAT COULD RESULT IN YOUR LOSING YOUR HOME. CONTACT A HOUSING COUNSELOR OR AN ATTORNEY LICENSED IN WASHINGTON NOW to assess your situation and refer you to mediation if you might benefit. DO NOT DELAY.**~~

~~**BE CAREFUL** of people who claim they can help you. There are many individuals and businesses that prey upon borrowers in distress.~~

~~**REFER TO THE CONTACTS BELOW** for sources of assistance.~~

~~**SEEKING ASSISTANCE**~~

~~Housing counselors and legal assistance may be available at little or no cost to you. If you would like assistance in determining your rights and opportunities to keep your house, you may contact the following:~~

~~The statewide foreclosure hotline for assistance and referral to housing counselors recommended by the Housing Finance Commission~~

~~Telephone:
Website:~~

~~The United States Department of Housing and Urban Development~~

~~Telephone:
Website:~~

~~The statewide civil legal aid hotline for assistance and referrals to other housing counselors and attorneys~~

~~Telephone:
Website:~~

~~The association shall obtain the toll-free numbers and website information from the department of commerce for inclusion in the notice) must include a second preforeclosure notice that contains the same information as the first preforeclosure notice provided to the apartment owner pursuant to subsection (4)(a) of this section. The second preforeclosure notice may not be mailed sooner than 60 days after the first preforeclosure notice required in subsection (4)(a) of this section is mailed;~~

~~(c) At least 90 days have elapsed from the date the minimum amount required in (a) of this subsection has accrued; and~~

~~(d) The board approves commencement of a foreclosure action specifically against that apartment.~~

~~((4)) (6) Every aspect of a collection, foreclosure, sale, or other conveyance under this section, including the method, advertising, time, date, place, and terms, must be commercially reasonable.~~

~~**Sec. 3.** RCW 64.34.364 and 2021 c 222 s 5 are each amended to read as follows:~~

~~(1) The association has a lien on a unit for any unpaid assessments levied against a unit from the time the assessment is due.~~

~~(2) A lien under this section shall be prior to all other liens and encumbrances on a unit except: (a) Liens and encumbrances recorded before the recording of the declaration; (b) a mortgage on the unit recorded before the date on which the assessment sought to be enforced became delinquent; and (c) liens for real property taxes and other governmental assessments or charges against the unit. A lien under this section is not subject to the provisions of chapter 6.13 RCW.~~

~~(3) Except as provided in subsections (4) and (5) of this section, the lien shall also be prior to the mortgages described in subsection (2)(b) of this section to the extent of assessments for common expenses,~~

excluding any amounts for capital improvements, based on the periodic budget adopted by the association pursuant to RCW 64.34.360(1) which would have become due during the six months immediately preceding the date of a sheriff's sale in an action for judicial foreclosure by either the association or a mortgagee, the date of a trustee's sale in a nonjudicial foreclosure by a mortgagee, or the date of recording of the declaration of forfeiture in a proceeding by the vendor under a real estate contract.

(4) The priority of the association's lien against units encumbered by a mortgage held by an eligible mortgagee or by a mortgagee which has given the association a written request for a notice of delinquent assessments shall be reduced by up to three months if and to the extent that the lien priority under subsection (3) of this section includes delinquencies which relate to a period after such holder becomes an eligible mortgagee or has given such notice and before the association gives the holder a written notice of the delinquency. This subsection does not affect the priority of mechanics' or material suppliers' liens, or the priority of liens for other assessments made by the association.

(5) If the association forecloses its lien under this section nonjudicially pursuant to chapter 61.24 RCW, as provided by subsection (9) of this section, the association shall not be entitled to the lien priority provided for under subsection (3) of this section.

(6) Unless the declaration otherwise provides, if two or more associations have liens for assessments created at any time on the same real estate, those liens have equal priority.

(7) Recording of the declaration constitutes record notice and perfection of the lien for assessments. While no further recording of any claim of lien for assessment under this section shall be required to perfect the association's lien, the association may record a notice of claim of lien for assessments under this section in the real property records of any county in which the condominium is located. Such recording shall not constitute the written notice of delinquency to a mortgagee referred to in subsection (2) of this section.

(8) A lien for unpaid assessments and the personal liability for payment of assessments is extinguished unless proceedings to enforce the lien or collect the debt are instituted within three years after the amount of the assessments sought to be recovered becomes due.

(9) The lien arising under this section may be enforced judicially by the association or its authorized representative in the manner set forth in chapter 61.12 RCW. The lien arising under this section may be enforced nonjudicially in the manner set forth in chapter 61.24 RCW for nonjudicial foreclosure of deeds of trust if the declaration (a) contains a grant of the condominium in trust to a trustee qualified under RCW 61.24.010 to secure the obligations of the unit owners to the association for the payment of assessments,

(b) contains a power of sale, (c) provides in its terms that the units are not used principally for agricultural or farming purposes, and (d) provides that the power of sale is operative in the case of a default in the obligation to pay assessments. The association or its authorized representative shall have the power, unless prohibited by the declaration, to purchase the unit at the foreclosure sale and to acquire, hold, lease, mortgage, or convey the same. Upon an express waiver in the complaint of any right to a deficiency judgment in a judicial foreclosure action, the period of redemption shall be eight months. Nothing in this section shall prohibit an association from taking a deed in lieu of foreclosure.

(10) From the time of commencement of an action by the association to foreclose a lien for nonpayment of delinquent assessments against a unit that is not occupied by the owner thereof, the association shall be entitled to the appointment of a receiver to collect from the lessee thereof the rent for the unit as and when due. If the rental is not paid, the receiver may obtain possession of the unit, refurbish it for rental up to a reasonable standard for rental units in this type of condominium, rent the unit or permit its rental to others, and apply the rents first to the cost of the receivership and attorneys' fees thereof, then to the cost of refurbishing the unit, then to applicable charges, then to costs, fees, and charges of the foreclosure action, and then to the payment of the delinquent assessments. Only a receiver may take possession and collect rents under this subsection, and a receiver shall not be appointed less than ~~((ninety))~~ 90 days after the delinquency. The exercise by the association of the foregoing rights shall not affect the priority of preexisting liens on the unit.

(11) Except as provided in subsection (3) of this section, the holder of a mortgage or other purchaser of a unit who obtains the right of possession of the unit through foreclosure shall not be liable for assessments or installments thereof that became due prior to such right of possession. Such unpaid assessments shall be deemed to be common expenses collectible from all the unit owners, including such mortgagee or other purchaser of the unit. Foreclosure of a mortgage does not relieve the prior owner of personal liability for assessments accruing against the unit prior to the date of such sale as provided in this subsection.

(12) In addition to constituting a lien on the unit, each assessment shall be the joint and several obligation of the owner or owners of the unit to which the same are assessed as of the time the assessment is due. In a voluntary conveyance, the grantee of a unit shall be jointly and severally liable with the grantor for all unpaid assessments against the grantor up to the time of the grantor's conveyance, without prejudice to the grantee's right to recover from the grantor the amounts paid by the grantee therefor. Suit to recover a personal judgment for any delinquent assessment shall be maintainable in any court of competent

jurisdiction without foreclosing or waiving the lien securing such sums.

(13) The association may from time to time establish reasonable late charges and a rate of interest to be charged on all subsequent delinquent assessments or installments thereof. In the absence of another established nonusurious rate, delinquent assessments shall bear interest from the date of delinquency at the maximum rate permitted under RCW 19.52.020 on the date on which the assessments became delinquent.

(14) The association shall be entitled to recover any costs and reasonable attorneys' fees incurred in connection with the collection of delinquent assessments, whether or not such collection activities result in suit being commenced or prosecuted to judgment. In addition, the association shall be entitled to recover costs and reasonable attorneys' fees if it prevails on appeal and in the enforcement of a judgment.

(15) The association upon written request shall furnish to a unit owner or a mortgagee a statement signed by an officer or authorized agent of the association setting forth the amount of unpaid assessments against that unit. The statement shall be furnished within fifteen days after receipt of the request and is binding on the association, the board of directors, and every unit owner, unless and to the extent known by the recipient to be false.

(16) To the extent not inconsistent with this section, the declaration may provide for such additional remedies for collection of assessments as may be permitted by law.

(17)(a) When the association mails to the unit owner by first-class mail the first notice of delinquency for past due assessments to the unit address and to any other address that the owner has provided to the association, the association shall include a first preforeclosure notice that states as follows:

THIS IS A NOTICE OF DELINQUENCY FOR PAST DUE ASSESSMENTS FROM THE UNIT OWNERS' ASSOCIATION TO WHICH YOUR HOME BELONGS. THIS NOTICE IS ONE STEP IN A PROCESS THAT COULD RESULT IN YOUR LOSING YOUR HOME. CONTACT A HOUSING COUNSELOR OR AN ATTORNEY LICENSED IN WASHINGTON NOW to assess your situation and refer you to mediation if you might benefit. DO NOT DELAY. BE CAREFUL of people who claim they can help you. There are many individuals and businesses that prey upon borrowers in distress. REFER TO THE CONTACTS BELOW for sources of assistance.

SEEKING ASSISTANCE

Housing counselors and legal assistance may be available at little or no cost to you. If you would like assistance in determining your rights and opportunities to keep your house, you may contact the following:

The statewide foreclosure hotline for assistance and referral to housing counselors recommended by the Housing Finance Commission

Telephone:
Website:

The United States Department of Housing and Urban Development

Telephone:
Website:

The statewide civil legal aid hotline for assistance and referrals to other housing counselors and attorneys

Telephone:
Website:

The association shall obtain the toll-free numbers and website information from the department of commerce for inclusion in the notice.

(b) If, when a delinquent account is referred to an association's attorney, the first preforeclosure notice required under (a) of this subsection has not yet been mailed to the unit owner, the association or the association's attorney shall mail the first preforeclosure notice to the unit owner in order to satisfy the requirement in (a) of this subsection.

(c) Mailing the first preforeclosure notice pursuant to (a) of this subsection does not satisfy the requirement in subsection (18)(b) of this section to mail a second preforeclosure notice at or after the date that assessments have become past due for at least 90 days. The second preforeclosure notice may not be mailed sooner than 60 days after the first preforeclosure notice is mailed.

(18) An association may not commence an action to foreclose a lien on a unit under this section unless:

(a) The unit owner, at the time the action is commenced, owes at least a sum equal to the greater of:

(i) Three months or more of assessments, not including fines, late charges, interest, attorneys' fees, or costs incurred by the association in connection with the collection of a delinquent owner's account; or

(ii) \$200 of assessments, not including fines, late charges, interest, attorneys' fees, or costs incurred by the association in connection with the collection of a delinquent owner's account;

(b) At or after the date that assessments have become past due for at least 90 days, but no sooner than 60 days after the first preforeclosure notice required in subsection (17)(a) of this section is mailed, the association has mailed, by first-class mail, to the owner, at the unit address and to any other address which the owner has provided to the association, a second notice of delinquency, which ((shall state as follows:

THIS IS A NOTICE OF DELINQUENCY FOR PAST DUE ASSESSMENTS FROM THE UNIT OWNERS' ASSOCIATION TO WHICH YOUR HOME BELONGS. THIS NOTICE IS ONE STEP IN A PROCESS THAT COULD RESULT IN YOUR LOSING YOUR HOME. CONTACT A HOUSING COUNSELOR OR AN ATTORNEY LICENSED IN WASHINGTON NOW to assess your situation and refer you to mediation if you might benefit. DO NOT DELAY. BE CAREFUL of people who claim they can help you. There are many individuals and businesses that prey upon borrowers in distress. REFER TO THE CONTACTS BELOW for sources of assistance.

SEEKING ASSISTANCE

~~Housing counselors and legal assistance may be available at little or no cost to you. If you would like assistance in determining your rights and opportunities to keep your house, you may contact the following:~~

~~The statewide foreclosure hotline for assistance and referral to housing counselors recommended by the Housing Finance Commission~~

~~Telephone:~~
~~Website:~~

~~The United States Department of Housing and Urban Development~~

~~Telephone:~~
~~Website:~~

~~The statewide civil legal aid hotline for assistance and referrals to other housing counselors and attorneys~~

~~Telephone:~~
~~Website:~~

~~The association shall obtain the toll-free numbers and website information from the department of commerce for inclusion in the notice)) must include a second preforeclosure notice that contains the same information as the first preforeclosure notice provided to the unit owner pursuant to subsection (17)(a) of this section. The second preforeclosure notice may not be mailed sooner than 60 days after the first preforeclosure notice required in subsection (17)(a) of this section is mailed;~~

~~(c) At least 180 days have elapsed from the date the minimum amount required in (a) of this subsection has accrued; and~~

~~(d) The board approves commencement of a foreclosure action specifically against that unit.~~

~~((18)) (19) Every aspect of a collection, foreclosure, sale, or other conveyance under this section, including the method, advertising, time, date, place, and terms, must be commercially reasonable.~~

Sec. 4. RCW 64.34.364 and 2021 c 222 s 6 are each amended to read as follows:

(1) The association has a lien on a unit for any unpaid assessments levied against a unit from the time the assessment is due.

(2) A lien under this section shall be prior to all other liens and encumbrances on a unit except: (a) Liens and encumbrances recorded before the recording of the declaration; (b) a mortgage on the unit recorded before the date on which the assessment sought to be enforced became delinquent; and (c) liens for real property taxes and other governmental assessments or charges against the unit. A lien under this section is not subject to the provisions of chapter 6.13 RCW.

(3) Except as provided in subsections (4) and (5) of this section, the lien shall also be prior to the mortgages described in subsection (2)(b) of this section to the extent of assessments for common expenses, excluding any amounts for capital improvements, based on the periodic budget adopted by the association pursuant to RCW 64.34.360(1) which would have become due during the six months immediately preceding the date of a sheriff's sale in an action

for judicial foreclosure by either the association or a mortgagee, the date of a trustee's sale in a nonjudicial foreclosure by a mortgagee, or the date of recording of the declaration of forfeiture in a proceeding by the vendor under a real estate contract.

(4) The priority of the association's lien against units encumbered by a mortgage held by an eligible mortgagee or by a mortgagee which has given the association a written request for a notice of delinquent assessments shall be reduced by up to three months if and to the extent that the lien priority under subsection (3) of this section includes delinquencies which relate to a period after such holder becomes an eligible mortgagee or has given such notice and before the association gives the holder a written notice of the delinquency. This subsection does not affect the priority of mechanics' or material suppliers' liens, or the priority of liens for other assessments made by the association.

(5) If the association forecloses its lien under this section nonjudicially pursuant to chapter 61.24 RCW, as provided by subsection (9) of this section, the association shall not be entitled to the lien priority provided for under subsection (3) of this section.

(6) Unless the declaration otherwise provides, if two or more associations have liens for assessments created at any time on the same real estate, those liens have equal priority.

(7) Recording of the declaration constitutes record notice and perfection of the lien for assessments. While no further recording of any claim of lien for assessment under this section shall be required to perfect the association's lien, the association may record a notice of claim of lien for assessments under this section in the real property records of any county in which the condominium is located. Such recording shall not constitute the written notice of delinquency to a mortgagee referred to in subsection (2) of this section.

(8) A lien for unpaid assessments and the personal liability for payment of assessments is extinguished unless proceedings to enforce the lien or collect the debt are instituted within three years after the amount of the assessments sought to be recovered becomes due.

(9) The lien arising under this section may be enforced judicially by the association or its authorized representative in the manner set forth in chapter 61.12 RCW. The lien arising under this section may be enforced nonjudicially in the manner set forth in chapter 61.24 RCW for nonjudicial foreclosure of deeds of trust if the declaration (a) contains a grant of the condominium in trust to a trustee qualified under RCW 61.24.010 to secure the obligations of the unit owners to the association for the payment of assessments, (b) contains a power of sale, (c) provides in its terms that the units are not used principally for agricultural or farming purposes, and (d) provides that the power of sale is operative in the case of a default in the obligation to pay assessments. The

association or its authorized representative shall have the power, unless prohibited by the declaration, to purchase the unit at the foreclosure sale and to acquire, hold, lease, mortgage, or convey the same. Upon an express waiver in the complaint of any right to a deficiency judgment in a judicial foreclosure action, the period of redemption shall be eight months. Nothing in this section shall prohibit an association from taking a deed in lieu of foreclosure.

(10) From the time of commencement of an action by the association to foreclose a lien for nonpayment of delinquent assessments against a unit that is not occupied by the owner thereof, the association shall be entitled to the appointment of a receiver to collect from the lessee thereof the rent for the unit as and when due. If the rental is not paid, the receiver may obtain possession of the unit, refurbish it for rental up to a reasonable standard for rental units in this type of condominium, rent the unit or permit its rental to others, and apply the rents first to the cost of the receivership and attorneys' fees thereof, then to the cost of refurbishing the unit, then to applicable charges, then to costs, fees, and charges of the foreclosure action, and then to the payment of the delinquent assessments. Only a receiver may take possession and collect rents under this subsection, and a receiver shall not be appointed less than ~~((ninety))~~ 90 days after the delinquency. The exercise by the association of the foregoing rights shall not affect the priority of preexisting liens on the unit.

(11) Except as provided in subsection (3) of this section, the holder of a mortgage or other purchaser of a unit who obtains the right of possession of the unit through foreclosure shall not be liable for assessments or installments thereof that became due prior to such right of possession. Such unpaid assessments shall be deemed to be common expenses collectible from all the unit owners, including such mortgagee or other purchaser of the unit. Foreclosure of a mortgage does not relieve the prior owner of personal liability for assessments accruing against the unit prior to the date of such sale as provided in this subsection.

(12) In addition to constituting a lien on the unit, each assessment shall be the joint and several obligation of the owner or owners of the unit to which the same are assessed as of the time the assessment is due. In a voluntary conveyance, the grantee of a unit shall be jointly and severally liable with the grantor for all unpaid assessments against the grantor up to the time of the grantor's conveyance, without prejudice to the grantee's right to recover from the grantor the amounts paid by the grantee therefor. Suit to recover a personal judgment for any delinquent assessment shall be maintainable in any court of competent jurisdiction without foreclosing or waiving the lien securing such sums.

(13) The association may from time to time establish reasonable late charges and a rate of interest to be charged on all subsequent delinquent assessments or installments thereof. In the absence of

another established nonusurious rate, delinquent assessments shall bear interest from the date of delinquency at the maximum rate permitted under RCW 19.52.020 on the date on which the assessments became delinquent.

(14) The association shall be entitled to recover any costs and reasonable attorneys' fees incurred in connection with the collection of delinquent assessments, whether or not such collection activities result in suit being commenced or prosecuted to judgment. In addition, the association shall be entitled to recover costs and reasonable attorneys' fees if it prevails on appeal and in the enforcement of a judgment.

(15) The association upon written request shall furnish to a unit owner or a mortgagee a statement signed by an officer or authorized agent of the association setting forth the amount of unpaid assessments against that unit. The statement shall be furnished within fifteen days after receipt of the request and is binding on the association, the board of directors, and every unit owner, unless and to the extent known by the recipient to be false.

(16) To the extent not inconsistent with this section, the declaration may provide for such additional remedies for collection of assessments as may be permitted by law.

(17)(a) When the association mails to the unit owner by first-class mail the first notice of delinquency for past due assessments to the unit address and to any other address that the owner has provided to the association, the association shall include a first preforeclosure notice that states as follows:

THIS IS A NOTICE OF DELINQUENCY FOR PAST DUE ASSESSMENTS

FROM THE UNIT OWNERS' ASSOCIATION TO WHICH YOUR HOME BELONGS.

THIS NOTICE IS ONE STEP IN A PROCESS THAT COULD RESULT IN YOUR LOSING YOUR HOME.

CONTACT A HOUSING COUNSELOR OR AN ATTORNEY LICENSED IN WASHINGTON NOW to assess your situation and refer you to mediation if you might benefit. DO NOT DELAY.

BE CAREFUL of people who claim they can help you. There are many individuals and businesses that prey upon borrowers in distress.

REFER TO THE CONTACTS BELOW for sources of assistance.

SEEKING ASSISTANCE

Housing counselors and legal assistance may be available at little or no cost to you. If you would like assistance in determining your rights and opportunities to keep your house, you may contact the following:

The statewide foreclosure hotline for assistance and referral to housing counselors recommended by the Housing Finance Commission

Telephone:
Website:

The United States Department of Housing and Urban Development

Telephone:
Website:

The statewide civil legal aid hotline for assistance and referrals to other housing counselors and attorneys

Telephone:
Website:

The association shall obtain the toll-free numbers and website information from the department of commerce for inclusion in the notice.

(b) If, when a delinquent account is referred to an association's attorney, the first preforeclosure notice required under (a) of this subsection has not yet been mailed to the unit owner, the association or the association's attorney shall mail the first preforeclosure notice to the unit owner in order to satisfy the requirement in (a) of this subsection.

(c) Mailing the first preforeclosure notice pursuant to (a) of this subsection does not satisfy the requirement in subsection (18)(b) of this section to mail a second preforeclosure notice at or after the date that assessments have become past due for at least 90 days. The second preforeclosure notice may not be mailed sooner than 60 days after the first preforeclosure notice is mailed.

(18) An association may not commence an action to foreclose a lien on a unit under this section unless:

(a) The unit owner, at the time the action is commenced, owes at least a sum equal to the greater of:

(i) Three months or more of assessments, not including fines, late charges, interest, attorneys' fees, or costs incurred by the association in connection with the collection of a delinquent owner's account; or

(ii) \$200 of assessments, not including fines, late charges, interest, attorneys' fees, or costs incurred by the association in connection with the collection of a delinquent owner's account;

(b) At or after the date that assessments have become past due for at least 90 days, but no sooner than 60 days after the first preforeclosure notice required in subsection (17)(a) of this section is mailed, the association has mailed, by first-class mail, to the owner, at the unit address and to any other address which the owner has provided to the association, a second notice of delinquency, which ((shall state as follows:

~~THIS IS A NOTICE OF DELINQUENCY FOR PAST DUE ASSESSMENTS FROM THE UNIT OWNERS' ASSOCIATION TO WHICH YOUR HOME BELONGS.~~

~~THIS NOTICE IS ONE STEP IN A PROCESS THAT COULD RESULT IN YOUR LOSING YOUR HOME. CONTACT A HOUSING COUNSELOR OR AN ATTORNEY LICENSED IN WASHINGTON NOW to assess your situation and refer you to mediation if you might benefit. DO NOT DELAY.~~

~~BE CAREFUL of people who claim they can help you. There are many individuals and businesses that prey upon borrowers in distress.~~

~~REFER TO THE CONTACTS BELOW for sources of assistance.~~

SEEKING ASSISTANCE

Housing counselors and legal assistance may be available at little or no cost to you. If you would like assistance in determining your rights and opportunities to

~~keep your house, you may contact the following:~~

~~The statewide foreclosure hotline for assistance and referral to housing counselors recommended by the Housing Finance Commission~~

~~Telephone:
Website:~~

~~The United States Department of Housing and Urban Development~~

~~Telephone:
Website:~~

~~The statewide civil legal aid hotline for assistance and referrals to other housing counselors and attorneys~~

~~Telephone:
Website:~~

~~The association shall obtain the toll-free numbers and website information from the department of commerce for inclusion in the notice) must include a second preforeclosure notice that contains the same information as the first preforeclosure notice provided to the unit owner pursuant to subsection (17)(a) of this section. The second preforeclosure notice may not be mailed sooner than 60 days after the first preforeclosure notice required in subsection (17)(a) of this section is mailed;~~

~~(c) At least 90 days have elapsed from the date the minimum amount required in (a) of this subsection has accrued; and~~

~~(d) The board approves commencement of a foreclosure action specifically against that unit.~~

~~((18)) (19) Every aspect of a collection, foreclosure, sale, or other conveyance under this section, including the method, advertising, time, date, place, and terms, must be commercially reasonable.~~

Sec. 5. RCW 64.38.100 and 2021 c 222 s 7 are each amended to read as follows:

(1)(a) If the governing documents of an association provide for a lien on the lot of any owner for unpaid assessments, the association shall include the following first preforeclosure notice when mailing to the lot owner by first-class mail the first notice of delinquency to the lot address and to any other address that the owner has provided to the association:

THIS IS A NOTICE OF DELINQUENCY FOR PAST DUE ASSESSMENTS FROM THE HOMEOWNERS' ASSOCIATION TO WHICH YOUR HOME BELONGS.

THIS NOTICE IS ONE STEP IN A PROCESS THAT COULD RESULT IN YOUR LOSING YOUR HOME. CONTACT A HOUSING COUNSELOR OR AN ATTORNEY LICENSED IN WASHINGTON NOW to assess your situation and refer you to mediation if you might benefit. DO NOT DELAY.

BE CAREFUL of people who claim they can help you. There are many individuals and businesses that prey upon borrowers in distress.

REFER TO THE CONTACTS BELOW for sources of assistance.

SEEKING ASSISTANCE

Housing counselors and legal assistance may be available at little or no cost to you. If you would like assistance in determining your rights and opportunities to

keep your house, you may contact the following:

The statewide foreclosure hotline for assistance and referral to housing counselors recommended by the Housing Finance Commission

Telephone:
Website:

The United States Department of Housing and Urban Development

Telephone:
Website:

The statewide civil legal aid hotline for assistance and referrals to other housing counselors and attorneys

Telephone:
Website:

The association shall obtain the toll-free numbers and website information from the department of commerce for inclusion in the notice.

(b) If, when a delinquent account is referred to an association's attorney, the first preforeclosure notice required under (a) of this subsection has not yet been mailed to the lot owner, the association or the association's attorney shall mail the first preforeclosure notice to the lot owner in order to satisfy the requirement in (a) of this subsection.

(c) Mailing the first preforeclosure notice pursuant to (a) of this subsection does not satisfy the requirement in subsection (2)(b) of this section to mail a second preforeclosure notice at or after the date that assessments have become past due for at least 90 days. The second preforeclosure notice may not be mailed sooner than 60 days after the first preforeclosure notice is mailed.

(2) If the governing documents of an association provide for a lien on the lot of any owner for unpaid assessments, the association may not commence an action to foreclose the lien unless:

(a) The lot owner, at the time the action is commenced, owes at least a sum equal to the greater of:

(i) Three months or more of assessments, not including fines, late charges, interest, attorneys' fees, or costs incurred by the association in connection with the collection of a delinquent owner's account; or

(ii) \$200 of assessments, not including fines, late charges, interest, attorneys' fees, or costs incurred by the association in connection with the collection of a delinquent owner's account;

(b) At or after the date that assessments have become past due for at least 90 days, but no sooner than 60 days after the first preforeclosure notice required in subsection (1)(a) of this section is mailed, the association has mailed, by first-class mail, to the owner, at the lot address and to any other address which the owner has provided to the association, a second notice of delinquency, which ((shall state as follows:

~~THIS IS A NOTICE OF DELINQUENCY FOR PAST DUE ASSESSMENTS FROM THE HOMEOWNERS' ASSOCIATION TO WHICH YOUR HOME BELONGS.~~

~~THIS NOTICE IS ONE STEP IN A PROCESS THAT COULD RESULT IN YOUR LOSING YOUR HOME. CONTACT A HOUSING COUNSELOR OR AN ATTORNEY LICENSED IN WASHINGTON NOW to assess your situation and refer you to mediation if you might benefit. DO NOT DELAY. BE CAREFUL of people who claim they can help you. There are many individuals and businesses that prey upon borrowers in distress. REFER TO THE CONTACTS BELOW for sources of assistance.~~

SEEKING ASSISTANCE

Housing counselors and legal assistance may be available at little or no cost to you. If you would like assistance in determining your rights and opportunities to keep your house, you may contact the following:

The statewide foreclosure hotline for assistance and referral to housing counselors recommended by the Housing Finance Commission

Telephone:
Website:

The United States Department of Housing and Urban Development

Telephone:
Website:

The statewide civil legal aid hotline for assistance and referrals to other housing counselors and attorneys

Telephone:
Website:

The association shall obtain the toll-free numbers and website information from the department of commerce for inclusion in the notice) must include a second preforeclosure notice that contains the same information as the first preforeclosure notice provided to the lot owner pursuant to subsection (1)(a) of this section. The second preforeclosure notice may not be mailed sooner than 60 days after the first preforeclosure notice required in subsection (1)(a) of this section is mailed;

(c) At least 180 days have elapsed from the date the minimum amount required in (a) of this subsection has accrued; and

(d) The board approves commencement of a foreclosure action specifically against that lot.

((2)) (3) Every aspect of a collection, foreclosure, sale, or other conveyance under this section, including the method, advertising, time, date, place, and terms, must be commercially reasonable.

Sec. 6. RCW 64.38.100 and 2021 c 222 s 8 are each amended to read as follows:

(1)(a) If the governing documents of an association provide for a lien on the lot of any owner for unpaid assessments, the association shall include the following first preforeclosure notice when mailing to the lot owner by first-class mail the first notice of delinquency to the lot address and to any other address that the owner has provided to the association:

~~THIS IS A NOTICE OF DELINQUENCY FOR PAST DUE ASSESSMENTS FROM THE HOMEOWNERS' ASSOCIATION TO WHICH YOUR HOME BELONGS.~~

THIS NOTICE IS ONE STEP IN A PROCESS THAT COULD RESULT IN YOUR LOSING YOUR HOME. CONTACT A HOUSING COUNSELOR OR AN ATTORNEY LICENSED IN WASHINGTON NOW to assess your situation and refer you to mediation if you might benefit. DO NOT DELAY. BE CAREFUL of people who claim they can help you. There are many individuals and businesses that prey upon borrowers in distress. REFER TO THE CONTACTS BELOW for sources of assistance.

SEEKING ASSISTANCE

Housing counselors and legal assistance may be available at little or no cost to you. If you would like assistance in determining your rights and opportunities to keep your house, you may contact the following:

The statewide foreclosure hotline for assistance and referral to housing counselors recommended by the Housing Finance Commission

Telephone:
 Website:

The United States Department of Housing and Urban Development

Telephone:
 Website:

The statewide civil legal aid hotline for assistance and referrals to other housing counselors and attorneys

Telephone:
 Website:

The association shall obtain the toll-free numbers and website information from the department of commerce for inclusion in the notice.

(b) If, when a delinquent account is referred to an association's attorney, the first preforeclosure notice required under (a) of this subsection has not yet been mailed to the lot owner, the association or the association's attorney shall mail the first preforeclosure notice to the lot owner in order to satisfy the requirement in (a) of this subsection.

(c) Mailing the first preforeclosure notice pursuant to (a) of this subsection does not satisfy the requirement in subsection (2)(b) of this section to mail a second preforeclosure notice at or after the date that assessments have become past due for at least 90 days. The second preforeclosure notice may not be mailed sooner than 60 days after the first preforeclosure notice is mailed.

(2) If the governing documents of an association provide for a lien on the lot of any owner for unpaid assessments, the association may not commence an action to foreclose the lien unless:

(a) The lot owner, at the time the action is commenced, owes at least a sum equal to the greater of:

(i) Three months or more of assessments, not including fines, late charges, interest, attorneys' fees, or costs incurred by the association in connection with the collection of a delinquent owner's account; or

(ii) \$200 of assessments, not including fines, late charges, interest, attorneys' fees, or costs incurred by the association

in connection with the collection of a delinquent owner's account;

(b) At or after the date that assessments have become past due for at least 90 days, but no sooner than 60 days after the first preforeclosure notice required in subsection (1)(a) of this section is mailed, the association has mailed, by first-class mail, to the owner, at the lot address and to any other address which the owner has provided to the association, a second notice of delinquency, which ((shall state as follows:

THIS IS A NOTICE OF DELINQUENCY FOR PAST DUE ASSESSMENTS FROM THE HOMEOWNERS' ASSOCIATION TO WHICH YOUR HOME BELONGS.

THIS NOTICE IS ONE STEP IN A PROCESS THAT COULD RESULT IN YOUR LOSING YOUR HOME. CONTACT A HOUSING COUNSELOR OR AN ATTORNEY LICENSED IN WASHINGTON NOW to assess your situation and refer you to mediation if you might benefit. DO NOT DELAY.

BE CAREFUL of people who claim they can help you. There are many individuals and businesses that prey upon borrowers in distress.

REFER TO THE CONTACTS BELOW for sources of assistance.

SEEKING ASSISTANCE

Housing counselors and legal assistance may be available at little or no cost to you. If you would like assistance in determining your rights and opportunities to keep your house, you may contact the following:

The statewide foreclosure hotline for assistance and referral to housing counselors recommended by the Housing Finance Commission

Telephone:
 Website:

The United States Department of Housing and Urban Development

Telephone:
 Website:

The statewide civil legal aid hotline for assistance and referrals to other housing counselors and attorneys

Telephone:
 Website:

The association shall obtain the toll-free numbers and website information from the department of commerce for inclusion in the notice) must include a second preforeclosure notice that contains the same information as the first preforeclosure notice provided to the lot owner pursuant to subsection (1)(a) of this section. The second preforeclosure notice may not be mailed sooner than 60 days after the first preforeclosure notice required in subsection (1)(a) of this section is mailed;

(c) At least 90 days have elapsed from the date the minimum amount required in (a) of this subsection has accrued; and

(d) The board approves commencement of a foreclosure action specifically against that lot.

((2)) (3) Every aspect of a collection, foreclosure, sale, or other conveyance under this section, including the method, advertising, time, date, place, and terms, must be commercially reasonable.

Sec. 7. RCW 64.90.485 and 2021 c 222 s 1 are each amended to read as follows:

(1) The association has a statutory lien on each unit for any unpaid assessment against the unit from the time such assessment is due.

(2) A lien under this section has priority over all other liens and encumbrances on a unit except:

(a) Liens and encumbrances recorded before the recordation of the declaration and, in a cooperative, liens and encumbrances that the association creates, assumes, or takes subject to;

(b) Except as otherwise provided in subsection (3) of this section, a security interest on the unit recorded before the date on which the unpaid assessment became due or, in a cooperative, a security interest encumbering only the unit owner's interest and perfected before the date on which the unpaid assessment became due; and

(c) Liens for real estate taxes and other state or local governmental assessments or charges against the unit or cooperative.

(3)(a) A lien under this section also has priority over the security interests described in subsection (2)(b) of this section to the extent of an amount equal to the following:

(i) The common expense assessments, excluding any amounts for capital improvements, based on the periodic budget adopted by the association pursuant to RCW 64.90.480(1), along with any specially allocated assessments that are properly assessable against the unit under such periodic budget, which would have become due in the absence of acceleration during the six months immediately preceding the institution of proceedings to foreclose either the association's lien or a security interest described in subsection (2)(b) of this section;

(ii) The association's actual costs and reasonable attorneys' fees incurred in foreclosing its lien but incurred after the giving of the notice described in (a)(iii) of this subsection; provided, however, that the costs and reasonable attorneys' fees that will have priority under this subsection (3)(a)(ii) shall not exceed (~~two thousand dollars~~) \$2,000 or an amount equal to the amounts described in (a)(i) of this subsection, whichever is less;

(iii) The amounts described in (a)(ii) of this subsection shall be prior only to the security interest of the holder of a security interest on the unit recorded before the date on which the unpaid assessment became due and only if the association has given that holder not less than (~~sixty~~) 60 days' prior written notice that the owner of the unit is in default in payment of an assessment. The notice shall contain:

(A) Name of the borrower;

(B) Recording date of the trust deed or mortgage;

(C) Recording information;

(D) Name of condominium, unit owner, and unit designation stated in the declaration or applicable supplemental declaration;

(E) Amount of unpaid assessment; and

(F) A statement that failure to, within (~~sixty~~) 60 days of the written notice,

submit the association payment of six months of assessments as described in (a)(i) of this subsection will result in the priority of the amounts described in (a)(ii) of this subsection; and

(iv) Upon payment of the amounts described in (a)(i) and (ii) of this subsection by the holder of a security interest, the association's lien described in this subsection (3)(a) shall thereafter be fully subordinated to the lien of such holder's security interest on the unit.

(b) For the purposes of this subsection:

(i) "Institution of proceedings" means either:

(A) The date of recording of a notice of trustee's sale by a deed of trust beneficiary;

(B) The date of commencement, pursuant to applicable court rules, of an action for judicial foreclosure either by the association or by the holder of a recorded security interest; or

(C) The date of recording of a notice of intention to forfeit in a real estate contract forfeiture proceeding by the vendor under a real estate contract.

(ii) "Capital improvements" does not include making, in the ordinary course of management, repairs to common elements or replacements of the common elements with substantially similar items, subject to: (A) Availability of materials and products, (B) prevailing law, or (C) sound engineering and construction standards then prevailing.

(c) The adoption of a periodic budget that purports to allocate to a unit any fines, late charges, interest, attorneys' fees and costs incurred for services unrelated to the foreclosure of the association's lien, other collection charges, or specially allocated assessments assessed under RCW 64.90.480 (6) or (7) does not cause any such items to be included in the priority amount affecting such unit.

(4) Subsections (2) and (3) of this section do not affect the priority of mechanics' or material suppliers' liens to the extent that law of this state other than chapter 277, Laws of 2018 gives priority to such liens, or the priority of liens for other assessments made by the association.

(5) A lien under this section is not subject to chapter 6.13 RCW.

(6) If the association forecloses its lien under this section nonjudicially pursuant to chapter 61.24 RCW, as provided under subsection (13) of this section, the association is not entitled to the lien priority provided for under subsection (3) of this section, and is subject to the limitations on deficiency judgments as provided in chapter 61.24 RCW.

(7) Unless the declaration provides otherwise, if two or more associations have liens for assessments created at any time on the same property, those liens have equal priority as to each other, and any foreclosure of one such lien shall not affect the lien of the other.

(8) Recording of the declaration constitutes record notice and perfection of the statutory lien created under this section. Further notice or recordation of any claim of lien for assessment under this

section is not required, but is not prohibited.

(9) A lien for unpaid assessments and the personal liability for payment of those assessments are extinguished unless proceedings to enforce the lien or collect the debt are instituted within six years after the full amount of the assessments sought to be recovered becomes due.

(10) This section does not prohibit actions against unit owners to recover sums for which subsection (1) of this section creates a lien or prohibit an association from taking a deed in lieu of foreclosure.

(11) The association upon written request must furnish to a unit owner or a mortgagee a statement signed by an officer or authorized agent of the association setting forth the amount of unpaid assessments or the priority amount against that unit, or both. The statement must be furnished within ~~((fifteen))~~ 15 days after receipt of the request and is binding on the association, the board, and every unit owner unless, and to the extent, known by the recipient to be false. The liability of a recipient who reasonably relies upon the statement must not exceed the amount set forth in any statement furnished pursuant to this section or RCW 64.90.640(1)(b).

(12) In a cooperative, upon nonpayment of an assessment on a unit, the unit owner may be evicted in the same manner as provided by law in the case of an unlawful holdover by a commercial tenant, and the lien may be foreclosed as provided under this section.

(13) The association's lien may be foreclosed in accordance with (a) and (b) of this subsection.

(a) In a common interest community other than a cooperative, the association's lien may be foreclosed judicially in accordance with chapter 61.12 RCW, subject to any rights of redemption under chapter 6.23 RCW.

(b) The lien may be enforced nonjudicially in the manner set forth in chapter 61.24 RCW for nonjudicial foreclosure of deeds of trust if the declaration: Contains a grant of the common interest community in trust to a trustee qualified under RCW 61.24.010 to secure the obligations of the unit owners to the association for the payment of assessments, contains a power of sale, provides in its terms that the units are not used principally for agricultural purposes, and provides that the power of sale is operative in the case of a default in the obligation to pay assessments. The association or its authorized representative may purchase the unit at the foreclosure sale and acquire, hold, lease, mortgage, or convey the unit. Upon an express waiver in the complaint of any right to a deficiency judgment in a judicial foreclosure action, the period of redemption is eight months.

(c) In a cooperative in which the unit owners' interests in the units are real estate, the association's lien must be foreclosed in like manner as a mortgage on real estate or by power of sale under (b) of this subsection.

(d) In a cooperative in which the unit owners' interests in the units are personal property, the association's lien must be

foreclosed in like manner as a security interest under chapter 62A.9A RCW.

(14) If the unit owner's interest in a unit in a cooperative is real estate, the following requirements apply:

(a) The association, upon nonpayment of assessments and compliance with this subsection, may sell that unit at a public sale or by private negotiation, and at any time and place. The association must give to the unit owner and any lessee of the unit owner reasonable notice in a record of the time, date, and place of any public sale or, if a private sale is intended, of the intention of entering into a contract to sell and of the time and date after which a private conveyance may be made. Such notice must also be sent to any other person that has a recorded interest in the unit that would be cut off by the sale, but only if the recorded interest was on record seven weeks before the date specified in the notice as the date of any public sale or seven weeks before the date specified in the notice as the date after which a private sale may be made. The notices required under this subsection may be sent to any address reasonable in the circumstances. A sale may not be held until five weeks after the sending of the notice. The association may buy at any public sale and, if the sale is conducted by a fiduciary or other person not related to the association, at a private sale.

(b) Unless otherwise agreed to or as stated in this section, the unit owner is liable for any deficiency in a foreclosure sale.

(c) The proceeds of a foreclosure sale must be applied in the following order:

- (i) The reasonable expenses of sale;
- (ii) The reasonable expenses of securing possession before sale; the reasonable expenses of holding, maintaining, and preparing the unit for sale, including payment of taxes and other governmental charges and premiums on insurance; and, to the extent provided for by agreement between the association and the unit owner, reasonable attorneys' fees, costs, and other legal expenses incurred by the association;
- (iii) Satisfaction of the association's lien;
- (iv) Satisfaction in the order of priority of any subordinate claim of record; and
- (v) Remittance of any excess to the unit owner.

(d) A good-faith purchaser for value acquires the unit free of the association's debt that gave rise to the lien under which the foreclosure sale occurred and any subordinate interest, even though the association or other person conducting the sale failed to comply with this section. The person conducting the sale must execute a conveyance to the purchaser sufficient to convey the unit and stating that it is executed by the person after a foreclosure of the association's lien by power of sale and that the person was empowered to make the sale. Signature and title or authority of the person signing the conveyance as grantor and a recital of the facts of nonpayment of the assessment and of the giving of the notices required under this

subsection are sufficient proof of the facts recited and of the authority to sign. Further proof of authority is not required even though the association is named as grantee in the conveyance.

(e) At any time before the association has conveyed a unit in a cooperative or entered into a contract for its conveyance under the power of sale, the unit owners or the holder of any subordinate security interest may cure the unit owner's default and prevent sale or other conveyance by tendering the performance due under the security agreement, including any amounts due because of exercise of a right to accelerate, plus the reasonable expenses of proceeding to foreclosure incurred to the time of tender, including reasonable attorneys' fees and costs of the creditor.

(15) In an action by an association to collect assessments or to foreclose a lien on a unit under this section, the court may appoint a receiver to collect all sums alleged to be due and owing to a unit owner before commencement or during pendency of the action. The receivership is governed under chapter 7.60 RCW. During pendency of the action, the court may order the receiver to pay sums held by the receiver to the association for any assessments against the unit. The exercise of rights under this subsection by the association does not affect the priority of preexisting liens on the unit.

(16) Except as provided in subsection (3) of this section, the holder of a mortgage or other purchaser of a unit who obtains the right of possession of the unit through foreclosure is not liable for assessments or installments of assessments that became due prior to such right of possession. Such unpaid assessments are deemed to be common expenses collectible from all the unit owners, including such mortgagee or other purchaser of the unit. Foreclosure of a mortgage does not relieve the prior unit owner of personal liability for assessments accruing against the unit prior to the date of such sale as provided in this subsection.

(17) In addition to constituting a lien on the unit, each assessment is the joint and several obligation of the unit owner of the unit to which the same are assessed as of the time the assessment is due. A unit owner may not exempt himself or herself from liability for assessments. In a voluntary conveyance other than by foreclosure, the grantee of a unit is jointly and severally liable with the grantor for all unpaid assessments against the grantor up to the time of the grantor's conveyance, without prejudice to the grantee's right to recover from the grantor the amounts paid by the grantee. Suit to recover a personal judgment for any delinquent assessment is maintainable in any court of competent jurisdiction without foreclosing or waiving the lien securing such sums.

(18) The association may from time to time establish reasonable late charges and a rate of interest to be charged, not to exceed the maximum rate calculated under RCW 19.52.020, on all subsequent delinquent assessments or installments of assessments. If the association does not establish such a rate, delinquent assessments bear interest

from the date of delinquency at the maximum rate calculated under RCW 19.52.020 on the date on which the assessments became delinquent.

(19) The association is entitled to recover any costs and reasonable attorneys' fees incurred in connection with the collection of delinquent assessments, whether or not such collection activities result in a suit being commenced or prosecuted to judgment. The prevailing party is also entitled to recover costs and reasonable attorneys' fees in such suits, including any appeals, if it prevails on appeal and in the enforcement of a judgment.

(20) To the extent not inconsistent with this section, the declaration may provide for such additional remedies for collection of assessments as may be permitted by law.

(21)(a) When the association mails to the unit owner by first-class mail the first notice of delinquency for past due assessments to the unit address and to any other address that the owner has provided to the association, the association shall include a first preforeclosure notice that states as follows:

THIS IS A NOTICE OF DELINQUENCY FOR PAST DUE ASSESSMENTS FROM THE UNIT OWNERS ASSOCIATION TO WHICH YOUR HOME BELONGS.

THIS NOTICE IS ONE STEP IN A PROCESS THAT COULD RESULT IN YOUR LOSING YOUR HOME.

CONTACT A HOUSING COUNSELOR OR AN ATTORNEY LICENSED IN WASHINGTON NOW to assess your situation and refer you to mediation if you might benefit. DO NOT DELAY.

BE CAREFUL of people who claim they can help you. There are many individuals and businesses that prey upon borrowers in distress.

REFER TO THE CONTACTS BELOW for sources of assistance.

SEEKING ASSISTANCE

Housing counselors and legal assistance may be available at little or no cost to you. If you would like assistance in determining your rights and opportunities to keep your house, you may contact the following:

The statewide foreclosure hotline for assistance and referral to housing counselors recommended by the Housing Finance Commission

Telephone:
Website:

The United States Department of Housing and Urban Development

Telephone:
Website:

The statewide civil legal aid hotline for assistance and referrals to other housing counselors and attorneys

Telephone:
Website:

The association shall obtain the toll-free numbers and website information from the department of commerce for inclusion in the notice.

(b) If, when a delinquent account is referred to an association's attorney, the first preforeclosure notice required under (a) of this subsection has not yet been mailed to the unit owner, the association or the association's attorney shall mail the

~~first preforeclosure notice to the unit owner in order to satisfy the requirement in (a) of this subsection.~~

~~(c) Mailing the first preforeclosure notice pursuant to (a) of this subsection does not satisfy the requirement in subsection (22)(b) of this section to mail a second preforeclosure notice at or after the date that assessments have become past due for at least 90 days. The second preforeclosure notice may not be mailed sooner than 60 days after the first preforeclosure notice is mailed.~~

~~(22) An association may not commence an action to foreclose a lien on a unit under this section unless:~~

~~(a) The unit owner, at the time the action is commenced, owes at least a sum equal to the greater of:~~

~~(i) Three months or more of assessments, not including fines, late charges, interest, attorneys' fees, or costs incurred by the association in connection with the collection of a delinquent owner's account; or~~

~~(ii) \$200 of assessments, not including fines, late charges, interest, attorneys' fees, or costs incurred by the association in connection with the collection of a delinquent owner's account;~~

~~(b) At or after the date that assessments have become past due for at least 90 days, but no sooner than 60 days after the first preforeclosure notice required in subsection (21)(a) of this section is mailed, the association has mailed, by first-class mail, to the owner, at the unit address and to any other address which the owner has provided to the association, a second notice of delinquency, which ((shall state as follows:~~

~~**THIS IS A NOTICE OF DELINQUENCY FOR PAST DUE ASSESSMENTS FROM THE UNIT OWNERS' ASSOCIATION TO WHICH YOUR HOME BELONGS. THIS NOTICE IS ONE STEP IN A PROCESS THAT COULD RESULT IN YOUR LOSING YOUR HOME. CONTACT A HOUSING COUNSELOR OR AN ATTORNEY LICENSED IN WASHINGTON NOW to assess your situation and refer you to mediation if you might benefit. DO NOT DELAY. BE CAREFUL of people who claim they can help you. There are many individuals and businesses that prey upon borrowers in distress. REFER TO THE CONTACTS BELOW for sources of assistance.**~~

SEEKING ASSISTANCE

~~Housing counselors and legal assistance may be available at little or no cost to you. If you would like assistance in determining your rights and opportunities to keep your house, you may contact the following:~~

~~The statewide foreclosure hotline for assistance and referral to housing counselors recommended by the Housing Finance Commission~~

~~Telephone:
Website:~~

~~The United States Department of Housing and Urban Development~~

~~Telephone:
Website:~~

~~The statewide civil legal aid hotline for assistance and referrals to other housing counselors and attorneys~~

~~Telephone:
Website:~~

~~The association shall obtain the toll-free numbers and website information from the department of commerce for inclusion in the notice) must include a second preforeclosure notice that contains the same information as the first preforeclosure notice provided to the owner pursuant to subsection (21)(a) of this section. The second preforeclosure notice may not be mailed sooner than 60 days after the first preforeclosure notice required in subsection (21)(a) of this section is mailed;~~

~~(c) At least 180 days have elapsed from the date the minimum amount required in (a) of this subsection has accrued; and~~

~~(d) The board approves commencement of a foreclosure action specifically against that unit.~~

~~((22)) (23) Every aspect of a collection, foreclosure, sale, or other conveyance under this section, including the method, advertising, time, date, place, and terms, must be commercially reasonable.~~

Sec. 8. RCW 64.90.485 and 2021 c 222 s 2 are each amended to read as follows:

(1) The association has a statutory lien on each unit for any unpaid assessment against the unit from the time such assessment is due.

(2) A lien under this section has priority over all other liens and encumbrances on a unit except:

(a) Liens and encumbrances recorded before the recordation of the declaration and, in a cooperative, liens and encumbrances that the association creates, assumes, or takes subject to;

(b) Except as otherwise provided in subsection (3) of this section, a security interest on the unit recorded before the date on which the unpaid assessment became due or, in a cooperative, a security interest encumbering only the unit owner's interest and perfected before the date on which the unpaid assessment became due; and

(c) Liens for real estate taxes and other state or local governmental assessments or charges against the unit or cooperative.

(3)(a) A lien under this section also has priority over the security interests described in subsection (2)(b) of this section to the extent of an amount equal to the following:

(i) The common expense assessments, excluding any amounts for capital improvements, based on the periodic budget adopted by the association pursuant to RCW 64.90.480(1), along with any specially allocated assessments that are properly assessable against the unit under such periodic budget, which would have become due in the absence of acceleration during the six months immediately preceding the institution of proceedings to foreclose either the association's lien or a security interest described in subsection (2)(b) of this section;

(ii) The association's actual costs and reasonable attorneys' fees incurred in

foreclosing its lien but incurred after the giving of the notice described in (a)(iii) of this subsection; provided, however, that the costs and reasonable attorneys' fees that will have priority under this subsection (3)(a)(ii) shall not exceed (~~two thousand dollars~~) \$2,000 or an amount equal to the amounts described in (a)(i) of this subsection, whichever is less;

(iii) The amounts described in (a)(ii) of this subsection shall be prior only to the security interest of the holder of a security interest on the unit recorded before the date on which the unpaid assessment became due and only if the association has given that holder not less than (~~sixty~~) 60 days' prior written notice that the owner of the unit is in default in payment of an assessment. The notice shall contain:

(A) Name of the borrower;

(B) Recording date of the trust deed or mortgage;

(C) Recording information;

(D) Name of condominium, unit owner, and unit designation stated in the declaration or applicable supplemental declaration;

(E) Amount of unpaid assessment; and

(F) A statement that failure to, within (~~sixty~~) 60 days of the written notice, submit the association payment of six months of assessments as described in (a)(i) of this subsection will result in the priority of the amounts described in (a)(ii) of this subsection; and

(iv) Upon payment of the amounts described in (a)(i) and (ii) of this subsection by the holder of a security interest, the association's lien described in this subsection (3)(a) shall thereafter be fully subordinated to the lien of such holder's security interest on the unit.

(b) For the purposes of this subsection:

(i) "Institution of proceedings" means either:

(A) The date of recording of a notice of trustee's sale by a deed of trust beneficiary;

(B) The date of commencement, pursuant to applicable court rules, of an action for judicial foreclosure either by the association or by the holder of a recorded security interest; or

(C) The date of recording of a notice of intention to forfeit in a real estate contract forfeiture proceeding by the vendor under a real estate contract.

(ii) "Capital improvements" does not include making, in the ordinary course of management, repairs to common elements or replacements of the common elements with substantially similar items, subject to: (A) Availability of materials and products, (B) prevailing law, or (C) sound engineering and construction standards then prevailing.

(c) The adoption of a periodic budget that purports to allocate to a unit any fines, late charges, interest, attorneys' fees and costs incurred for services unrelated to the foreclosure of the association's lien, other collection charges, or specially allocated assessments assessed under RCW 64.90.480 (6) or (7) does not cause any such items to be included in the priority amount affecting such unit.

(4) Subsections (2) and (3) of this section do not affect the priority of mechanics' or material suppliers' liens to the extent that law of this state other than chapter 277, Laws of 2018 gives priority to such liens, or the priority of liens for other assessments made by the association.

(5) A lien under this section is not subject to chapter 6.13 RCW.

(6) If the association forecloses its lien under this section nonjudicially pursuant to chapter 61.24 RCW, as provided under subsection (13) of this section, the association is not entitled to the lien priority provided for under subsection (3) of this section, and is subject to the limitations on deficiency judgments as provided in chapter 61.24 RCW.

(7) Unless the declaration provides otherwise, if two or more associations have liens for assessments created at any time on the same property, those liens have equal priority as to each other, and any foreclosure of one such lien shall not affect the lien of the other.

(8) Recording of the declaration constitutes record notice and perfection of the statutory lien created under this section. Further notice or recordation of any claim of lien for assessment under this section is not required, but is not prohibited.

(9) A lien for unpaid assessments and the personal liability for payment of those assessments are extinguished unless proceedings to enforce the lien or collect the debt are instituted within six years after the full amount of the assessments sought to be recovered becomes due.

(10) This section does not prohibit actions against unit owners to recover sums for which subsection (1) of this section creates a lien or prohibit an association from taking a deed in lieu of foreclosure.

(11) The association upon written request must furnish to a unit owner or a mortgagee a statement signed by an officer or authorized agent of the association setting forth the amount of unpaid assessments or the priority amount against that unit, or both. The statement must be furnished within (~~fifteen~~) 15 days after receipt of the request and is binding on the association, the board, and every unit owner unless, and to the extent, known by the recipient to be false. The liability of a recipient who reasonably relies upon the statement must not exceed the amount set forth in any statement furnished pursuant to this section or RCW 64.90.640(1)(b).

(12) In a cooperative, upon nonpayment of an assessment on a unit, the unit owner may be evicted in the same manner as provided by law in the case of an unlawful holdover by a commercial tenant, and the lien may be foreclosed as provided under this section.

(13) The association's lien may be foreclosed in accordance with (a) and (b) of this subsection.

(a) In a common interest community other than a cooperative, the association's lien may be foreclosed judicially in accordance with chapter 61.12 RCW, subject to any rights of redemption under chapter 6.23 RCW.

(b) The lien may be enforced nonjudicially in the manner set forth in

chapter 61.24 RCW for nonjudicial foreclosure of deeds of trust if the declaration: Contains a grant of the common interest community in trust to a trustee qualified under RCW 61.24.010 to secure the obligations of the unit owners to the association for the payment of assessments, contains a power of sale, provides in its terms that the units are not used principally for agricultural purposes, and provides that the power of sale is operative in the case of a default in the obligation to pay assessments. The association or its authorized representative may purchase the unit at the foreclosure sale and acquire, hold, lease, mortgage, or convey the unit. Upon an express waiver in the complaint of any right to a deficiency judgment in a judicial foreclosure action, the period of redemption is eight months.

(c) In a cooperative in which the unit owners' interests in the units are real estate, the association's lien must be foreclosed in like manner as a mortgage on real estate or by power of sale under (b) of this subsection.

(d) In a cooperative in which the unit owners' interests in the units are personal property, the association's lien must be foreclosed in like manner as a security interest under chapter 62A.9A RCW.

(14) If the unit owner's interest in a unit in a cooperative is real estate, the following requirements apply:

(a) The association, upon nonpayment of assessments and compliance with this subsection, may sell that unit at a public sale or by private negotiation, and at any time and place. The association must give to the unit owner and any lessee of the unit owner reasonable notice in a record of the time, date, and place of any public sale or, if a private sale is intended, of the intention of entering into a contract to sell and of the time and date after which a private conveyance may be made. Such notice must also be sent to any other person that has a recorded interest in the unit that would be cut off by the sale, but only if the recorded interest was on record seven weeks before the date specified in the notice as the date of any public sale or seven weeks before the date specified in the notice as the date after which a private sale may be made. The notices required under this subsection may be sent to any address reasonable in the circumstances. A sale may not be held until five weeks after the sending of the notice. The association may buy at any public sale and, if the sale is conducted by a fiduciary or other person not related to the association, at a private sale.

(b) Unless otherwise agreed to or as stated in this section, the unit owner is liable for any deficiency in a foreclosure sale.

(c) The proceeds of a foreclosure sale must be applied in the following order:

(i) The reasonable expenses of sale;

(ii) The reasonable expenses of securing possession before sale; the reasonable expenses of holding, maintaining, and preparing the unit for sale, including payment of taxes and other governmental charges and premiums on insurance; and, to

the extent provided for by agreement between the association and the unit owner, reasonable attorneys' fees, costs, and other legal expenses incurred by the association;

(iii) Satisfaction of the association's lien;

(iv) Satisfaction in the order of priority of any subordinate claim of record; and

(v) Remittance of any excess to the unit owner.

(d) A good-faith purchaser for value acquires the unit free of the association's debt that gave rise to the lien under which the foreclosure sale occurred and any subordinate interest, even though the association or other person conducting the sale failed to comply with this section. The person conducting the sale must execute a conveyance to the purchaser sufficient to convey the unit and stating that it is executed by the person after a foreclosure of the association's lien by power of sale and that the person was empowered to make the sale. Signature and title or authority of the person signing the conveyance as grantor and a recital of the facts of nonpayment of the assessment and of the giving of the notices required under this subsection are sufficient proof of the facts recited and of the authority to sign. Further proof of authority is not required even though the association is named as grantee in the conveyance.

(e) At any time before the association has conveyed a unit in a cooperative or entered into a contract for its conveyance under the power of sale, the unit owners or the holder of any subordinate security interest may cure the unit owner's default and prevent sale or other conveyance by tendering the performance due under the security agreement, including any amounts due because of exercise of a right to accelerate, plus the reasonable expenses of proceeding to foreclosure incurred to the time of tender, including reasonable attorneys' fees and costs of the creditor.

(15) In an action by an association to collect assessments or to foreclose a lien on a unit under this section, the court may appoint a receiver to collect all sums alleged to be due and owing to a unit owner before commencement or during pendency of the action. The receivership is governed under chapter 7.60 RCW. During pendency of the action, the court may order the receiver to pay sums held by the receiver to the association for any assessments against the unit. The exercise of rights under this subsection by the association does not affect the priority of preexisting liens on the unit.

(16) Except as provided in subsection (3) of this section, the holder of a mortgage or other purchaser of a unit who obtains the right of possession of the unit through foreclosure is not liable for assessments or installments of assessments that became due prior to such right of possession. Such unpaid assessments are deemed to be common expenses collectible from all the unit owners, including such mortgagee or other purchaser of the unit. Foreclosure of a mortgage does not relieve the prior unit owner of personal liability for assessments

accruing against the unit prior to the date of such sale as provided in this subsection.

(17) In addition to constituting a lien on the unit, each assessment is the joint and several obligation of the unit owner of the unit to which the same are assessed as of the time the assessment is due. A unit owner may not exempt himself or herself from liability for assessments. In a voluntary conveyance other than by foreclosure, the grantee of a unit is jointly and severally liable with the grantor for all unpaid assessments against the grantor up to the time of the grantor's conveyance, without prejudice to the grantee's right to recover from the grantor the amounts paid by the grantee. Suit to recover a personal judgment for any delinquent assessment is maintainable in any court of competent jurisdiction without foreclosing or waiving the lien securing such sums.

(18) The association may from time to time establish reasonable late charges and a rate of interest to be charged, not to exceed the maximum rate calculated under RCW 19.52.020, on all subsequent delinquent assessments or installments of assessments. If the association does not establish such a rate, delinquent assessments bear interest from the date of delinquency at the maximum rate calculated under RCW 19.52.020 on the date on which the assessments became delinquent.

(19) The association is entitled to recover any costs and reasonable attorneys' fees incurred in connection with the collection of delinquent assessments, whether or not such collection activities result in a suit being commenced or prosecuted to judgment. The prevailing party is also entitled to recover costs and reasonable attorneys' fees in such suits, including any appeals, if it prevails on appeal and in the enforcement of a judgment.

(20) To the extent not inconsistent with this section, the declaration may provide for such additional remedies for collection of assessments as may be permitted by law.

(21)(a) When the association mails to the unit owner by first-class mail the first notice of delinquency for past due assessments to the unit address and to any other address that the owner has provided to the association, the association shall include a first preforeclosure notice that states as follows:

THIS IS A NOTICE OF DELINQUENCY FOR PAST DUE ASSESSMENTS FROM THE UNIT OWNERS ASSOCIATION TO WHICH YOUR HOME BELONGS. THIS NOTICE IS ONE STEP IN A PROCESS THAT COULD RESULT IN YOUR LOSING YOUR HOME. CONTACT A HOUSING COUNSELOR OR AN ATTORNEY LICENSED IN WASHINGTON NOW to assess your situation and refer you to mediation if you might benefit. DO NOT DELAY. BE CAREFUL of people who claim they can help you. There are many individuals and businesses that prey upon borrowers in distress. REFER TO THE CONTACTS BELOW for sources of assistance.

SEEKING ASSISTANCE

Housing counselors and legal assistance may be available at little or no cost to

you. If you would like assistance in determining your rights and opportunities to keep your house, you may contact the following:

The statewide foreclosure hotline for assistance and referral to housing counselors recommended by the Housing Finance Commission

Telephone:
Website:

The United States Department of Housing and Urban Development

Telephone:
Website:

The statewide civil legal aid hotline for assistance and referrals to other housing counselors and attorneys

Telephone:
Website:

The association shall obtain the toll-free numbers and website information from the department of commerce for inclusion in the notice.

(b) If, when a delinquent account is referred to an association's attorney, the first preforeclosure notice required under (a) of this subsection has not yet been mailed to the unit owner, the association or the association's attorney shall mail the first preforeclosure notice to the unit owner in order to satisfy the requirement in (a) of this subsection.

(c) Mailing the first preforeclosure notice pursuant to (a) of this subsection does not satisfy the requirement in subsection (22)(b) of this section to mail a second preforeclosure notice at or after the date that assessments have become past due for at least 90 days. The second preforeclosure notice may not be mailed sooner than 60 days after the first preforeclosure notice is mailed.

(22) An association may not commence an action to foreclose a lien on a unit under this section unless:

(a) The unit owner, at the time the action is commenced, owes at least a sum equal to the greater of:

(i) Three months or more of assessments, not including fines, late charges, interest, attorneys' fees, or costs incurred by the association in connection with the collection of a delinquent owner's account; or

(ii) \$200 of assessments, not including fines, late charges, interest, attorneys' fees, or costs incurred by the association in connection with the collection of a delinquent owner's account;

(b) At or after the date that assessments have become past due for at least 90 days, but no sooner than 60 days after the first preforeclosure notice required in subsection (21)(a) of this section is mailed, the association has mailed, by first-class mail, to the owner, at the unit address and to any other address which the owner has provided to the association, a second notice of delinquency, which ((shall state as follows:

THIS IS A NOTICE OF DELINQUENCY FOR PAST DUE ASSESSMENTS FROM THE UNIT OWNERS' ASSOCIATION TO WHICH YOUR HOME BELONGS. THIS NOTICE IS ONE STEP IN A PROCESS THAT COULD RESULT IN YOUR LOSING YOUR HOME.

~~CONTACT A HOUSING COUNSELOR OR AN ATTORNEY LICENSED IN WASHINGTON NOW~~ to assess your situation and refer you to mediation if you might benefit. ~~DO NOT DELAY.~~
~~BE CAREFUL~~ of people who claim they can help you. There are many individuals and businesses that prey upon borrowers in distress.
~~REFER TO THE CONTACTS BELOW~~ for sources of assistance.

SEEKING ASSISTANCE

Housing counselors and legal assistance may be available at little or no cost to you. If you would like assistance in determining your rights and opportunities to keep your house, you may contact the following:

The statewide foreclosure hotline for assistance and referral to housing counselors recommended by the Housing Finance Commission

Telephone:
 Website:

The United States Department of Housing and Urban Development

Telephone:
 Website:

The statewide civil legal aid hotline for assistance and referrals to other housing counselors and attorneys

Telephone:
 Website:

The association shall obtain the toll-free numbers and website information from the department of commerce for inclusion in the notice) must include a second preforeclosure notice that contains the same information as the first preforeclosure notice provided to the owner pursuant to subsection (21)(a) of this section. The second preforeclosure notice may not be mailed sooner than 60 days after the first preforeclosure notice required in subsection (21)(a) of this section is mailed;

(c) At least 90 days have elapsed from the date the minimum amount required in (a) of this subsection has accrued; and

(d) The board approves commencement of a foreclosure action specifically against that unit.

((+22)) (23) Every aspect of a collection, foreclosure, sale, or other conveyance under this section, including the method, advertising, time, date, place, and terms, must be commercially reasonable.

Sec. 9. 2021 c 222 s 9 (uncodified) is amended to read as follows:

Sections 1, 3, 5, and 7 of this act expire January 1, ((2024))2025.

Sec. 10. 2021 c 222 s 10 (uncodified) is amended to read as follows:

Sections 2, 4, 6, and 8 of this act take effect January 1, ((2024))2025.

NEW SECTION. **Sec. 11.** Sections 1, 3, 5, and 7 of this act expire January 1, 2025.

NEW SECTION. **Sec. 12.** Sections 2, 4, 6, and 8 of this act take effect January 1, 2025."

Correct the title.

Representatives Orwall and Connors spoke in favor of the adoption of the striking amendment.

The striking amendment (032) was adopted.

The bill was ordered engrossed.

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

Representatives Orwall, Klicker and Walsh spoke in favor of the passage of the bill.

MOTION

On motion of Representative Griffey, Representative Graham was excused.

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

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1636.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1636, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chambers, Graham and Hansen

ENGROSSED HOUSE BILL NO. 1636, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1503, by Representatives Riccelli, Santos, Reeves, Macri and Reed

Collecting health care professionals' information at the time of license application and license renewal.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1503 was substituted for House Bill No. 1503 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1503 was read the second time.

Representative Riccelli moved the adoption of amendment (170):

On page 1, line 8, after "after" strike "July 1, 2024" and insert "January 1, 2025"

On page 1, line 20, after "after" strike "July 1, 2024" and insert "January 1, 2025"

Representatives Riccelli and Ybarra spoke in favor of the adoption of the amendment.

Amendment (170) was adopted.

The bill was ordered engrossed.

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

Representatives Riccelli and Ybarra spoke in favor of the passage of the bill.

MOTION

On motion of Representative Griffey, Representative Schmidt was excused.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1503.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1503, and the bill passed the House by the following vote: Yeas, 94; Nays, 0; Absent, 0; Excused, 4

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chambers, Graham, Hansen and Schmidt

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1503, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1522, by Representatives Pollet, Leavitt, Berry and Macri

Addressing sexual misconduct at scholarly or professional associations.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1522 was substituted for House Bill No. 1522 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1522 was read the second time.

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

Representatives Pollet, Ybarra and Griffey spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1522.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1522, and the bill passed the House by the following vote: Yeas, 94; Nays, 0; Absent, 0; Excused, 4

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chambers, Graham, Hansen and Schmidt

SECOND SUBSTITUTE HOUSE BILL NO. 1522, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1534, by Representatives Orwall, Berry and Fosse

Strengthening protections for consumers in the construction industry.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1534 was substituted for House Bill No. 1534 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1534 was read the second time.

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

Representatives Orwall, Robertson, Connors and Corry spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1534.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1534, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chambers, Graham and Hansen

SECOND SUBSTITUTE HOUSE BILL NO. 1534, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1303, by Representatives Street, Ramel and Reed

Concerning the administration of property taxes.

The bill was read the second time.

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

Representatives Street and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of House Bill No. 1303.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1303, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chambers, Graham and Hansen

HOUSE BILL NO. 1303, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1750, by Representatives Berg, Reed, Taylor, Cortes, Street, Ramel, Leavitt, Kloba, Tharinger, Fosse, Gregerson, Stonier, Entenman, Reeves, Slatter, Donaghy, Santos, Hackney, Morgan, Timmons, Ormsby, Orwall, Callan, Duerr, Berry, Davis, Chapman, Abbarno, Thai, Senn, Alvarado, Walen, Rule, Doglio, Ryu and Pollet

Promoting water safety education.

The bill was read the second time.

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

Representatives Berg, Abbarno, Eslick, Barkis, Schmick, Dent and Christian spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of House Bill No. 1750.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1750, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier,

Callan, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Chambers and Hansen

HOUSE BILL NO. 1750, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1317, by Representatives Pollet and Gregerson

Concerning grassroots lobbying disclosure.

The bill was read the second time.

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

Representatives Pollet and Abbarno spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of House Bill No. 1317.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1317, and the bill passed the House by the following vote: Yeas, 65; Nays, 32; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chandler, Chapman, Cheney, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Gregerson, Hackney, Harris, Kloba, Leavitt, Lekanoff, Macri, Maycumber, Mena, Morgan, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Sandlin, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Waters, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Christian, Connors, Corry, Couture, Dent, Dye, Graham, Griffey, Hutchins, Jacobsen, Klicker, Kretz, Low, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Schmick, Schmidt, Steele, Stokesbary, Volz, Walsh, Wilcox and Ybarra

Excused: Representative Hansen

HOUSE BILL NO. 1317, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1804, by Representative Steele

Concerning eligibility for participation in the public employees' benefits board for retired or disabled employees of counties, municipalities, and other political subdivisions.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1804 was substituted for House Bill No. 1804 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1804 was read the second time.

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

Representatives Steele and Gregerson spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1804.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1804, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Calder, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Hansen

SUBSTITUTE HOUSE BILL NO. 1804, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1282, by Representatives Duerr, Hackney, Berry, Ramel, Doglio, Reed and Pollet

Requiring environmental and labor reporting for public building construction and renovation material.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1282 was substituted for House Bill No. 1282 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1282 was read the second time.

Representative Duerr moved the adoption of the striking amendment (376):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature finds and declares that:

(1) Washington state, through its extensive purchasing power, can reduce embodied carbon in the built environment, improve human and environmental health, grow economic competitiveness, and promote high labor standards in manufacturing by incorporating climate and other types of pollution impacts and the quality of working conditions into the procurement process.

(2) Washington state is home to multiple world-class manufacturers that are investing heavily in reducing the carbon intensity of their products and that provide family-wage jobs that are the foundation for a fair and robust economy. Washington's procurement practices should encourage manufacturers and

others to meet high environmental and labor standards and reduce their environmental footprint.

(3) The private sector is increasingly demanding low carbon building materials that support good jobs in manufacturing. This market demand has rapidly accelerated innovation and led to increased production of low carbon building materials. As one of the largest consumers of building materials, Washington state has an opportunity to leverage its purchasing power to do even more to send a clear signal to the market of the growing demand for low carbon building materials.

(4) With its low carbon electric grid and highly skilled workforce, Washington state is well-positioned to capture the growing demand for low carbon building materials and create and sustain a new generation of good, high-wage clean manufacturing jobs.

(5) Washington has demonstrated a deep commitment to ensuring that the transition to a low carbon economy is fair and creates family-wage jobs. Both the clean energy transformation act and the climate commitment act tie public investments in infrastructure to reducing greenhouse gas emissions. Integrating manufacturing working conditions into the procurement process reaffirms and is consistent with the state's commitment to a fair transition.

(6) A robust state and domestic supply of low carbon materials is critical for building a fair economy and meeting the needs of the low carbon transition, including securing the clean energy supply chain.

(7) Environmental product declarations are the best available tool for reporting product-specific environmental impacts using a life-cycle assessment and informing the procurement of low carbon building materials. Environmental product declarations cannot be used to compare products across different product categories or different functional units.

(8) The buy clean and buy fair policies established in this act are critical to reduce embodied carbon in the built environment, a goal identified by the Washington state 2021 energy strategy to meet the state's greenhouse gas emission limits, governor Inslee's Executive Order 20-01 on state efficiency and environmental performance, and the Pacific coast collaborative's pathbreaking low carbon construction task force.

(9) Reducing embodied carbon in the built environment requires a holistic, comprehensive approach that includes designing buildings with a lower-embodied carbon footprint and making lower carbon products. Policies like the buy clean and buy fair policies established in this act are an important tool for increasing the manufacture of lower carbon products.

(10) The 2021-2023 biennium budgets made critical progress on the buy clean and buy fair policies in this act by funding the creation of a publicly accessible database to facilitate reporting and promote transparency on building materials purchased for state-funded infrastructure projects and two large buy clean and buy fair pilot projects. This ongoing work to create a

database to facilitate reporting of environmental impacts and labor conditions from pilot projects has provided a strong foundation to inform future work on buy clean and buy fair policies.

(11) Providing financial assistance to small manufacturers to support the production of environmental product declarations will help small manufacturers offset costs they might incur when pursuing state contracting as a result of the requirements of this act.

NEW SECTION. **Sec. 2.** The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Actual production facilities" means the final manufacturing facility and the facilities at which production processes occur that contribute to 70 percent or more of the product's cradle-to-gate global warming potential, as reflected in the environmental product declaration.

(2) "Awarding authority" means:

(a) Institutions of higher education as defined in RCW 28B.92.030;

(b) The department of enterprise services, the department of natural resources, the state parks and recreation commission, the department of fish and wildlife, and the department of transportation; and

(c) Any other state government agency that receives funding from the omnibus capital appropriations act for a public works project contracted directly by the state agency.

(3) "Covered product" includes:

(a) Structural concrete products, including ready mix, shotcrete, precast, and concrete masonry units;

(b) Reinforcing steel products, specifically rebar and posttensioning tendons;

(c) Structural steel products, specifically hot rolled sections, hollow sections, metal deck, and plate; and

(d)(i) Engineered wood products, such as cross-laminated timber per ANSI form no. PRG 320, glulam beams, laminated veneer lumber, parallel strand lumber, dowel laminated timber, nail laminated timber, glulam laminated timber, prefabricated wood joists per ASTM D5055, wood structural panel per product standard 1 or product standard 2, solid sawn lumber per product standard 20, structural composite lumber per ASTM D5456, and structural sawn lumber.

(ii) For the purposes of this subsection

(3)(d):

(A) "ANSI" means the American national standards institute.

(B) "ASTM" means the American society for testing and materials.

(C) "Product standard" means a voluntary product standard published by the United States department of commerce national institute of standards and technology.

(4) "Covered project" means:

(a) A construction project larger than 50,000 gross square feet as defined in the Washington state building code, chapter 51-50 WAC; or

(b) A building renovation project where the cost is greater than 50 percent of the assessed value and the project is larger than 50,000 gross square feet of occupied or conditioned space as defined in the Washington state building code, chapter 51-50 WAC.

(5) "Department" means the department of commerce.

(6) "Employee" means any individual who is in an employment relationship with the organization.

(7)(a) "Environmental product declaration" means a type III environmental product declaration, as defined by the international organization for standardization standard 14025 or similarly robust life-cycle assessment methods that have uniform standards in data collection consistent with the international organization for standardization standard 14025, industry acceptance, and integrity. To the extent feasible, the environmental product declaration must be supply chain specific.

(b) For the purposes of this subsection, "supply chain specific" means an environmental product declaration that includes supply chain specific data for production processes that contribute 70 percent or more of a product's cradle-to-gate global warming potential, as defined in international organization for standardization standard 21930, and reports the overall percentage of supply chain specific data included.

(8) "Full time" means an employee in a position that:

(a) The employer intends to be filled for at least 52 consecutive weeks or 12 consecutive months, excluding any leaves of absence; and

(b) Requires the employee to work, excluding overtime hours, 35 hours per week for 52 consecutive weeks, 455 hours a quarter, or 1,820 hours during a period of 12 consecutive months.

(9) "Health product declaration" means a supply chain specific health product declaration, as defined by the health product declaration open standard maintained by the health product declaration collaborative, that has robust methods for product manufacturers and their ingredient suppliers to uniformly report and disclose information about product contents and associated health information.

(10) "Part time" means an employee in a position that:

(a) The employer intends to be filled for at least 52 consecutive weeks or 12 consecutive months, excluding any leaves of absence; and

(b) Working hours are less than those required for a full-time employee, as defined in this section.

(11) "Product and facility specific report" means an environmental product declaration whereby the environmental impacts can be attributed to a single manufacturer and a specific manufacturing or production facility.

(12)(a) "Scope 2 greenhouse gas emissions" are indirect greenhouse gas emissions associated with the purchase of electricity, steam, heat, or cooling.

(b) For purposes of this section, "greenhouse gas" has the same meaning as in RCW 70A.45.010.

(13) "Supplier code of conduct" means a policy created by a manufacturer that outlines steps taken to ensure that its suppliers adhere to ethical practices, such as compliance with child and forced labor laws, antidiscrimination practices, freedom of association, and safe workplace conditions.

(14) "Temporary" means an employee in a position that is intended to be filled for a period of less than 52 consecutive weeks or 12 consecutive months. Positions in seasonal employment are temporary positions.

(15) "Total case incident rate" means the number of work-related injuries per 100 full-time workers during a one-year period, as defined by the occupational safety and health administration. Total case incident rate is calculated by multiplying the number of occupational safety and health administration recordable injuries and illnesses by 200,000 and dividing by number of hours worked by all employees.

(16) "Working conditions" means the average number of employees by employment type: Full time, part time, and temporary.

NEW SECTION. Sec. 3. (1)(a) Beginning July 1, 2024, an awarding authority must require in all newly executed construction contracts that the selected firm for a construction contract for a covered project larger than 100,000 gross square feet submit the following data for each covered product used before substantial completion:

- (i) Product quantity;
- (ii) A current environmental product declaration;
- (iii) Health product declaration, if any, completed for the product;
- (iv) Manufacturer name and location, including state or province and country;
- (v) Supplier code of conduct, if any; and
- (vi) Office of minority and women-owned business enterprises certification, if any.

(b) Beginning July 1, 2026, an awarding authority must require in all newly executed construction contracts that the selected firm for a construction contract for a covered project submit the data required by (a) of this subsection for each covered product used before substantial completion.

(c) The selected firm for a contract for a covered project shall provide the data required by this subsection for at least 90 percent of the cost of each of the covered products used in the project.

(2) The selected firm for a contract for a covered project is required to collect and submit from product suppliers the information required in subsection (1)(a) (ii) through (vi) of this section. The selected firm is not required to verify the information received from product suppliers.

(3)(a) Beginning July 1, 2024, an awarding authority must require in all newly executed construction contracts that the selected firm for a construction contract for a covered project larger than 100,000 gross square feet to ask their suppliers to report for each covered product used before substantial completion:

(i) Names and locations, including state or province and country, of the actual production facilities; and

(ii) Working conditions at the actual production facilities for all employees, full-time employees, part-time employees, and temporary employees. In cases in which the supplier does not have this information, the selected firm for a contract for a covered project must ask suppliers to provide a report on steps taken to reasonably obtain the data and provide suppliers' self-reports to the awarding authority.

(b) Beginning July 1, 2026, an awarding authority must require in all newly executed construction contracts that the successful bidder for a construction contract for a covered project to meet the requirements of (a) of this subsection for each covered product used before substantial completion.

(c) The selected firm is not required to verify the information reported by product suppliers pursuant to this subsection.

(d) The selected firm for a contract for a covered project shall meet the requirement in (a) of this subsection for at least 90 percent of the cost of each of the covered products used in the project.

(4) If a supply chain specific environmental product declaration is not available, a product and facility specific report may be submitted.

(5) This section does not apply to a covered product for a particular covered project if the awarding authority determines, upon written justification provided to the department, that the requirements in this section would cause a significant delay in completion, significant increase in overall project cost, or result in only one product supplier being able to provide the covered product.

(6) An awarding authority must include the information and reporting requirements in this section in a specification for bids for a covered project.

(7) Subject to funds appropriated for this specific purpose, the department may provide financial assistance to small businesses, as defined in RCW 19.85.020, to help offset the costs to the small business of producing an environmental product declaration required under this section. Such financial assistance supports the production of environmental product declarations and achievement of reductions of embodied carbon in the built environment while ensuring that small manufacturers are not put at a competitive disadvantage in state contracting as a result of the requirements of this chapter.

(8) Compliance with the requirements in this section may not be used as a basis for a waiver from apprenticeship utilization requirements in any other statute, rule, regulation, or law.

NEW SECTION. Sec. 4. By July 1, 2024, and to the extent practicable, specifications for a bid or proposal for a project contract by an awarding authority may only include performance-based specifications for concrete used as a structural material. Awarding authorities

may continue to use prescriptive specifications on structural elements to support special designs and emerging technology implementation.

NEW SECTION. Sec. 5. (1) The department must continue to develop and maintain the publicly accessible database funded by the 2021-2023 omnibus operating appropriations act and created by the department in conjunction with the University of Washington college of built environments for selected firms for contracts for covered projects to submit the data required in section 3 of this act to the department and to promote transparency.

(2) The database maintained pursuant to subsection (1) of this section must publish global warming potential as reported in the environmental product declarations.

(3) By July 1, 2024, the department must:

(a) Further elaborate covered product definitions using applicable material industry standards;

(b) Develop measurement and reporting standards to ensure that data is consistent and comparable, including standards for reporting product quantities;

(c) Create model language for specifications, bid documents, and contracts to support the implementation of section 3 of this act; and

(d) Produce an educational brief that:

(i) Provides an overview of embodied carbon;

(ii) Describes the appropriate use of environmental product declarations, including the necessary preconditions for environmental product declarations to be comparable;

(iii) Outlines reporting standards, including covered product definitions, standards for reporting product quantities, and working conditions;

(iv) Describes the data collection and reporting process for all information required in section 3 (1)(a) and (3)(a) of this act;

(v) Provides instructions for the use of the database; and

(vi) Lists applicable product category rules for covered products.

(4) The department may contract for the use of nationally or internationally recognized databases of environmental product declarations for purposes of implementing this section.

NEW SECTION. Sec. 6. (1) By December 1, 2023, the department must convene a technical work group that includes the following representatives:

(a) One industry professional in design, one industry professional in structural design, one industry professional in specification, and one industry professional in construction who are recommended by leading associations of Washington business;

(b) One representative each from Washington manufacturers of:

(i) Steel;

(ii) Wood; and

(iii) Concrete;

(c) A representative from the department of enterprise services;

(d) A representative from the department of transportation;

(e) A representative from the department of ecology;

(f) One representative each from three environmental groups that focus on embodied carbon and climate change;

(g) A representative from a labor union that represents manufacturing workers;

(h) A representative from the minority and women-owned business community;

(i) A representative from the University of Washington college of built environments; and

(j) Representatives of other agencies and independent experts as necessary to meet the objectives of the work group as described in this section.

(2) The purpose of the technical work group is to identify opportunities for and barriers to growth of the use and production of low carbon materials, promote high labor standards in manufacturing, and preserve and expand low carbon materials manufacturing in Washington.

(3) By September 1, 2024, the technical work group must submit a report to the legislature and the governor that includes:

(a) A low carbon materials manufacturing plan that recommends policies to preserve and grow the in-state manufacturing of low carbon materials and accelerate industrial decarbonization. For this plan, the technical work group must:

(i) Examine barriers and opportunities to maintain and grow a robust in-state supply of low carbon building materials including, but not limited to, state and domestic supply of raw materials and other supply chain challenges, regulatory barriers, competitiveness of local and domestic manufacturers, cost, and data availability from local, state, national, and foreign product suppliers; and

(ii) Identify opportunities to encourage the continued conversion to lower carbon cements, including the use of performance-based specifications and allowing Type 1-L cement in specifications for public projects;

(b) Recommendations for consistent treatment in the reporting for covered products; and

(c) Consideration of how product life-cycle assessments conducted by project designers could be incorporated into future reporting.

(4)(a) By September 1, 2025, the technical work group must submit a report on policy recommendations, including any statutory changes needed, to the legislature and the governor. The report must consider policies to expand the use and production of low carbon materials and to preserve and expand low carbon materials manufacturing in Washington, including opportunities to encourage continued conversion to lower carbon blended cements in public projects.

(b) For this report, the technical work group must:

(i) Summarize data collected pursuant to section 3 of this act, the case study analysis funded by the 2021-2023 omnibus operating appropriations act, and the pilot projects funded by the 2021-2023 omnibus capital appropriations act. The summary must

include product quantities, global warming potential, health product declarations, supplier codes of conduct, and any obstacles to the implementation of this chapter;

(ii) Evaluate options for collecting reported working condition information from product suppliers, including hourly wages, employee benefits, and total case incident rates;

(iii) Make recommendations for improving environmental production declaration data quality including, but not limited to, integrating reporting on variability in facility, product, and upstream data for key processes;

(iv) Make recommendations for consideration of scope 2 greenhouse gas emissions mitigation through green power purchases, such as energy attribute certificates and power purchase agreements;

(v) Identify barriers and opportunities to the effective use of the database maintained under section 5 of this act and the data collected pursuant to this chapter;

(vi) Identify emerging and foreseeable trends in local, state, federal, and private policy on embodied carbon and the procurement and use of low carbon materials and opportunities to promote consistency across public and private embodied carbon and low carbon materials policies, rules, and regulations; and

(vii) Recommend approaches to designing lower embodied carbon state building projects.

(5) This section expires January 1, 2027.

Sec. 7. RCW 43.88.0301 and 2021 c 54 s 4 are each amended to read as follows:

(1) The office of financial management must include in its capital budget instructions (~~(, beginning with its instructions for the 2003-05 capital budget,)~~) a request for "yes" or "no" answers for the following additional informational questions from capital budget applicants for all proposed major capital construction projects valued over ~~((\$10 million dollars))~~ \$10,000,000 and required to complete a predesign:

(a) For proposed capital projects identified in this subsection that are located in or serving city or county planning under RCW 36.70A.040:

(i) Whether the proposed capital project is identified in the host city or county comprehensive plan, including the capital facility plan, and implementing rules adopted under chapter 36.70A RCW;

(ii) Whether the proposed capital project is located within an adopted urban growth area:

(A) If at all located within an adopted urban growth area boundary, whether a project facilitates, accommodates, or attracts planned population and employment growth;

(B) If at all located outside an urban growth area boundary, whether the proposed capital project may create pressures for additional development;

(b) For proposed capital projects identified in this subsection that are requesting state funding:

(i) Whether there was regional coordination during project development;

(ii) Whether local and additional funds were leveraged;

(iii) Whether environmental outcomes and the reduction of adverse environmental impacts were examined.

(2) For projects subject to subsection (1) of this section, the office of financial management shall request the required information be provided during the predesign process of major capital construction projects to reduce long-term costs and increase process efficiency.

(3) The office of financial management, in fulfilling its duties under RCW 43.88.030(6) to create a capital budget document, must take into account information gathered under subsections (1) and (2) of this section in an effort to promote state capital facility expenditures that minimize unplanned or uncoordinated infrastructure and development costs, support economic and quality of life benefits for existing communities, and support local government planning efforts.

(4) The office of community development must provide staff support to the office of financial management and affected capital budget applicants to help collect data required by subsections (1) and (2) of this section.

(5) The office of financial management must include in its capital budget instructions, beginning with the instructions for the 2025-2027 biennium, information informing awarding authorities, as defined in section 2 of this act, of the requirements of chapter 39.--- RCW (the new chapter created in section 9 of this act), including the data and information requirements in section 3 of this act.

NEW SECTION. **Sec. 8.** This act may be known and cited as the buy clean and buy fair Washington act.

NEW SECTION. **Sec. 9.** Sections 2 through 6 of this act constitute a new chapter in Title 39 RCW.

NEW SECTION. **Sec. 10.** 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.

Representatives Duerr and Steele spoke in favor of the adoption of the striking amendment.

The striking amendment (376) was adopted.

The bill was ordered engrossed.

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

Representatives Duerr and Steele spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1282.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1282, and the bill passed the House by the following vote: Yeas, 57; Nays, 40; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chandler, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Lekanoff, Macri, Mena, Morgan, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Leavitt, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Volz, Walsh, Waters, Wilcox and Ybarra

Excused: Representative Hansen

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1282, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1044, by Representatives McEntire, Graham, Couture, Sandlin, Walsh, Rude, Caldier and Santos

Providing capital financial assistance to small school districts with demonstrated funding challenges.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1044 was substituted for House Bill No. 1044 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1044 was read the second time.

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

Representatives McEntire and Tharinger spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1044.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1044, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier,

Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker
Excused: Representative Hansen

SUBSTITUTE HOUSE BILL NO. 1044, having received the necessary constitutional majority, was declared passed.

RECONSIDERATION

There being no objection, the House reconsidered the vote by which HOUSE BILL NO. 1317 passed the House.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1317, on reconsideration, and the bill passed the House by the following vote: Yeas, 63; Nays, 34; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chandler, Chapman, Cheney, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Gregerson, Hackney, Harris, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Waters, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Graham, Griffey, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Stokesbary, Volz, Walsh, Wilcox and Ybarra

Excused: Representative Hansen

HOUSE BILL NO. 1317, on reconsideration, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1332, by Representatives Lekanoff, Berry, Ramel, Rude, Reed, Donaghy, Pollet and Macri

Supporting public school instruction in tribal sovereignty and federally recognized Indian tribes.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1332 was substituted for House Bill No. 1332 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1332 was read the second time.

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

Representatives Lekanoff, Rude, Eslick and Wilcox spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1332.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1332, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan,

Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker
Excused: Representative Hansen

SECOND SUBSTITUTE HOUSE BILL NO. 1332, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1838, by Representatives Fey, Barkis, Berg and Ortiz-Self

Transferring the responsibilities for the transportation revenue forecast for the transportation budget to the economic and revenue forecast council.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1838 was substituted for House Bill No. 1838 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1838 was read the second time.

Representative Ormsby moved the adoption of amendment (158):

On page 2, at the beginning of line 32, strike "eight" and insert "nine"

On page 3, line 4, after "least" strike "five" and insert "~~(five)~~ seven"

On page 3, line 17, after "least" strike "five" and insert "~~(five)~~ seven"

Representatives Ormsby and Orcutt spoke in favor of the adoption of the amendment.

Amendment (158) was adopted.

The bill was ordered engrossed.

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

Representatives Fey and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1838.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1838, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Calder, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier,

Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker
Excused: Representative Hansen

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1838, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1700, by Representatives Kretz, Chapman, Dent, Barnard, Ormsby and Timmons

Establishing a memorial on the capitol campus to commemorate eastern Washington.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1700 was substituted for House Bill No. 1700 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1700 was read the second time.

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

Representatives Kretz and Ramos spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1700.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1700, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Calder, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker
Excused: Representative Hansen

SUBSTITUTE HOUSE BILL NO. 1700, having received the necessary constitutional majority, was declared passed.

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

MOTION

There being no objection, the Committee on Rules was relieved of the following bills and the bills were placed on the second reading calendar:

HOUSE BILL NO. 1235
HOUSE BILL NO. 1241
HOUSE BILL NO. 1493
HOUSE BILL NO. 1730
HOUSE BILL NO. 1791

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

SECOND READING

HOUSE BILL NO. 1791, by Representatives Fey, Dent, Morgan, Barkis, Mena, Couture, Griffey, Bronoske, Ybarra, Christian, Timmons, Donaghy, Berg and Doglio

Studying the need for increased commercial aviation services.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1791 was substituted for House Bill No. 1791 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1791 was read the second time.

With the consent of the House, amendment (400) was withdrawn.

Representative Orwall moved the adoption of amendment (174):

On page 1, beginning on line 18, after "for" strike "large impacts on the surrounding communities; and" and insert "environmental, health, social, and economic impacts on the surrounding communities, and the legislature recognizes any preferred location will require substantial environmental, land use, governance, and funding decisions from federal, state, and local governments;"

On page 1, line 21, after "operations" insert "; the Puget Sound regional council May 2021 regional aviation baseline study final report estimates that by 2050 capacity restrictions in the central Puget Sound will create a gap between the demand for aviation activities and the capacity for those activities; and

(f) The exploration of alternatives to Seattle-Tacoma international airport is critical to address this anticipated demand through a variety of transportation strategies that may include the creation or expansion of other airports"

Representatives Orwall and Dent spoke in favor of the adoption of the amendment.

Amendment (174) was adopted.

The bill was ordered engrossed.

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

Representatives Fey and Dent spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1791.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1791, and the bill passed the House by the following vote: Yeas, 88; Nays, 9; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan,

Chambers, Chandler, Chapman, Cheney, Chopp, Connors, Corry, Cortes, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Abbarno, Christian, Couture, Griffey, McEntire, Orcutt, Robertson, Stokesbary and Walsh
Excused: Representative Hansen

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1791, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1112, by Representatives Harris, Santos, Ramel, Fitzgibbon, Kloba and Donaghy

Imposing criminal penalties for negligent driving involving the death of a vulnerable user victim.

The bill was read the second time.

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

Representatives Harris and Goodman spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of House Bill No. 1112.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1112, and the bill passed the House by the following vote: Yeas, 86; Nays, 11; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Barkis, Barnard, Berg, Bergquist, Bronoske, Caldier, Callan, Chambers, Chandler, Chapman, Cheney, Christian, Connors, Corry, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Maycumber, McClintock, McEntire, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Thai, Tharinger, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Alvarado, Bateman, Berry, Chopp, Cortes, Gregerson, Macri, Mena, Reed, Taylor and Timmons

Excused: Representative Hansen

HOUSE BILL NO. 1112, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1493, by Representative Goodman

Concerning impaired driving.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1493 was substituted for House Bill No. 1493 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1493 was read the second time.

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

Representatives Goodman and Mosbrucker spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1493.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1493, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Hansen

SUBSTITUTE HOUSE BILL NO. 1493, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1241, by Representatives Leavitt, Reeves, Reed, Morgan and Bronoske

Addressing harassment.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1241 was substituted for House Bill No. 1241 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1241 was read the second time.

Representative Graham moved the adoption of amendment (066):

On page 2, line 23, after "(3)" insert "Legally protected speech, such as gathering or demonstrating in front of an election facility, or observing ballot submittal or ballot counting, does not under any circumstances constitute harassment.

(4)"

Renumber the remaining subsections consecutively and correct any internal references accordingly.

Representative Graham spoke in favor of the adoption of the amendment.

Representative Goodman spoke against the adoption of the amendment.

Amendment (066) was not adopted.

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

Representatives Leavitt and Mosbrucker spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1241.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1241, and the bill passed the House by the following vote: Yeas, 90; Nays, 7; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Christian, Graham, McEntire, Orcutt, Schmidt, Volz and Walsh

Excused: Representative Hansen

SUBSTITUTE HOUSE BILL NO. 1241, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1730, by Representatives Waters, Stonier, Klicker, Low, Couture, Chambers, Ybarra, Barnard, Schmidt, Street, McClintock, Walen, Hutchins, Caldier and Cheney

Allowing people 18 years of age or older to work in certain 21 year and older establishments.

The bill was read the second time.

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

Representatives Waters and Kloba spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of House Bill No. 1730.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1730, and the bill passed the House by the following vote: Yeas, 84; Nays, 13; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Bronoske, Caldier, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Corry, Couture, Dent, Doglio, Donaghy, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Ramel, Ramos, Reeves, Riccelli, Robertson, Rude, Rule, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Berry, Cortes, Davis, Duerr, Dye, Entenman, Goodman, Leavitt, Mena, Morgan, Pollet, Reed and Ryu

Excused: Representative Hansen

HOUSE BILL NO. 1730, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1235, by Representatives Chapman, Kretz, Tharinger and Lekanoff

Modifying miscellaneous provisions impacting department of fish and wildlife licensing requirements.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1235 was substituted for House Bill No. 1235 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1235 was read the second time.

Representative Lekanoff moved the adoption of amendment (485):

On page 14, line 13, after "impaired;" strike "and" and insert "((and))"

On page 14, line 16, after "state" insert "; and

(f) A resident who is a member of a federally recognized Indian tribe entitled to sales tax exemptions when purchasing hunting, fishing, and gathering gear for ceremonial and subsistence purposes"

Representatives Lekanoff and Dent spoke in favor of the adoption of the amendment.

Amendment (485) was adopted.

The bill was ordered engrossed.

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

Representatives Chapman and Dent spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1235.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1235, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Hansen

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1235, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1562, by Representatives Thai, Lekanoff, Taylor, Berry, Ryu, Reed, Kloba, Entenman, Walen, Doglio, Davis, Wylie, Ramel, Ormsby, Pollet and Duerr

Reducing the risks of lethality and other harm associated with gun violence, gender-based violence, and other types of violence.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1562 was substituted for House Bill No. 1562 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1562 was read the second time.

Representative Cheney moved the adoption of amendment (487):

On page 13, line 2, after "RCW 9.41.270;" insert "or"

On page 13, beginning on line 3, after "16.52.207(1);" strike all material through "46.61.5055;" on line 5

On page 17, line 21, after "16.52.207(1);" insert "or"

On page 17, beginning on line 22, after "(I)" strike all material through "(J)" on line 23

Representative Walsh spoke in favor of the adoption of the amendment.

Representative Farivar spoke against the adoption of the amendment.

Amendment (487) was not adopted.

Representative Cheney moved the adoption of amendment (486):

On page 15, line 1, after "(4)" strike "~~((a))~~" and insert "(a)"

On page 15, beginning on line 10, after "insanity." strike all material through "~~resides~~;" on page 16, line 2 and insert "Notwithstanding any other provisions of this section, if a person is prohibited from possession of a firearm under subsection (1) or (2) of this section and has not previously been convicted or found not guilty by reason of insanity of a sex offense prohibiting firearm ownership under subsection (1) or (2) of this section and/or any felony defined under any law as a class A felony or with a maximum sentence of at least 20 years, or both, the individual may petition a court of record to have his or her right to possess a firearm restored:

(i) Under RCW 9.41.047; and/or

(ii)(A) If the conviction or finding of not guilty by reason of insanity was for a felony offense, after five or more consecutive years in the community without being convicted or found not guilty by reason of insanity or currently charged with any felony, gross misdemeanor, or misdemeanor crimes, if the individual has no prior felony convictions that prohibit the

possession of a firearm counted as part of the offender score under RCW 9.94A.525; or

(B) If the conviction or finding of not guilty by reason of insanity was for a nonfelony offense, after three or more consecutive years in the community without being convicted or found not guilty by reason of insanity or currently charged with any felony, gross misdemeanor, or misdemeanor crimes, if the individual has no prior felony convictions that prohibit the possession of a firearm counted as part of the offender score under RCW 9.94A.525 and the individual has completed all conditions of the sentence.

(b) An individual may petition a court of record to have his or her right to possess a firearm restored under (a) of this subsection only at:

(i) The court of record that ordered the petitioner's prohibition on possession of a firearm; or

(ii) The superior court in the county in which the petitioner resides."

On page 16, beginning on line 28, strike all of subsection (8)

On page 16, beginning on line 30, strike all of sections 4 and 5

Renummer the remaining sections consecutively and correct any internal references accordingly.

Representative Cheney spoke in favor of the adoption of the amendment.

Representative Walen spoke against the adoption of the amendment.

Amendment (486) was not adopted.

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

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

Representatives Abbarno, Cheney and Walsh spoke against the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1562.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1562, and the bill passed the House by the following vote: Yeas, 51; Nays, 46; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Lekanoff, Macri, Mena, Morgan, Ormsby, Ortiz-Self, Orwall, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Ryu, Santos, Senn, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Bronoske, Caldier, Chambers, Chandler, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Leavitt, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Paul, Robertson, Rude, Rule, Sandlin, Schmick, Schmidt, Shavers,

Steele, Stokesbary, Timmons, Volz, Walsh, Waters, Wilcox and Ybarra

Excused: Representative Hansen

SUBSTITUTE HOUSE BILL NO. 1562, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1766, by Representatives Griffey, Davis, Senn, Dent, Callan and Cheney

Creation of a hope card program.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1766 was substituted for House Bill No. 1766 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1766 was read the second time.

Representative Griffey moved the adoption of amendment (271):

On page 2, line 23, after "administrators," strike "and"

On page 2, line 24, after "association," insert "and the Washington association of sheriffs and police chiefs,"

On page 2, line 27, after "licensing." insert "The administrative office of the courts, together with the organizations and stakeholder groups specified in this subsection, shall explore the feasibility of providing information required in subsection (2) of this section in electronic format, including, but not limited to, a laminated card with a barcode."

On page 3, line 2, after "the" insert "clerk of the"

Representatives Griffey and Davis spoke in favor of the adoption of the amendment.

Amendment (271) was adopted.

The bill was ordered engrossed.

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

Representatives Griffey and Davis spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1766.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1766, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson,

Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Hansen

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1766, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1243, by Representatives Dent, Riccelli, Christian and Eslick

Concerning municipal airport commissions.

The bill was read the second time.

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

Representatives Dent and Duerr spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of House Bill No. 1243.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1243, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Hansen

HOUSE BILL NO. 1243, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1498, by Representatives Dye, Dent, Christian, Schmidt, Eslick, Graham and Volz

Concerning aviation assurance funding in response to wildland fires.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1498 was substituted for House Bill No. 1498 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1498 was read the second time.

Representative Dent moved the adoption of amendment (187):

On page 3, line 18, after "department" strike "may" and insert "must"

On page 3, line 22, after "department" strike "may" and insert "must"

Representatives Dent and Chapman spoke in favor of the adoption of the amendment.

Amendment (187) was adopted.

The bill was ordered engrossed.

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

Representatives Dye, Chapman and Dent spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1498.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1498, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Hansen

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1498, having received the necessary constitutional majority, was declared passed.

The Speaker assumed the chair.

POINT OF PERSONAL PRIVILEGE

Representative Wylie informed the members of the passing of Jim Moeller, former Speaker Pro Tempore of the House.

SECOND READING

HOUSE BILL NO. 1240, by Representatives Peterson, Senn, Alvarado, Walen, Street, Springer, Simmons, Reeves, Reed, Ormsby, Kloba, Fitzgibbon, Duerr, Doglio, Berry, Bateman, Fey, Davis, Ramel, Bergquist, Fosse, Pollet, Lekanoff, Macri, Gregerson and Santos

Establishing firearms-related safety measures to increase public safety.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1240 was substituted for House Bill No. 1240 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1240 was read the second time.

With the consent of the House, amendments (007), (365), (366) and (369) were withdrawn.

Representative Corry moved the adoption of amendment (468):

On page 14, line 11, after "nonresidents;" strike "or"

On page 14, line 23, after "weapon" insert "; or

(e) The distribution, offer for sale, or sale of an assault weapon, within 90 days of the effective date of this section, by a dealer that is properly licensed under federal and state law, for the purpose of liquidating the dealer's existing inventory of assault weapons consisting of either (i) assault weapons in the dealer's possession, custody, or control prior to the effective date of this section, or (ii) assault weapons ordered or purchased by the dealer prior to the effective date of this section"

POINT OF ORDER

Representative Stonier requested a scope and object ruling on amendment (468) to SUBSTITUTE HOUSE BILL NO. 1240.

SPEAKER'S RULING

"The title of the bill is an act relating to establishing firearms-related safety measures to increase public safety by prohibiting the manufacture, importation, distribution, selling, and offering for sale of assault weapons, and by providing limited exemptions applicable to armed forces branches and law enforcement agencies and for purposes of sale or transfer outside the state, and to inheritors.

Amendment (468) creates a new exemption to the bill by authorizing the distribution, offer for sale, or sale of an assault weapon, within 90 days of the effective date of this section, by a licensed dealer, for the purpose of liquidating the dealer's existing inventory of assault weapons consisting of either assault weapons in the dealer's possession, custody, or control prior to the effective date, or assault weapons ordered or purchased by the dealer prior to the effective date.

The Speaker therefore finds and rules that the amendment is outside the scope of the bill as defined by its title.

The point of order is well taken."

Representative Low moved the adoption of amendment (370):

On page 15, after line 19, insert the following:

"NEW SECTION. **Sec. 6.** This act shall be narrowly and strictly construed to comply with Article I, section 24 of the Washington Constitution."

Renumber the remaining sections consecutively and correct any internal references accordingly.

Representatives Low and Barnard spoke in favor of the adoption of the amendment.

Representative Hackney spoke against the adoption of the amendment.

Amendment (370) was not adopted.

Representative Walsh moved the adoption of amendment (371):

On page 15, beginning on line 20, after "**Sec. 6.**" strike the remainder of the section and insert "(1) This act takes effect on the date that the federal court of appeals for the ninth circuit issues an opinion that interprets and applies the "historical tradition of firearm regulation" test, established by the United States supreme court in N.Y. State Rifle & Pistol Ass'n v. Bruen, 142 S. Ct. 2111 (2022), to a firearm law or regulation.

(2) The attorney general's office must provide written notice of the effective date of this act to affected parties, the chief clerk of the house of representatives, the secretary of the senate, the office of the code reviser, and others as deemed appropriate by the attorney general's office."

Correct the title.

Representative Walsh spoke in favor of the adoption of the amendment.

Representative Senn spoke against the adoption of the amendment.

Amendment (371) was not adopted.

Representative Griffey moved the adoption of amendment (354):

On page 1, beginning on line 12, strike all of section 1

Renumber the remaining sections consecutively and correct any internal references accordingly.

Representatives Griffey, Connors and Abbarno spoke in favor of the adoption of the amendment.

Representative Peterson spoke against the adoption of the amendment.

Amendment (354) was not adopted.

Representative McEntire moved the adoption of amendment (363):

On page 1, beginning on line 14, after "Washingtonians." strike all material through "weapon." on page 2, line 5

Representatives McEntire and Walsh spoke in favor of the adoption of the amendment.

Representative Berry spoke against the adoption of the amendment.

Amendment (363) was not adopted.

Representative Jacobsen moved the adoption of amendment (355):

On page 2, beginning on line 9, after "occur." strike all material through "shooter." on line 20

Representatives Jacobsen, Barkis, Dye, Orcutt, Maycumber, Walsh and Graham spoke in favor of the adoption of the amendment.

Representatives Farivar and Senn spoke against the adoption of the amendment.

Amendment (355) was not adopted.

Representative Hutchins moved the adoption of amendment (368):

On page 2, beginning on line 36, strike all of subsection (i)

Re-number the remaining subsections consecutively and correct any internal references accordingly.

Representatives Hutchins and Walsh spoke in favor of the adoption of the amendment.

Representative Hackney spoke against the adoption of the amendment.

Amendment (368) was not adopted.

Representative Sandlin moved the adoption of amendment (359):

On page 5, beginning on line 1, strike all of subsection (iii)

Re-number the remaining subsections consecutively and correct any internal references accordingly.

Representatives Sandlin, Schmick and Walsh spoke in favor of the adoption of the amendment.

Representative Berry spoke against the adoption of the amendment.

Amendment (359) was not adopted.

Representative Ybarra moved the adoption of amendment (361):

On page 5, beginning on line 28, strike all of subsection (vi)

Re-number the remaining subsections consecutively and correct any internal references accordingly.

Representatives Ybarra and Walsh spoke in favor of the adoption of the amendment.

Representative Hackney spoke against the adoption of the amendment.

Amendment (361) was not adopted.

Representative Christian moved the adoption of amendment (367):

On page 5, beginning on line 38, strike all of subsection (vii)

Re-number the remaining subsections consecutively and correct any internal references accordingly.

Representatives Christian and Walsh spoke in favor of the adoption of the amendment.

Representative Peterson spoke against the adoption of the amendment.

Amendment (367) was not adopted.

Representative Chambers moved the adoption of amendment (362):

On page 14, line 29, after "of a" strike "gross"

Representatives Chambers, Abbarno, Caldier and Walsh spoke in favor of the adoption of the amendment.

Representative Peterson spoke against the adoption of the amendment.

Amendment (362) was not adopted.

Representative Walsh moved the adoption of amendment (364):

On page 14, beginning on line 31, strike all of section 4

Re-number the remaining sections consecutively and correct any internal references accordingly.

Representatives Walsh and Corry spoke in favor of the adoption of the amendment.

Representative Hackney spoke against the adoption of the amendment.

Amendment (364) was not adopted.

Representative McEntire moved the adoption of amendment (350):

On page 15, beginning on line 20, strike all of section 6

Correct the title.

Representatives McEntire, Walsh and Chambers spoke in favor of the adoption of the amendment.

Representative Berry spoke against the adoption of the amendment.

Amendment (350) was not adopted.

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

Representatives Peterson, Farivar, Berry, Stonier, Hackney and Senn spoke in favor of the passage of the bill.

Representatives Walsh, Couture, Chambers, Caldier, Graham, Corry, Jacobsen, McEntire, Dye, Orcutt, Mosbrucker, Dent, Eslick, Christian, Abbarno and Maycumber spoke against the passage of the bill.

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 1240.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1240, and the bill passed the House by the following vote: Yeas, 55; Nays, 42; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Ryu, Santos, Senn, Simmons, Slatter, Springer, Stearns, Stonier, Street,

Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Chandler, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Rule, Sandlin, Schmick, Schmidt, Shavers, Steele, Stokesbary, Volz, Walsh, Waters, Wilcox and Ybarra

Excused: Representative Hansen

SUBSTITUTE HOUSE BILL NO. 1240, having received the necessary constitutional majority, was declared passed.

There being no objection, the House adjourned until 10:30 a.m., Thursday, March 9, 2023, the 60th Day of the 2023 Regular Session.

LAURIE JINKINS, Speaker

BERNARD DEAN, Chief Clerk

1044			Third Reading Final Passage.	23	
1044-S	Second Reading.	30	1562	Second Reading.	34
	Second Reading.	30	1562-S	Second Reading.	34
	Third Reading Final Passage.	30		Amendment Offered.	34
1112	Second Reading.	32		Third Reading Final Passage.	35
	Third Reading Final Passage.	32	1636	Second Reading.	4
1235	Second Reading.	34		Amendment Offered.	4
	Other Action.	31		Third Reading Final Passage.	22
1235-S	Second Reading.	34	1700	Second Reading.	31
	Amendment Offered.	34	1700-S	Second Reading.	31
	Third Reading Final Passage.	34		Third Reading Final Passage.	31
1240	Second Reading.	36	1714	Second Reading.	4
1240-S	Second Reading.	36		Amendment Offered.	4
	Amendment Offered.	37, 38		Third Reading Final Passage.	4
	Third Reading Final Passage.	38	1730	Second Reading.	33
1241	Second Reading.	33		Third Reading Final Passage.	33
	Other Action.	31		Other Action.	31
1241-S	Second Reading.	33	1750	Second Reading.	24
	Amendment Offered.	33		Third Reading Final Passage.	24
	Third Reading Final Passage.	33	1766	Second Reading.	35
1243	Second Reading.	36	1766-S	Second Reading.	35
	Third Reading Final Passage.	36		Amendment Offered.	35
1282	Second Reading.	25		Third Reading Final Passage.	35
1282-S	Second Reading.	25	1791	Second Reading.	32
	Amendment Offered.	25		Other Action.	31
	Third Reading Final Passage.	30	1791-S	Second Reading.	32
1303	Second Reading.	24		Amendment Offered.	32
	Third Reading Final Passage.	24		Third Reading Final Passage.	32
1317	Second Reading.	24	1804	Second Reading.	24
	Third Reading Final Passage.	24	1804-S	Second Reading.	24
	Other Action.	30		Third Reading Final Passage.	25
1332	Second Reading.	30	1838	Second Reading.	31
1332-S2	Second Reading.	30	1838-S	Second Reading.	31
	Third Reading Final Passage.	30		Amendment Offered.	31
1493	Second Reading.	32		Third Reading Final Passage.	31
	Other Action.	31	4624	Introduced.	1
1493-S	Second Reading.	32		Adopted.	1
	Third Reading Final Passage.	33	5048-S2	Messages.	1
1498	Second Reading.	36	5102-S	Introduction & 1st Reading.	1
1498-S	Second Reading.	36		Introduction & 1st Reading.	1
	Amendment Offered.	36	5144-S2	Messages.	1
	Third Reading Final Passage.	36		Messages.	1
1503	Second Reading.	22	5175	Messages.	1
1503-S	Second Reading.	22		Introduction & 1st Reading.	2
	Amendment Offered.	22	5178-S	Introduction & 1st Reading.	2
	Third Reading Final Passage.	23		Messages.	1
1522	Second Reading.	23	5186-S	Messages.	1
1522-S2	Second Reading.	23	5236-S2	Introduction & 1st Reading.	2
	Third Reading Final Passage.	23		Introduction & 1st Reading.	2
1534	Second Reading.	23	5268-S2	Introduction & 1st Reading.	2
1534-S2	Second Reading.	23		Messages.	1
	Second Reading.	23	5274	Messages.	1
			5290-S2	Introduction & 1st Reading.	2

5304-S
 Messages. 1

5318-S
 Introduction & 1st Reading. 2

5330
 Introduction & 1st Reading. 2

5334-S
 Introduction & 1st Reading. 2

5358-S
 Introduction & 1st Reading. 2

5388-S
 Introduction & 1st Reading. 2

5389-S
 Introduction & 1st Reading. 2

5390
 Introduction & 1st Reading. 2

5412-S2
 Introduction & 1st Reading. 2

5415-S
 Introduction & 1st Reading. 3

5433-S
 Introduction & 1st Reading. 3

5454-S2
 Introduction & 1st Reading. 3

5491-S
 Messages. 1

5499-S
 Introduction & 1st Reading. 3

5523-S
 Introduction & 1st Reading. 3

5532-S2
 Introduction & 1st Reading. 3

5534
 Messages. 1

5538-S
 Introduction & 1st Reading. 3

5547-S
 Introduction & 1st Reading. 3

5580-S2
 Messages. 1

5582-S2
 Introduction & 1st Reading. 3

5621
 Introduction & 1st Reading. 3

5672-S
 Messages. 1

5700
 Introduction & 1st Reading. 3

5716-S
 Messages. 1

5732
 Introduction & 1st Reading. 4

8006
 Introduction & 1st Reading. 4

HOUSE OF REPRESENTATIVES (Speaker Jenkins presiding)
 Point of Personal Privilege Representative Wylie. 36

HOUSE OF REPRESENTATIVES (Speaker Jenkins presiding)
 Point of Order
 Representative Stonier Scope Amd #468. 37

HOUSE OF REPRESENTATIVES (Speaker Jenkins presiding)
 Speaker's Ruling
 Scope Amd #468. 37

SPEAKER OF THE HOUSE (Representative Bronoske presiding)
 Speaker's Privilege. 1