

2025

SESSION LAWS

OF THE

STATE OF WASHINGTON

2025 REGULAR SESSION
SIXTY-NINTH LEGISLATURE

Convened January 13, 2025. Adjourned April 27, 2025.



Published at Olympia by the Statute Law Committee under
Chapter 44.20 RCW.

Kathleen Buchli
Code Reviser

<https://www.leg.wa.gov/about-the-legislature/legislative-agencies/cro/>

WASHINGTON SESSION LAWS GENERAL INFORMATION

1. EDITIONS AVAILABLE.

- (a) *General Information.* The session laws are printed in a permanent softbound edition containing the accumulation of all laws adopted in the legislative session. The edition contains a subject index and tables indicating Revised Code of Washington sections affected.
- (b) *Where and how obtained - price.* The permanent session laws may be ordered from the Statute Law Committee, Legislative Modular Building, P.O. Box 40552, Olympia, Washington 98504-0552. The edition costs \$25.00 per set plus applicable state and local sales taxes and \$7.00 shipping and handling. All orders must be accompanied by payment.

2. PRINTING STYLE - INDICATION OF NEW OR DELETED MATTER.

The session laws are presented in the form in which they were enacted by the legislature. This style quickly and graphically portrays the current changes to existing law as follows:

- (a) In amendatory sections
 - (i) underlined matter is new matter.
 - (ii) deleted matter is (~~lined out and bracketed between double parentheses~~).
- (b) Complete new sections are prefaced by the words NEW SECTION.

3. PARTIAL VETOES.

- (a) Vetoed matter is ***printed in bold italics.***
- (b) Pertinent excerpts of the governor's explanation of partial vetoes are printed at the end of the chapter concerned.

4. EDITORIAL CORRECTIONS. Words and clauses inserted in the session laws under the authority of RCW 44.20.060 are enclosed in [brackets].

5. EFFECTIVE DATE OF LAWS.

- (a) The state Constitution provides that unless otherwise qualified, the laws of any session take effect ninety days after adjournment sine die. The Secretary of State has determined the effective date for the Laws of the 2025 regular session is July 27, 2025.
- (b) Laws that carry an emergency clause take effect immediately, or as otherwise specified, upon approval by the Governor.
- (c) Laws that prescribe an effective date take effect upon that date.

6. INDEX AND TABLES.

A cumulative index and tables of all 2025 laws may be found at the back of the final volume.

TABLE OF CONTENTS

Chapter No.	Bill No.	Subject	Page
2025 SESSION			
371	PV E2SHB	1131 Clemency and pardons—Various provisions	2203
372	ESSB	5009 Public school student transportation—Vehicle types.	2213
373	E2SSB	5083 Public and school employee health benefit plans— Reimbursement rates	2221
374	SSB	5093 Pregnancy loss—Various provisions	2224
375	SSB	5101 Victims of hate crimes—Employee leave and safety accommodations	2225
376	SB	5138 Public facilities district lodging tax—County use— Community-initiated equitable development.	2232
377	ESSB	5143 Ethics in public service act—Modification	2236
378	ESB	5206 Cannabis retailers—Advertising	2278
379	E2SSB	5217 Pregnancy-related accommodations.	2282
380	ESSB	5291 Long-term services and supports trust program—Various provisions.	2286
381	ESSB	5357 Public pension systems—Actuarial funding	2322
382	SSB	5388 Department of corrections—Behavioral health services— Certification	2331
383	SSB	5408 Employer wage and salary disclosures—Corrections	2334
384	SSB	5412 School districts—Temporary interfund loans	2336
385	SSB	5444 License plates—Special and personalized	2344
386	ESB	5471 Middle housing—Counties—Growth management act.	2363
387	SSB	5503 Public employee collective bargaining—Various provisions.	2366
388	SSB	5568 State health plan—Updates	2372
389	SSB	5579 Health carriers and providers—Public statements on contract terminations	2377
390	SSB	5587 Housing development—Gap between existing housing and existing housing needs.	2391
391	E2SSB	5651 Garnishment—Exemptions	2394
392	ESSB	5677 Associate development organizations—Reporting and allocations	2407
393	E2SSB	5686 Foreclosure mediation program—Expansion.	2409
394	ESB	5721 Automobile insurance—Appraisals	2451
395	SSB	5785 Washington college grant and college bound scholarship—Modification	2453
396	SB	5807 Public and school employee health benefit plans—Wellness incentives	2458
397	ESHB	1119 Department of corrections—Supervision compliance credit—Modification	2467
398	EHB	1219 Interbranch advisory committee—Modification	2468
399	ESHB	1468 Accounts—Various provisions.	2469
400	SHB	1958 Interstate 5 bridge replacement project—Toll bond authority	2489
401	SHB	2020 Business and occupation tax—Payment card processing	2493

TABLE OF CONTENTS

Chapter No.	Bill No.		Subject	Page
402	HB	2039	Temporary assistance for needy families—Child support pass through—Delay	2500
403	HB	2040	Aged, blind, or disabled assistance program—Recoveries elimination—Delay	2500
404	ESHB	2049	Public schools—Funding	2503
405	HB	2050	Public schools—Local effort assistance—Alternative learning experience enrollment	2507
406	ESHB	2061	Duty-free sales enterprises—Concession fees	2509
407	ESSB	5219	Department of corrections—Partial confinement programs—Modification	2512
408	PV	ESSB	5232	Housing and essential needs referral program—Various provisions 2542
409	SSB	5314	Capital gains tax—Modification	2555
410	SSB	5393	Rainier school—Closure	2573
411	SSB	5431	Tax and revenue—Various technical provisions	2575
412	ESSB	5752	Child care and early childhood development programs— Various provisions	2588
413	SB	5761	Dependency and termination proceedings—Attorneys for children and youth—Implementation delay	2600
414	PV	SSB	5195	Capital budget. 2602
415	SSB	5194	Capital budget—Bonds	2996
416	PV	ESSB	5161	Transportation budget. 2999
417	ESSB	5801	Transportation taxes and fees	3200
418	2SSB	5802	Transportation fund transfers and revenue dedications	3311

CHAPTER 371

[Engrossed Second Substitute House Bill 1131]

CLEMENCY AND PARDONS—VARIOUS PROVISIONS

AN ACT Relating to clemency and pardons; amending RCW 9.94A.501, 9.94A.565, 9.94A.633, 9.94A.633, 9.94A.728, and 9.94A.880; reenacting and amending RCW 9.94A.501 and 9.94A.885; adding a new section to chapter 9.94A RCW; creating a new section; providing an effective date; and providing an expiration date.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. RCW 9.94A.501 and 2024 c 63 s 3 are each amended to read as follows:

(1) The department shall supervise the following ~~((offenders))~~ individuals who are sentenced to probation in superior court, pursuant to RCW 9.92.060, 9.95.204, or 9.95.210:

(a) ~~((Offenders))~~ Individuals convicted of:

- (i) Sexual misconduct with a minor second degree;
- (ii) Custodial sexual misconduct second degree;
- (iii) Communication with a minor for immoral purposes; and
- (iv) Violation of RCW 9A.44.132(2) (failure to register); and

(b) ~~((Offenders))~~ Individuals who have:

(i) A current conviction for a repetitive domestic violence offense after August 1, 2011; and

(ii) A prior conviction for a repetitive domestic violence offense or domestic violence felony offense after August 1, 2011.

(2) ~~((Misdemeanor))~~ Individuals convicted of misdemeanor and gross misdemeanor ~~((offenders))~~ offenses supervised by the department pursuant to this section shall be placed on community custody.

(3) The department shall supervise every individual convicted of a felony ~~((offender))~~ and sentenced to community custody pursuant to RCW 9.94A.701 or 9.94A.702 whose risk assessment classifies the ~~((offender))~~ individual as one who is at a high risk to reoffend.

(4) Notwithstanding any other provision of this section, the department shall supervise an ~~((offender))~~ individual sentenced to community custody regardless of risk classification if the ~~((offender))~~ individual:

(a) Has a current conviction for a sex offense or a serious violent offense and was sentenced to a term of community custody pursuant to RCW 9.94A.701, 9.94A.702, or 9.94A.507;

(b) Has been identified by the department as a dangerous mentally ill offender pursuant to RCW 72.09.370;

(c) Has an indeterminate sentence and is subject to parole pursuant to RCW 9.95.017;

(d) Has a current conviction for violating RCW 9A.44.132(1) (failure to register) and was sentenced to a term of community custody pursuant to RCW 9.94A.701;

(e)(i) Has a current conviction for a domestic violence felony offense after August 1, 2011, and a prior conviction for a repetitive domestic violence offense or domestic violence felony offense after August 1, 2011. This subsection (4)(e)(i) applies only to offenses committed prior to July 24, 2015;

(ii) Has a current conviction for a domestic violence felony offense. The state and its officers, agents, and employees shall not be held criminally or

civilly liable for its supervision of an ~~((offender))~~ individual under this subsection (4)(e)(ii) unless the state and its officers, agents, and employees acted with gross negligence;

(f) Was sentenced under RCW 9.94A.650, 9.94A.655, 9.94A.660, 9.94A.670, 9.94A.711, or 9.94A.695;

(g) Is subject to supervision pursuant to RCW 9.94A.745; or

(h) Was convicted and sentenced under RCW 46.61.520 (vehicular homicide), RCW 46.61.522 (vehicular assault), RCW 46.61.502(6) (felony DUI), or RCW 46.61.504(6) (felony physical control).

(5) The department shall supervise any ~~((offender who is))~~ individual released by the indeterminate sentence review board ~~((and))~~ who was sentenced to community custody or subject to community custody under the terms of release.

(6) The department shall supervise any individual granted conditional commutation pursuant to RCW 9.94A.885 if the governor includes a term of community custody as a condition of commutation.

~~(7)~~ The department is not authorized to, and may not, supervise any ~~((offender))~~ individual sentenced to a term of community custody or any probationer unless the ~~((offender))~~ individual or probationer is one for whom supervision is required under this section ~~((or RCW 9.94A.5011))~~.

~~((7))~~ (8) The department shall conduct a risk assessment for every individual convicted of a felony ((offender)) and sentenced to a term of community custody who may be subject to supervision under this section ((or RCW 9.94A.5011)).

~~((8))~~ (9) The period of time the department is authorized to supervise an ((offender)) individual under this section may not exceed the duration of community custody specified under RCW 9.94B.050, 9.94A.701 (1) through (9), or 9.94A.702, except in cases where the court has imposed an exceptional term of community custody under RCW 9.94A.535 and where the governor imposes a term of community custody as a condition of conditional commutation or imposes an additional term of community custody due to a violation of conditional commutation.

~~((9))~~ (10) The period of time the department is authorized to supervise an ((offender)) individual under this section may be reduced by the earned award of supervision compliance credit pursuant to RCW 9.94A.717.

Sec. 2. RCW 9.94A.501 and 2024 c 306 s 4 and 2024 c 63 s 3 are each reenacted and amended to read as follows:

(1) The department shall supervise the following ~~((offenders))~~ individuals who are sentenced to probation in superior court, pursuant to RCW 9.92.060, 9.95.204, or 9.95.210:

(a) ~~((Offenders))~~ Individuals convicted of:

(i) Sexual misconduct with a minor second degree;

(ii) Custodial sexual misconduct second degree;

(iii) Communication with a minor for immoral purposes; and

(iv) Violation of RCW 9A.44.132(2) (failure to register); and

(b) ~~((Offenders))~~ Individuals who have:

(i) A current conviction for a repetitive domestic violence offense after August 1, 2011; and

(ii) A prior conviction for a repetitive domestic violence offense or domestic violence felony offense after August 1, 2011.

(2) ~~((Misdemeanor))~~ Individuals convicted of misdemeanor and gross misdemeanor ~~((offenders))~~ offenses supervised by the department pursuant to this section shall be placed on community custody.

(3) The department shall supervise every individual convicted of a felony ~~((offender))~~ and sentenced to community custody pursuant to RCW 9.94A.701 or 9.94A.702 whose risk assessment classifies the ~~((offender))~~ individual as one who is at a high risk to reoffend.

(4) Notwithstanding any other provision of this section, the department shall supervise an ~~((offender))~~ individual sentenced to community custody regardless of risk classification if the ~~((offender))~~ individual:

(a) Has a current conviction for a sex offense or a serious violent offense and was sentenced to a term of community custody pursuant to RCW 9.94A.701, 9.94A.702, or 9.94A.507;

(b) Has been identified by the department as a dangerous mentally ill offender pursuant to RCW 72.09.370;

(c) Has an indeterminate sentence and is subject to parole pursuant to RCW 9.95.017;

(d) Has a current conviction for violating RCW 9A.44.132(1) (failure to register) and was sentenced to a term of community custody pursuant to RCW 9.94A.701;

(e)(i) Has a current conviction for a domestic violence felony offense after August 1, 2011, and a prior conviction for a repetitive domestic violence offense or domestic violence felony offense after August 1, 2011. This subsection (4)(e)(i) applies only to offenses committed prior to July 24, 2015;

(ii) Has a current conviction for a domestic violence felony offense. The state and its officers, agents, and employees shall not be held criminally or civilly liable for its supervision of an ~~((offender))~~ individual under this subsection (4)(e)(ii) unless the state and its officers, agents, and employees acted with gross negligence;

(f) Was sentenced under RCW 9.94A.650, 9.94A.655, 9.94A.660, 9.94A.670, 9.94A.711, 9.94A.695, or 9.94A.661;

(g) Is subject to supervision pursuant to RCW 9.94A.745; or

(h) Was convicted and sentenced under RCW 46.61.520 (vehicular homicide), RCW 46.61.522 (vehicular assault), RCW 46.61.502(6) (felony DUI), or RCW 46.61.504(6) (felony physical control).

(5) The department shall supervise any ~~((offender who is))~~ individual released by the indeterminate sentence review board ~~((and))~~ who was sentenced to community custody or subject to community custody under the terms of release.

(6) The department shall supervise any individual granted conditional commutation pursuant to RCW 9.94A.885.

(7) The department is not authorized to, and may not, supervise any ~~((offender))~~ individual sentenced to a term of community custody or any probationer unless the ~~((offender))~~ individual or probationer is one for whom supervision is required under this section ~~((or RCW 9.94A.501)).~~

~~((7))~~ (8) The department shall conduct a risk assessment for every individual convicted of a felony ~~((offender))~~ and sentenced to a term of

community custody who may be subject to supervision under this section (~~((offender))~~ RCW 9.94A.501)).

~~((8))~~ (9) The period of time the department is authorized to supervise an ~~((offender))~~ individual under this section may not exceed the duration of community custody specified under RCW 9.94B.050, 9.94A.701 (1) through (9), or 9.94A.702, except in cases where the court has imposed an exceptional term of community custody under RCW 9.94A.535 and where the governor imposes a term of community custody as a condition of conditional commutation or imposes an additional term of community custody due to a violation of conditional commutation.

~~((9))~~ (10) The period of time the department is authorized to supervise an ~~((offender))~~ individual under this section may be reduced by the earned award of supervision compliance credit pursuant to RCW 9.94A.717.

Sec. 3. RCW 9.94A.565 and 1994 c 1 s 5 are each amended to read as follows:

(1) Nothing in chapter 1, Laws of 1994 or chapter 10.95 RCW shall ever be interpreted or construed as to reduce or eliminate the power of the governor to grant a pardon or clemency to any ~~((offender))~~ individual on an individual case-by-case basis. However, the people recommend that ~~((any offender))~~:

(a) Any incarcerated individual subject to total confinement for life without the possibility of parole not be considered for release until the ~~((offender))~~ incarcerated individual has ~~((reached the age of at least sixty years old and has))~~ been judged to ~~((be))~~ no longer be a threat to society~~((The people further recommend that sex offenders))~~;

(b) Incarcerated individuals who have been convicted of a sex offense be held to the utmost scrutiny under this subsection regardless of age; and

(c) Release take the form of a commutation that includes a period of law-abiding behavior in the community.

(2) Nothing in this section shall ever be interpreted or construed to grant any release for the purpose of reducing prison overcrowding. Furthermore, the governor shall provide twice yearly reports on the activities and progress of ~~((offenders))~~ individuals subject to total confinement for life without the possibility of parole who are released through executive action during his or her tenure. These reports shall continue for not less than ~~((ten))~~ 10 years after the release of the ~~((offender))~~ individual or upon the death of the released ~~((offender))~~ individual.

Sec. 4. RCW 9.94A.633 and 2021 c 242 s 4 are each amended to read as follows:

(1)(a) An ~~((offender))~~ individual who violates any condition or requirement of a sentence may be sanctioned by the court with up to ~~((sixty))~~ 60 days' confinement for each violation or by the department with up to ~~((thirty))~~ 30 days' confinement as provided in RCW 9.94A.737.

(b) In lieu of confinement, an ~~((offender))~~ individual may be sanctioned with work release, home detention with electronic monitoring, work crew, community restitution, inpatient treatment, daily reporting, curfew, educational or counseling sessions, supervision enhanced through electronic monitoring, or any other community-based sanctions.

(2) If an ~~((offender))~~ individual was under community custody pursuant to one of the following statutes, the ~~((offender))~~ individual may be sanctioned as follows:

(a) If the ~~((offender))~~ individual was transferred to community custody in lieu of earned early release in accordance with RCW 9.94A.728, the ~~((offender))~~ individual may be transferred to a more restrictive confinement status to serve up to the remaining portion of the sentence, less credit for any period actually spent in community custody or in detention awaiting disposition of an alleged violation.

(b) If the ~~((offender))~~ individual was sentenced under the drug offender sentencing alternative set out in RCW 9.94A.660, the ~~((offender))~~ individual may be sanctioned in accordance with that section.

(c) If the ~~((offender))~~ individual was sentenced under the parenting sentencing alternative set out in RCW 9.94A.655, the ~~((offender))~~ individual may be sanctioned in accordance with that section.

(d) If the ~~((offender))~~ individual was sentenced under the special sex offender sentencing alternative set out in RCW 9.94A.670, the suspended sentence may be revoked and the ~~((offender))~~ individual committed to serve the original sentence of confinement.

(e) If the ~~((offender))~~ individual was sentenced under the mental health sentencing alternative set out in RCW 9.94A.695, the ~~((offender))~~ individual may be sanctioned in accordance with that section.

(f) If the ~~((offender))~~ individual was sentenced to a work ethic camp pursuant to RCW 9.94A.690, the ~~((offender))~~ individual may be reclassified to serve the unexpired term of his or her sentence in total confinement.

(g) If ~~((a sex offender))~~ an individual convicted of a sex offense was sentenced pursuant to RCW 9.94A.507, the ~~((offender))~~ individual may be transferred to a more restrictive confinement status to serve up to the remaining portion of the sentence, less credit for any period actually spent in community custody or in detention awaiting disposition of an alleged violation.

(h) If the individual was granted conditional commutation pursuant to RCW 9.94A.885, the individual may be transferred to a more restrictive confinement status to serve up to the remaining portion of the sentence, less credit for any period actually spent in community custody or in detention awaiting disposition of an alleged violation.

(3) If a probationer is being supervised by the department pursuant to RCW 9.92.060, 9.95.204, or 9.95.210, the probationer may be sanctioned pursuant to subsection (1) of this section. The department shall have authority to issue a warrant for the arrest of an ~~((offender))~~ individual who violates a condition of community custody, as provided in RCW 9.94A.716. Any sanctions shall be imposed by the department pursuant to RCW 9.94A.737. Nothing in this subsection is intended to limit the power of the sentencing court to respond to a probationer's violation of conditions.

(4) The parole or probation of an ~~((offender))~~ individual who is charged with a new felony offense may be suspended and the ~~((offender))~~ individual placed in total confinement pending disposition of the new criminal charges if:

(a) The ~~((offender))~~ individual is on parole pursuant to RCW 9.95.110(1); or

(b) The ~~((offender))~~ individual is being supervised pursuant to RCW 9.94A.745 and is on parole or probation pursuant to the laws of another state.

Sec. 5. RCW 9.94A.633 and 2024 c 306 s 7 are each amended to read as follows:

(1)(a) An ~~((offender))~~ individual who violates any condition or requirement of a sentence may be sanctioned by the court with up to 60 days' confinement for each violation or by the department with up to 30 days' confinement as provided in RCW 9.94A.737.

(b) In lieu of confinement, an ~~((offender))~~ individual may be sanctioned with work release, home detention with electronic monitoring, work crew, community restitution, inpatient treatment, daily reporting, curfew, educational or counseling sessions, supervision enhanced through electronic monitoring, or any other community-based sanctions.

(2) If an ~~((offender))~~ individual was under community custody pursuant to one of the following statutes, the ~~((offender))~~ individual may be sanctioned as follows:

(a) If the ~~((offender))~~ individual was transferred to community custody in lieu of earned early release in accordance with RCW 9.94A.728, the ~~((offender))~~ individual may be transferred to a more restrictive confinement status to serve up to the remaining portion of the sentence, less credit for any period actually spent in community custody or in detention awaiting disposition of an alleged violation.

(b) If the ~~((offender))~~ individual was sentenced under the drug offender sentencing alternative set out in RCW 9.94A.660, the ~~((offender))~~ individual may be sanctioned in accordance with that section.

(c) If the ~~((offender))~~ individual was sentenced under the drug offender sentencing alternative for driving under the influence set out in RCW 9.94A.661, the ~~((offender))~~ individual may be sanctioned in accordance with that section.

(d) If the ~~((offender))~~ individual was sentenced under the parenting sentencing alternative set out in RCW 9.94A.655, the ~~((offender))~~ individual may be sanctioned in accordance with that section.

(e) If the ~~((offender))~~ individual was sentenced under the special sex offender sentencing alternative set out in RCW 9.94A.670, the suspended sentence may be revoked and the ~~((offender))~~ individual committed to serve the original sentence of confinement.

(f) If the ~~((offender))~~ individual was sentenced under the mental health sentencing alternative set out in RCW 9.94A.695, the ~~((offender))~~ individual may be sanctioned in accordance with that section.

(g) If the ~~((offender))~~ individual was sentenced to a work ethic camp pursuant to RCW 9.94A.690, the ~~((offender))~~ individual may be reclassified to serve the unexpired term of his or her sentence in total confinement.

(h) If ~~((a sex offender))~~ an individual convicted of a sex offense was sentenced pursuant to RCW 9.94A.507, the ~~((offender))~~ individual may be transferred to a more restrictive confinement status to serve up to the remaining portion of the sentence, less credit for any period actually spent in community custody or in detention awaiting disposition of an alleged violation.

(i) If the individual was granted conditional commutation pursuant to RCW 9.94A.885, the individual may be transferred to a more restrictive confinement status to serve up to the remaining portion of the sentence, less credit for any period actually spent in community custody or in detention awaiting disposition of an alleged violation.

(3) If a probationer is being supervised by the department pursuant to RCW 9.92.060, 9.95.204, or 9.95.210, the probationer may be sanctioned pursuant to subsection (1) of this section. The department shall have authority to issue a warrant for the arrest of an ((offender)) individual who violates a condition of community custody, as provided in RCW 9.94A.716. Any sanctions shall be imposed by the department pursuant to RCW 9.94A.737. Nothing in this subsection is intended to limit the power of the sentencing court to respond to a probationer's violation of conditions.

(4) The parole or probation of an ((offender)) individual who is charged with a new felony offense may be suspended and the ((offender)) individual placed in total confinement pending disposition of the new criminal charges if:

- (a) The ((offender)) individual is on parole pursuant to RCW 9.95.110(1); or
- (b) The ((offender)) individual is being supervised pursuant to RCW 9.94A.745 and is on parole or probation pursuant to the laws of another state.

Sec. 6. RCW 9.94A.728 and 2023 c 358 s 1 are each amended to read as follows:

(1) No incarcerated individual serving a sentence imposed pursuant to this chapter and committed to the custody of the department shall leave the confines of the correctional facility or be released prior to the expiration of the sentence except as follows:

(a) An incarcerated individual may earn early release time as authorized by RCW 9.94A.729;

(b) An incarcerated individual may leave a correctional facility pursuant to an authorized furlough or leave of absence. In addition, incarcerated individuals may leave a correctional facility when in the custody of a corrections officer or officers;

(c)(i) The secretary may authorize an extraordinary medical placement for an incarcerated individual when all of the following conditions exist:

(A) The incarcerated individual has been assessed by two physicians and is determined to be one of the following:

(I) Affected by a permanent or degenerative medical condition to such a degree that the individual does not presently, and likely will not in the future, pose a threat to public safety; or

(II) In ill health and is expected to die within six months and does not presently, and likely will not in the future, pose a threat to public safety;

(B) The incarcerated individual has been assessed as low risk to the community at the time of release; and

(C) It is expected that granting the extraordinary medical placement will result in a cost savings to the state.

(ii) An incarcerated individual sentenced to death or to life imprisonment without the possibility of release or parole is not eligible for an extraordinary medical placement.

(iii) The secretary shall require electronic monitoring for all individuals in extraordinary medical placement unless the electronic monitoring equipment is detrimental to the individual's health, interferes with the function of the individual's medical equipment, or results in the loss of funding for the individual's medical care, in which case, an alternative type of monitoring shall be utilized. The secretary shall specify who shall provide the monitoring services and the terms under which the monitoring shall be performed.

(iv) The secretary may revoke an extraordinary medical placement under this subsection (1)(c) at any time.

(v) Persistent offenders are not eligible for extraordinary medical placement;

(d) The governor, upon recommendation from the clemency and pardons board, may grant an extraordinary release (~~((for))~~);

(i) For reasons of serious health problems, senility, advanced age, extraordinary meritorious acts, or other extraordinary circumstances; or

(ii) Pursuant to RCW 9.94A.885;

(e) No more than the final 12 months of the incarcerated individual's term of confinement may be served in partial confinement for aiding the incarcerated individual with: Finding work as part of the work release program under chapter 72.65 RCW; or reestablishing himself or herself in the community as part of the parenting program in RCW 9.94A.6551. This is in addition to that period of earned early release time that may be exchanged for partial confinement pursuant to RCW 9.94A.729(5)(d);

(f)(i) No more than the final five months of the incarcerated individual's term of confinement may be served in partial confinement as home detention as part of the graduated reentry program developed by the department under RCW 9.94A.733(1)(a);

(ii) For eligible incarcerated individuals under RCW 9.94A.733(1)(b), after serving at least four months in total confinement in a state correctional facility, an incarcerated individual may serve no more than the final 18 months of the incarcerated individual's term of confinement in partial confinement as home detention as part of the graduated reentry program developed by the department;

(g) The governor may pardon any incarcerated individual;

(h) The department may release an incarcerated individual from confinement any time within 10 days before a release date calculated under this section;

(i) An incarcerated individual may leave a correctional facility prior to completion of his or her sentence if the sentence has been reduced as provided in RCW 9.94A.870;

(j) Notwithstanding any other provisions of this section, an incarcerated individual sentenced for a felony crime listed in RCW 9.94A.540 as subject to a mandatory minimum sentence of total confinement shall not be released from total confinement before the completion of the listed mandatory minimum sentence for that felony crime of conviction unless allowed under RCW 9.94A.540; and

(k) Any individual convicted of one or more crimes committed prior to the individual's 18th birthday may be released from confinement pursuant to RCW 9.94A.730.

(2) Notwithstanding any other provision of this section, an incarcerated individual entitled to vacation of a conviction or the recalculation of his or her offender score pursuant to *State v. Blake*, No. 96873-0 (Feb. 25, 2021), may be released from confinement pursuant to a court order if the incarcerated individual has already served a period of confinement that exceeds his or her new standard range. This provision does not create an independent right to release from confinement prior to resentencing.

(3) Individuals residing in a juvenile correctional facility placement pursuant to RCW 72.01.410(1)(a) are not subject to the limitations in this section.

Sec. 7. RCW 9.94A.880 and 2011 c 336 s 335 are each amended to read as follows:

(1) The clemency and pardons board is established as a board within the office of the governor. The board consists of ~~((five))~~ 10 members appointed by the governor, subject to confirmation by the senate.

(2) In making appointments to the board, the governor shall strive to ensure racial, ethnic, geographic, gender, sexual identity, and age diversity. The board membership must include the following:

(a) A person from an underrepresented population with direct lived experience;

(b) A person with lived experience as an incarcerated individual or who has worked with the formerly incarcerated or successful community reentry;

(c) A representative of a faith-based organization or church with interest or experience in successful community reentry;

(d) A person with experience and interest in tribal affairs; and

(e) Two representatives of crime victims.

(3) Board members must attend training related to the principles of racial equity, racism, and restorative justice at least every two years.

(4) Members of the board ~~((shall))~~ may serve up to two terms of ~~((four))~~ five years and may continue to serve until their successors are appointed and confirmed. ~~((However, the))~~ The governor shall stagger the initial terms ~~((by appointing one of the initial members for a term of one year, one for a term of two years, one for a term of three years, and two for terms of four years))~~ so that no more than three members are up for appointment in any given year. Board members as of the effective date of this section may serve the member's remaining term.

~~((3))~~ (5) The board shall elect a chair from among its members and shall adopt bylaws governing the operation of the board. The chair shall approve training and each member's hearing preparation time as duties authorized for compensation under subsection (6) of this section.

~~((4))~~ (6) Members of the board shall ~~((receive no compensation but shall be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060 as now existing or hereafter amended))~~ each receive compensation in accordance with the provisions of RCW 43.03.250, unless waived by the member. All members shall receive travel expenses incurred in the discharge of their official duties in accordance with RCW 43.03.050 and 43.03.060.

~~((5))~~ (7) The attorney general shall provide a staff as needed for the operation of the board.

(8) Each petition for commutation or pardon shall be reviewed by a panel of five board members. The panel membership shall be selected by a random drawing conducted by board staff.

(9) For purposes of this section, "direct lived experience" and "underrepresented population" have the meanings provided for in RCW 43.18A.010.

Sec. 8. RCW 9.94A.885 and 2009 c 325 s 6 and 2009 c 138 s 4 are each reenacted and amended to read as follows:

(1) The clemency and pardons board shall receive petitions from individuals, organizations, and the department and make recommendations to the governor for ((review and commutation)):

((a)) Commutation of sentences of incarcerated individuals when the sentence no longer serves the interest of justice; and ((pardoning))

((b)) Pardoning of ((offenders)) individuals in extraordinary cases((, and shall make recommendations thereon to the governor)).

((2)) If a petitioner indicates in the petition an urgent need for the pardon or commutation including, but not limited to, a pending deportation order or deportation proceeding, the board shall consider expedited review of the application.

((3)) The board shall receive petitions from individuals or organizations for the restoration of civil rights lost by operation of state law as a result of convictions for federal offenses or out-of-state felonies. The board may issue certificates of restoration limited to engaging in political office. Any certifications granted by the board must be filed with the secretary of state to be effective. In all other cases, the board shall make recommendations to the governor.

((3)) ((4)) The board shall not recommend that the governor grant clemency under subsection (1) of this section until a public hearing has been held on the petition. The prosecuting attorney of the county where the conviction was obtained shall be notified at least ((thirty)) 90 days prior to the scheduled hearing that a petition has been filed and the date and place at which the hearing on the petition will be held. The board may waive the ((thirty-day)) 90-day notice requirement in cases where it determines that waiver is necessary to permit timely action on the petition. A copy of the petition shall be sent to the prosecuting attorney. The prosecuting attorney shall make reasonable efforts to notify victims, survivors of victims, witnesses, and the law enforcement agency or agencies that conducted the investigation, of the date and place of the hearing. Information regarding victims, survivors of victims, or witnesses receiving this notice are confidential and shall not be available to the ((offender)) incarcerated individual seeking clemency. The board shall consider statements presented as set forth in RCW 7.69.032. This subsection is intended solely for the guidance of the board. Nothing in this section is intended or may be relied upon to create a right or benefit, substantive or procedural, enforceable at law by any person.

((5)) An applicant is eligible for a pardon, commutation, or restoration of civil rights without regard to his or her immigration status.

NEW SECTION. Sec. 9. A new section is added to chapter 9.94A RCW to read as follows:

The clemency and pardons board shall transmit to the governor and the legislature, at least annually, a report of its work, in which shall be given such information as may be relevant. The information must include the names of any individuals granted commutation or a pardon in the previous calendar year, the crimes of which those individuals were convicted, and any known acts of recidivism during the preceding calendar year by any individual listed in any report submitted under this section.

NEW SECTION. Sec. 10. Sections 1 and 4 of this act expire January 1, 2026.

NEW SECTION. Sec. 11. Sections 2 and 5 of this act take effect January 1, 2026.

****NEW SECTION. Sec. 12. If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2025, in the omnibus appropriations act, this act is null and void.***

**Sec. 12 was vetoed. See message at end of chapter.*

Passed by the House April 22, 2025.

Passed by the Senate April 15, 2025.

Approved by the Governor May 20, 2025, with the exception of certain items that were vetoed.

Filed in Office of Secretary of State May 20, 2025.

Note: Governor's explanation of partial veto is as follows:

"I am returning herewith, without my approval as to Section 12, Engrossed Second Substitute House Bill No. 1131 entitled:

"AN ACT Relating to clemency and pardons."

This bill expands the membership of the clemency and pardons board, makes board members eligible for compensation, and makes changes to the board's process of reviewing applications and other functions. Section 12 makes the bill null and void if specific funding is not provided for the bill. Because the Legislature did not provide specific funding in the omnibus operating budget for implementing this bill, I am vetoing Section 12 to ensure this act goes into effect. I intend to seek the necessary funding to support the work contemplated by this legislation in the next budget.

For these reasons I have vetoed Section 12 of Engrossed Second Substitute House Bill No. 1131.

With the exception of Section 12, Engrossed Second Substitute House Bill No. 1131 is approved."

CHAPTER 372

[Engrossed Substitute Senate Bill 5009]

PUBLIC SCHOOL STUDENT TRANSPORTATION—VEHICLE TYPES

AN ACT Relating to accommodating multiple vehicle types for transporting students; amending RCW 28A.160.150, 28A.160.170, 28A.160.180, 28A.160.195, 28A.160.210, 46.25.010, and 46.25.050; and providing an effective date.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. RCW 28A.160.150 and 2009 c 548 s 304 are each amended to read as follows:

Funds allocated for transportation costs, except for funds provided for transportation and transportation services to and from school shall be in addition to the basic education allocation. The distribution formula developed in RCW 28A.160.150 through 28A.160.180 shall be for allocation purposes only and shall not be construed as mandating specific levels of pupil transportation services by local districts nor the type of vehicle to be used for pupil transportation, except as provided in RCW 28A.160.195. School districts are encouraged to use a vehicle type deemed by a district to be a safe and cost-effective manner of transporting its students, including using school buses and other vehicles, and may use the student transportation allocation accordingly.

Operating costs as determined under RCW 28A.160.150 through 28A.160.180 shall be funded at ~~((one hundred))~~ 100 percent or as close thereto as reasonably possible for transportation of an eligible student to and from school as defined in RCW 28A.160.160(3). In addition, funding shall be provided for transportation services for students living within the walk area as determined under RCW 28A.160.160(5).

Sec. 2. RCW 28A.160.170 and 2021 c 234 s 3 are each amended to read as follows:

Each district shall submit three times each year to the superintendent of public instruction during October, February, and May of each year a report containing the following:

(1)(a) The number of eligible students transported to and from school as provided for in RCW 28A.160.150, along with identification of stop locations and school locations, and (b) the number of miles driven per vehicle type for pupil transportation services as authorized in RCW 28A.160.150 the previous school year; and

(2) Other operational data and descriptions as required by the superintendent to determine allocation requirements for each district. The superintendent shall require that districts separate the costs of operating the program for the transportation of eligible students to and from school as defined by RCW 28A.160.160(3), non-to-and-from-school pupil transportation costs, and costs to provide expanded services under RCW 28A.160.185(1) in the annual financial statement. The cost, quantity, and type of all fuel purchased by school districts for use in to-and-from-school transportation shall be included in the annual financial statement.

Each district shall submit the information required in this section on a timely basis as a condition of the continuing receipt of school transportation moneys.

Sec. 3. RCW 28A.160.180 and 2009 c 548 s 307 are each amended to read as follows:

Each district's annual student transportation allocation shall be determined by the superintendent of public instruction in the following manner:

(1) The superintendent shall annually calculate the transportation allocation for those services provided for in RCW 28A.160.150, inclusive of all vehicle types used. The allocation formula may be adjusted to include such additional differential factors as basic and special passenger counts as defined by the superintendent of public instruction, average distance to school, and number of locations served.

(2) The allocation shall be based on a regression analysis of the number of basic and special students transported and as many other site characteristics that are identified as being statistically significant.

(3) The transportation allocation for transporting students in district-owned passenger cars, as defined in RCW 46.04.382, pursuant to RCW 28A.160.010 for services provided for in RCW 28A.160.150 if a school district deems it advisable to use such vehicles after the school district board of directors has considered the safety of the students being transported as well as the economy of utilizing a district-owned passenger car in lieu of a school bus ~~((is the private vehicle reimbursement rate in effect on September 1st of each school year))~~ must

be included in the overall determination of the district's annual student transportation allocation. Students transported in district-owned passenger cars must be included in the corresponding basic or special passenger counts, average distance to school, and number of locations served.

(4) Prior to June 1st of each year the superintendent shall submit to the office of financial management, and the education and fiscal committees of the legislature, a report outlining the methodology and rationale used in determining the statistical coefficients for each site characteristic used to determine the allocation for the following year.

Sec. 4. RCW 28A.160.195 and 2024 c 345 s 4 are each amended to read as follows:

(1) The superintendent of public instruction, in consultation with the regional transportation coordinators of the educational service districts, shall establish a minimum number of ~~((school-bus))~~ student transportation vehicle categories considering the capacity and type of vehicles required by school districts in Washington. The superintendent, in consultation with the regional transportation coordinators of the educational service districts, shall establish competitive specifications for each category of ~~((school-bus))~~ vehicle. The categories shall be developed to produce minimum long-range operating costs, including costs of equipment and all costs in operating the vehicles. The competitive specifications shall meet federal motor vehicle safety standards, minimum state specifications as established by rule by the superintendent, and supported options as determined by the superintendent in consultation with the regional transportation coordinators of the educational service districts. The superintendent may solicit and accept price quotes for a rear-engine category school bus that shall be reimbursed at the price of the corresponding front engine category.

(2) After establishing ~~((school-bus))~~ vehicle categories and competitive specifications, the superintendent of public instruction shall solicit competitive price quotes for base ~~((buses))~~ vehicles from ~~((school-bus))~~ dealers to be in effect for one year and shall establish a list of all accepted price quotes in each category obtained under this subsection. The superintendent shall also solicit price quotes for optional features and equipment.

(3)(a) The superintendent shall base the level of reimbursement to school districts and educational service districts for ~~((school-buses))~~ vehicles on the lowest quote for the base ~~((bus))~~ vehicle in each category. School districts and educational service districts shall be reimbursed for ~~((buses))~~ vehicles purchased only through a lowest-price competitive bid process conducted under RCW 28A.335.190 or through the state bid process established by this section.

(b) Once the total cost of ownership of zero emission school buses is at or below the total cost of ownership of diesel school buses, as determined under the formulas adopted by rule pursuant to RCW 28A.160.260, school districts may only receive reimbursement for the purchase of zero emission school buses, unless the district has been granted an exception under RCW 28A.160.260(3). For the purposes of this subsection, "zero emission school bus" means a school bus that produces zero exhaust emission of any air pollutant and any greenhouse gas other than water vapor. This subsection (3)(b) applies to other vehicles used in lieu of school buses.

(4) Notwithstanding RCW 28A.335.190, school districts and educational service districts may purchase at the quoted price directly from any dealer who is on the list established under subsection (2) of this section. School districts and educational service districts may make their own selections for ~~((school buses))~~ vehicles, but shall be reimbursed at the rates determined under subsection (3) of this section and RCW 28A.160.200. District-selected options shall not be reimbursed by the state.

(5) This section does not prohibit school districts or educational service districts from conducting their own competitive bid process.

(6) As used in this section, "student transportation vehicle" and "vehicle" mean a school bus or other vehicle used in lieu of a school bus.

(7) The superintendent of public instruction may adopt rules under chapter 34.05 RCW to implement this section.

Sec. 5. RCW 28A.160.210 and 2006 c 263 s 906 are each amended to read as follows:

(1) In addition to other powers and duties, the superintendent of public instruction shall adopt rules governing the training and qualifications of school bus drivers. Such rules shall be designed to insure that persons will not be employed to operate school buses unless they possess such physical health and driving skills as are necessary to safely operate school buses: PROVIDED, That such rules shall insure that school bus drivers are provided a due process hearing before any certification required by such rules is canceled: PROVIDED FURTHER, That such rules shall not conflict with the authority of the department of licensing to license school bus drivers in accordance with chapter 46.25 RCW. The superintendent of public instruction may obtain a copy of the driving record, as maintained by the department of licensing, for consideration when evaluating a school bus driver's driving skills.

(2) By no later than September 1, 2026, the superintendent of public instruction shall develop rules for drivers transporting students in a Washington state patrol-inspected school vehicle other than a school bus. A driver that exclusively transports students in such a vehicle must have the appropriate driver's license for the vehicle, and may not be required to hold a commercial driver's license.

Sec. 6. RCW 46.25.010 and 2023 c 35 s 1 are each amended to read as follows:

The definitions set forth in this section apply throughout this chapter.

(1) "Alcohol" means any substance containing any form of alcohol, including but not limited to ethanol, methanol, propanol, and isopropanol.

(2) "Alcohol concentration" means:

(a) The number of grams of alcohol per one hundred milliliters of blood; or

(b) The number of grams of alcohol per two hundred ten liters of breath.

(3) "Commercial driver's license" (CDL) means a license issued to an individual under chapter 46.20 RCW that has been endorsed in accordance with the requirements of this chapter to authorize the individual to drive a class of commercial motor vehicle.

(4) The "commercial driver's license information system" (CDLIS) is the information system established pursuant to 49 U.S.C. Sec. 31309 to serve as a

clearinghouse for locating information related to the licensing and identification of commercial motor vehicle drivers.

(5) "Commercial learner's permit" (CLP) means a permit issued under RCW 46.25.052 for the purposes of behind-the-wheel training.

(6) "Commercial motor vehicle" means a motor vehicle or combination of motor vehicles used in commerce to transport passengers or property if the motor vehicle:

(a) Has a gross combination weight rating or gross combination weight of 11,794 kilograms or more (26,001 pounds or more), whichever is greater, inclusive of any towed unit or units with a gross vehicle weight rating or gross vehicle weight of more than 4,536 kilograms (10,000 pounds or more), whichever is greater; or

(b) Has a gross vehicle weight rating or gross vehicle weight of 11,794 kilograms or more (26,001 pounds or more), whichever is greater; or

(c) Is designed to transport 16 or more passengers, including the driver; or

(d) Is of any size and is used in the transportation of hazardous materials as defined in this section; or

(e) Is a school bus regardless of weight or size.

(7) "Conviction" means an unvacated adjudication of guilt, or a determination that a person has violated or failed to comply with the law in a court of original jurisdiction or by an authorized administrative tribunal, an unvacated forfeiture of bail or collateral deposited to secure the person's appearance in court, a plea of guilty or nolo contendere accepted by the court, the payment of a fine or court cost, entry into a deferred prosecution program under chapter 10.05 RCW, or violation of a condition of release without bail, regardless of whether or not the penalty is rebated, suspended, or probated.

(8) "Disqualification" means a prohibition against driving a commercial motor vehicle.

(9) "Drive" means to drive, operate, or be in physical control of a motor vehicle in any place open to the general public for purposes of vehicular traffic. For purposes of RCW 46.25.100, 46.25.110, and 46.25.120, "drive" includes operation or physical control of a motor vehicle anywhere in the state.

(10) "Drugs" are those substances as defined by RCW 69.04.009, including, but not limited to, those substances defined by 49 C.F.R. Sec. 40.3.

(11) "Employer" means any person, including the United States, a state, or a political subdivision of a state, who owns or leases a commercial motor vehicle, or assigns a person to drive a commercial motor vehicle.

(12) "Gross vehicle weight rating" (GVWR) means the value specified by the manufacturer as the maximum loaded weight of a single vehicle. The GVWR of a combination or articulated vehicle, commonly referred to as the "gross combined weight rating" or GCWR, is the GVWR of the power unit plus the GVWR of the towed unit or units. If the GVWR of any unit cannot be determined, the actual gross weight will be used. If a vehicle with a GVWR of less than 11,794 kilograms (26,001 pounds or less) has been structurally modified to carry a heavier load, then the actual gross weight capacity of the modified vehicle, as determined by RCW 46.44.041 and 46.44.042, will be used as the GVWR.

(13) "Hazardous materials" means any material that has been designated as hazardous under 49 U.S.C. Sec. 5103 and is required to be placarded under

subpart F of 49 C.F.R. Part 172 or any quantity of a material listed as a select agent or toxin in 42 C.F.R. Part 73.

(14) "Motor vehicle" means a vehicle, machine, tractor, trailer, or semitrailer propelled or drawn by mechanical power used on highways, or any other vehicle required to be registered under the laws of this state, but does not include a vehicle, machine, tractor, trailer, or semitrailer operated exclusively on a rail.

(15)(a) "Nondomiciled CLP or CDL" means a permit or license, respectively, issued under RCW 46.25.054 to a person who meets one of the following criteria:

(i) Is domiciled in a foreign country as provided in 49 C.F.R. Sec. 383.23(b)(1) as it existed on October 1, 2017, or such subsequent date as may be provided by the department by rule, consistent with the purposes of this section; or

(ii) Is domiciled in another state as provided in 49 C.F.R. Sec. 383.23(b)(2) as it existed on October 1, 2017, or such subsequent date as may be provided by the department by rule, consistent with the purposes of this section.

(b) The definition in this subsection (15) applies exclusively to the use of the term in this chapter and is not to be applied in any other chapter of the Revised Code of Washington.

(16) "Out-of-service order" means a declaration by an authorized enforcement officer of a federal, state, Canadian, Mexican, or local jurisdiction that a driver, a commercial motor vehicle, or a motor carrier operation is out-of-service pursuant to 49 C.F.R. Secs. 386.72, 392.5, 395.13, 396.9, or compatible laws, or the North American uniform out-of-service criteria.

(17) "Positive alcohol confirmation test" means an alcohol confirmation test that:

(a) Has been conducted by a breath alcohol technician under 49 C.F.R. Part 40; and

(b) Indicates an alcohol concentration of 0.04 or more.

A report that a person has refused an alcohol test, under circumstances that constitute the refusal of an alcohol test under 49 C.F.R. Part 40, will be considered equivalent to a report of a positive alcohol confirmation test for the purposes of this chapter.

(18) "School bus" means a commercial motor vehicle used to transport preprimary, primary, or secondary school students from home to school, from school to home, or to and from school-sponsored events. School bus does not include a student transportation vehicle with a seating capacity of 10 or fewer persons, including the driver, or a bus used as a common carrier.

(19) "Serious traffic violation" means:

(a) Excessive speeding, defined as fifteen miles per hour or more in excess of the posted limit;

(b) Reckless driving, as defined under state or local law;

(c) Driving while using a personal electronic device, defined as a violation of RCW 46.61.672, which includes in the activities it prohibits driving while holding a personal electronic device in either or both hands and using a hand or finger for texting, or an equivalent administrative rule or local law, ordinance, rule, or resolution;

(d) A violation of a state or local law relating to motor vehicle traffic control, other than a parking violation, arising in connection with an accident or collision resulting in death to any person;

(e) Driving a commercial motor vehicle without obtaining a commercial driver's license;

(f) Driving a commercial motor vehicle without a commercial driver's license in the driver's possession; however, any individual who provides proof to the court by the date the individual must appear in court or pay any fine for such a violation, that the individual held a valid CDL on the date the citation was issued, is not guilty of a "serious traffic violation";

(g) Driving a commercial motor vehicle without the proper class of commercial driver's license endorsement or endorsements for the specific vehicle group being operated or for the passenger or type of cargo being transported; and

(h) Any other violation of a state or local law relating to motor vehicle traffic control, other than a parking violation, that the department determines by rule to be serious.

(20) "State" means a state of the United States and the District of Columbia.

(21) "Substance abuse professional" means an alcohol and drug specialist meeting the credentials, knowledge, training, and continuing education requirements of 49 C.F.R. Sec. 40.281.

(22) "Tank vehicle" means any commercial motor vehicle that is designed to transport any liquid or gaseous materials within a tank or tanks having an individual rated capacity of more than 119 gallons and an aggregate rated capacity of 1,000 gallons or more that is either permanently or temporarily attached to the vehicle or the chassis. A commercial motor vehicle transporting an empty storage container tank, not designed for transportation, with a rated capacity of 1,000 gallons or more that is temporarily attached to a flatbed trailer is not considered a tank vehicle.

(23) "Type of driving" means one of the following:

(a) "Nonexcepted interstate," which means the CDL or CLP holder or applicant operates or expects to operate in interstate commerce, is both subject to and meets the qualification requirements under 49 C.F.R. Part 391 as it existed on April 30, 2019, or such subsequent date as may be provided by the department by rule, consistent with the purposes of this section, and is required to obtain a medical examiner's certificate under 49 C.F.R. Sec. 391.45 as it existed on April 30, 2019, or such subsequent date as may be provided by the department by rule, consistent with the purposes of this section;

(b) "Excepted interstate," which means the CDL or CLP holder or applicant operates or expects to operate in interstate commerce, but engages exclusively in transportation or operations excepted under 49 C.F.R. Secs. 390.3(f), 391.2, 391.68, or 398.3, as they existed on April 30, 2019, or such subsequent date as may be provided by the department by rule, consistent with the purposes of this section, from all or parts of the qualification requirements of 49 C.F.R. Part 391 as it existed on April 30, 2019, or such subsequent date as may be provided by the department by rule, consistent with the purposes of this section, and is required to obtain a medical examiner's certificate in accordance with procedures provided in 49 C.F.R. Sec. 391.45 as it existed on April 30, 2019, or

such subsequent date as may be provided by the department by rule, consistent with the purposes of this section;

(c) "Nonexcepted intrastate," which means the CDL or CLP holder or applicant operates only in intrastate commerce and is required to obtain a medical examiner's certificate in accordance with procedures provided in 49 C.F.R. Sec. 391.45 as it existed on April 30, 2019, or such subsequent date as may be provided by the department by rule, consistent with the purposes of this section; or

(d) "Excepted intrastate," which means the CDL or CLP holder wishes to maintain a CDL or CLP but not operate a commercial motor vehicle without changing his or her self-certification type.

(24) "United States" means the 50 states and the District of Columbia.

(25) "Collector truck" means a vehicle that:

(a) Has current registration;

(b) Is older than 30 years old;

(c) Is a vehicle that meets the weight criteria of subsection (6) of this section;

(d) Is capable of safely operating on the highway;

(e) Is used for occasional use to and from truck conventions, auto shows, circuses, parades, displays, special excursions, and antique vehicle club meetings;

(f) Is used for the pleasure of others without compensation; and

(g) Is not used in the operations of a common or contract motor carrier and not used for commercial purposes.

(26) "Collector truck operator" means an operator of a noncommercial vehicle that is being exclusively owned and operated as a collector truck.

Sec. 7. RCW 46.25.050 and 2019 c 195 s 2 are each amended to read as follows:

(1) Drivers of commercial motor vehicles must obtain a commercial driver's license as required under this chapter. Except when driving under a commercial learner's permit and a valid driver's license and accompanied by the holder of a commercial driver's license valid for the vehicle being driven, no person may drive a commercial motor vehicle unless the person holds and is in immediate possession of a commercial driver's license and applicable endorsements valid for the vehicle they are driving. However, this requirement does not apply to any person:

(a) Who is the operator of a farm vehicle, and the vehicle is:

(i) Controlled and operated by a farmer;

(ii) Used to transport either agricultural products, which in this section include Christmas trees and wood products harvested from private tree farms and transported by vehicles weighing no more than forty thousand pounds licensed gross vehicle weight, farm machinery, farm supplies, animal manure, animal manure compost, or any combination of those materials to or from a farm;

(iii) Not used in the operations of a common or contract motor carrier; and

(iv) Used within one hundred fifty miles of the person's farm; or

(b) Who is a firefighter or law enforcement officer operating emergency equipment, and:

(i) The firefighter or law enforcement officer has successfully completed a driver training course approved by the director; and

(ii) The firefighter or law enforcement officer carries a certificate attesting to the successful completion of the approved training course; or

(c) Who is operating a recreational vehicle for noncommercial purposes. As used in this section, "recreational vehicle" includes a vehicle towing a horse trailer for a noncommercial purpose; or

(d) Who is operating a commercial motor vehicle for military purposes. This exception is applicable to active duty military personnel; members of the military reserves; members of the national guard on active duty, including personnel on full-time national guard duty, personnel on part-time national guard training, and national guard military technicians (civilians who are required to wear military uniforms); and active duty United States coast guard personnel. This exception is not applicable to United States reserve technicians; or

(e) Who is a collector truck operator using the vehicle in accordance with RCW 46.25.010; or

(f) Who operates a student transportation vehicle other than a school bus as defined in RCW 46.25.010.

(2) No person may drive a commercial motor vehicle while his or her driving privilege is suspended, revoked, or canceled, while subject to disqualification, or in violation of an out-of-service order. Violations of this subsection shall be punished in the same way as violations of RCW 46.20.342(1).

(3) The department must, to the extent possible, enter into reciprocity agreements with adjoining states to allow the waivers described in subsection (1) of this section to apply to drivers holding commercial driver's licenses from those adjoining states.

NEW SECTION. Sec. 8. Sections 2 through 4 of this act take effect September 1, 2026.

Passed by the Senate April 17, 2025.

Passed by the House April 14, 2025.

Approved by the Governor May 20, 2025.

Filed in Office of Secretary of State May 21, 2025.

CHAPTER 373

[Engrossed Second Substitute Senate Bill 5083]

PUBLIC AND SCHOOL EMPLOYEE HEALTH BENEFIT PLANS—REIMBURSEMENT RATES

AN ACT Relating to ensuring access to primary care, behavioral health, and affordable hospital services; and adding a new section to chapter 41.05 RCW.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Sec. 1. A new section is added to chapter 41.05 RCW to read as follows:

(1) For purposes of this section:

(a) "Contractor" means a health carrier that provides medical insurance offered to public employees and their covered dependents under this chapter, or

a third-party administrator contracted by the authority to provide medical coverage to public employees under this chapter.

(b) "The total amount medicare would have reimbursed for the same or similar services" means the amount of reimbursement for a claim that would be paid as if the centers for medicare and medicaid services reimbursed the claim, including applicable postclaim settlements.

(2)(a) Claims submitted for reimbursement under this section must include all the current year centers for medicare and medicaid services required modifiers so that all rebates, incentives, or adjustments that would have applied if reimbursed by medicare apply.

(b) The authority shall adopt rules to determine the equivalent amount of reimbursement for services with a low volume of medicare experience or for which there is no applicable centers for medicare and medicaid services reimbursement for a service.

(3) Beginning January 1, 2027, each contractor, for its health plans that provide medical coverage offered to public employees and their covered dependents, must meet the following requirements:

(a) Except as provided in (b) of this subsection, reimbursement to any in-network hospital licensed under chapter 70.41 RCW located in Washington for inpatient and outpatient hospital services shall be the lesser of billed charges, the contractor's contracted rate for the hospital, or 200 percent of the total amount medicare would have reimbursed for the same or similar services;

(b) Reimbursement for inpatient and outpatient hospital services to any in-network hospital licensed under chapter 70.41 RCW primarily engaged in the care and treatment of children located in:

(i) King county, shall be the lesser of billed charges, the contractor's contracted rate for the hospital, or 150 percent of the hospital-specific medicaid inpatient ratio of cost to charges as determined by the authority; and

(ii) Pierce county, shall be the lesser of billed charges, the contractor's contracted rate for the hospital, or 190 percent of the hospital-specific medicaid inpatient ratio of cost to charges as determined by the authority;

(c) Reimbursement for services provided by rural hospitals certified by the centers for medicare and medicaid services as critical access hospitals may not be less than 101 percent of allowable costs as defined by the United States centers for medicare and medicaid services for purposes of medicare cost reporting;

(d) Reimbursement for in-network primary care services, as defined by the authority, may not be less than 150 percent of the total amount medicare would have reimbursed for the same or similar services;

(e) Reimbursement for in-network nonfacility-based behavioral health services, as defined by the authority, may not be less than 150 percent of the total amount medicare would have reimbursed for the same or similar services;

(f) Except as provided in (g) of this subsection, reimbursement to any out-of-network hospital licensed under chapter 70.41 RCW located in Washington for inpatient and outpatient hospital services shall be the lesser of billed charges or 185 percent of the total amount medicare would have reimbursed for the same or similar services;

(g) Reimbursement for inpatient and outpatient hospital services provided by a hospital licensed under chapter 70.41 RCW and located in Washington to

any out-of-network hospital primarily engaged in the care and treatment of children located in:

(i) King county, shall be the lesser of billed charges or 135 percent of the hospital-specific medicaid inpatient ratio of cost to charges as determined by the authority; and

(ii) Pierce county, shall be the lesser of billed charges or 175 percent of the hospital-specific medicaid inpatient ratio of cost to charges as determined by the authority; and

(h) A provider who is reimbursed in accordance with (f) or (g) of this subsection may not charge to or collect from the patient or a person who is financially responsible for the patient an amount in addition to the reimbursement paid under (f) or (g) of this subsection other than cost-sharing amounts authorized by the terms of the health plan.

(4) Except as provided in subsection (3)(c) of this section, this section does not apply to:

(a) Rural hospitals certified by the centers for medicare and medicaid services as sole community hospitals or critical access hospitals except for hospitals that are owned or operated by a health system that owns or operates more than two acute care hospitals licensed under chapter 70.41 RCW;

(b) Hospitals located on an island operating within a public hospital district in Skagit county; or

(c) Hospitals that are not currently designated as a critical access hospital, do not meet current federal eligibility requirements for designation as a critical access hospital, have combined medicaid and medicare inpatient days greater than 60 percent of all hospital inpatient days, and are located on the land of a federally recognized Indian tribe.

(5) Nothing in this section prohibits a contractor from reimbursing a hospital through a nonfee-for-service payment methodology, so long as the payments incentivize higher quality or improved health outcomes and the contractor continues to comply with the reimbursement requirements in this section.

(6) Premiums must take into account changes in reimbursement for hospital, primary care, and behavioral health services anticipated to result from the application of this section.

(7) At the request of the authority for monitoring, enforcement, or program and quality improvement activities, a contractor must provide cost and quality of care information and data to the authority and may not enter into an agreement with a provider or third party that would restrict the contractor from providing this information or data.

(8)(a) By December 31, 2030, the authority, in consultation with the office of the insurance commissioner, shall provide a report to the governor's office and relevant committees of the legislature analyzing the initial impacts of this section on network access, enrollee premiums and cost sharing, and state expenditures for medical coverage offered to public employees under this chapter. The report may include recommendations for legislative changes to the policy established in this section.

(b) By December 31, 2034, the authority, in consultation with the office of the insurance commissioner, shall provide a second report to the governor's office and relevant committees of the legislature providing an updated analysis

on the impacts of this section on network access, enrollee premiums and cost sharing, and state expenditures for medical coverage offered to public employees under this chapter. The report may include recommendations for legislative changes to the policy established in this section.

(9) For the purposes of this section, reimbursement for inpatient and outpatient services does not include charges for professional services.

(10) The authority may adopt rules to implement this section, including rules for levying fines and taking other contract actions it deems necessary to enforce compliance with this section.

Passed by the Senate April 24, 2025.

Passed by the House April 22, 2025.

Approved by the Governor May 20, 2025.

Filed in Office of Secretary of State May 21, 2025.

CHAPTER 374

[Substitute Senate Bill 5093]

PREGNANCY LOSS—VARIOUS PROVISIONS

AN ACT Relating to dignity in pregnancy loss; amending RCW 68.50.010; adding a new section to chapter 43.70 RCW; creating a new section; repealing RCW 9.02.050; and providing an effective date.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Sec. 1. The legislature finds that every Washingtonian should be treated with respect and dignity after a pregnancy loss and should be able to seek medical assistance without fear of civil or criminal liability. The threat of criminal prosecution of pregnancy outcomes is partly traceable to out-of-date provisions in state law that allow investigations of certain abortions and pregnancy losses. The legislature further finds that removal of these provisions changes neither requirements to report births or deaths, including fetal deaths, or prepare and publish vital statistics under chapter 70.58A RCW, nor the ability of coroners to investigate deaths, including fetal deaths, that may have been caused by unlawful or suspicious circumstances, including violence against the pregnant person, provided such investigations are not used to criminalize the pregnant person who experienced the pregnancy loss or had an abortion.

Sec. 2. RCW 68.50.010 and 2021 c 127 s 7 are each amended to read as follows:

The jurisdiction of bodies of all deceased persons who come to their death suddenly when in apparent good health without medical attendance within the ~~((thirty-six))~~ 36 hours preceding death; or where the circumstances of death indicate death was caused by unnatural or unlawful means; or where death occurs under suspicious circumstances; or where a coroner's autopsy or postmortem or coroner's inquest is to be held; or where death results from unknown or obscure causes, or where death occurs within one year following an accident; or where the death is caused by any violence whatsoever, ~~((or where death results from a known or suspected abortion;))~~ whether self-induced or otherwise; where death apparently results from drowning, hanging, burns, electrocution, gunshot wounds, stabs or cuts, lightning, starvation, radiation, exposure, alcoholism, narcotics or other addictions, tetanus, strangulations,

suffocation or smothering; ~~((or where death is due to premature birth or still birth;))~~ or where death is due to a violent contagious disease or suspected contagious disease which may be a public health hazard; or where death results from alleged rape, carnal knowledge or sodomy, where death occurs in a jail or prison; where a body is found dead or is not claimed by relatives or friends, is hereby vested in the county coroner or medical examiner, which bodies may be removed and placed in the morgue under such rules as are adopted by the coroner or medical examiner with the approval of the county commissioners, having jurisdiction, providing therein how the bodies shall be brought to and cared for at the morgue and held for the proper identification where necessary.

NEW SECTION. Sec. 3. A new section is added to chapter 43.70 RCW to read as follows:

(1) Correctional institutions and private detention facilities shall report annually to the department of health on the aggregate number of people who experience miscarriage, stillbirth, or perinatal loss while confined or incarcerated in such facilities.

(2) The department of health shall deliver an annual statewide report to the legislature that details the aggregate number of people who experience miscarriage, stillbirth, or perinatal loss while confined or incarcerated in correctional institutions and private detention facilities. The first report shall be delivered by June 30, 2029. The report may not include personal identifying information concerning the individuals who experience miscarriage, stillbirth, or perinatal loss.

(3) For purposes of this section:

(a) "Correctional institutions" has the same meaning as "correctional institution" as defined in RCW 9.94.049, including any juvenile correctional facility under alternative administration operated by a consortium of counties under RCW 13.04.035.

(b) "Private detention facilities" has the same meaning as defined in RCW 70.395.020.

NEW SECTION. Sec. 4. RCW 9.02.050 (Concealing birth) and 1909 c 249 s 200 are each repealed.

NEW SECTION. Sec. 5. Section 3 of this act takes effect July 1, 2027.

Passed by the Senate April 17, 2025.

Passed by the House April 9, 2025.

Approved by the Governor May 20, 2025.

Filed in Office of Secretary of State May 21, 2025.

CHAPTER 375

[Substitute Senate Bill 5101]

VICTIMS OF HATE CRIMES—EMPLOYEE LEAVE AND SAFETY ACCOMMODATIONS

AN ACT Relating to expanding access to leave and safety accommodations to include workers who are victims of hate crimes; amending RCW 49.76.010, 49.76.020, 49.76.030, 49.76.040, 49.76.060, 49.76.115, and 7.69.030; and providing an effective date.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. RCW 49.76.010 and 2018 c 47 s 1 are each amended to read as follows:

(1) It is in the public interest to reduce domestic violence, sexual assault, ~~((and))~~ stalking, and hate crime by enabling victims to maintain the financial independence necessary to leave abusive situations, achieve safety, and minimize physical and emotional injuries, and to reduce the devastating economic consequences of domestic violence, sexual assault, ~~((and))~~ stalking, and hate crime to employers and employees. Victims of domestic violence, sexual assault, ~~((and))~~ stalking, or hate crime should be able to recover from and cope with the effects of such violence and participate in criminal and civil justice processes without fear of adverse economic consequences. Victims of domestic violence, sexual assault, ~~((or))~~ stalking, or hate crime should also be able to seek and maintain employment without fear that they will face discrimination.

(2) One of the best predictors of whether a victim of domestic violence, sexual assault, ~~((or))~~ stalking, or hate crime will be able to stay away from an abuser is ~~((his or her))~~ the victim's degree of economic independence. However, domestic violence, sexual assault, ~~((and))~~ stalking, and hate crime often negatively impact victims' ability to maintain employment.

(3) An employee who is a victim of domestic violence, sexual assault, ~~((or))~~ stalking, or hate crime, or an employee whose family member is a victim, must often take leave from work due to injuries, court proceedings, or safety concerns requiring legal protection.

(4) Thus, it is in the public interest to provide reasonable leave from employment for employees who are victims of domestic violence, sexual assault, ~~((or))~~ stalking, or hate crime, or for employees whose family members are victims, to participate in legal proceedings, receive medical treatment, or obtain other necessary services.

(5) It is also in the public interest to ensure that victims of domestic violence, sexual assault, ~~((or))~~ stalking, or hate crime are able to seek and maintain employment without fear of discrimination and to have reasonable safety accommodations in the workplace.

Sec. 2. RCW 49.76.020 and 2021 c 215 s 152 are each amended to read as follows:

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

(1) "Child," "spouse," "parent," "parent-in-law," "grandparent," and "sick leave and other paid time off" have the same meanings as in RCW 49.12.265.

(2) "Dating relationship" has the same meaning as in RCW 7.105.010.

(3) "Department," "director," "employer," and "employee" have the same meanings as in RCW 49.12.005.

(4) "Domestic violence" has the same meaning as in RCW 7.105.010.

(5) "Family member" means any individual whose relationship to the employee can be classified as a child, spouse, parent, parent-in-law, grandparent, or person with whom the employee has a dating relationship.

(6) "Intermittent leave" is leave taken in separate blocks of time due to a single qualifying reason.

(7) "Reduced leave schedule" means a leave schedule that reduces the usual number of hours per workweek, or hours per workday, of an employee.

(8) "Sexual assault" has the same meaning as in RCW 70.125.030.

(9) "Stalking" has the same meaning as in RCW 9A.46.110.

(10) "Hate crime" means the commission, attempted commission, or alleged commission of an offense described in RCW 9A.36.080. "Hate crime" includes, but is not limited to, offenses that are committed through online or internet-based communication.

Sec. 3. RCW 49.76.030 and 2008 c 286 s 3 are each amended to read as follows:

An employee may take reasonable leave from work, intermittent leave, or leave on a reduced leave schedule, with or without pay, to:

(1) Seek legal or law enforcement assistance or remedies to ensure the health and safety of the employee or employee's family members including, but not limited to, preparing for, or participating in, any civil or criminal legal proceeding related to or derived from domestic violence, sexual assault, ~~((or))~~ stalking, or hate crime;

(2) Seek treatment by a health care provider for physical or mental injuries caused by domestic violence, sexual assault, ~~((or))~~ stalking, or hate crime, or to attend to health care treatment for a victim who is the employee's family member;

(3) Obtain, or assist a family member in obtaining, services from a domestic violence shelter, rape crisis center, or other social services program for relief from domestic violence, sexual assault, ~~((or))~~ stalking, or hate crime;

(4) Obtain, or assist a family member in obtaining, mental health counseling related to an incident of domestic violence, sexual assault, ~~((or))~~ stalking, or hate crime, in which the employee or the employee's family member was a victim of domestic violence, sexual assault, ~~((or))~~ stalking, or hate crime; or

(5) Participate in safety planning, temporarily or permanently relocate, or take other actions to increase the safety of the employee or employee's family members from future domestic violence, sexual assault, ~~((or))~~ stalking, or hate crime.

Sec. 4. RCW 49.76.040 and 2018 c 47 s 3 are each amended to read as follows:

(1) As a condition of taking leave for any purpose described in RCW 49.76.030, an employee shall give an employer advance notice of the employee's intention to take leave. The timing of the notice shall be consistent with the employer's stated policy for requesting such leave, if the employer has such a policy. When advance notice cannot be given because of an emergency or unforeseen circumstances due to domestic violence, sexual assault, ~~((or))~~ stalking, or hate crime, the employee or ~~((his or her))~~ the employee's designee must give notice to the employer no later than the end of the first day that the employee takes such leave.

(2) When an employee requests leave under RCW 49.76.030 or requests a reasonable safety accommodation under RCW 49.76.115 the employer may require that the request be supported by verification that:

(a) The employee or employee's family member is a victim of domestic violence, sexual assault, ~~((or))~~ stalking, or hate crime; and

(b) The leave taken was for one of the purposes described in RCW 49.76.030 or that the safety accommodation requested under RCW 49.76.115 is

for the purpose of protecting the employee from domestic violence, sexual assault, ~~((✖))~~ stalking, or hate crime.

(3) If an employer requires verification, verification must be provided in a timely manner. In the event that advance notice of the leave cannot be given because of an emergency or unforeseen circumstances due to domestic violence, sexual assault, ~~((✖))~~ stalking, or hate crime, and the employer requires verification, verification must be provided to the employer within a reasonable time period during or after the leave.

(4) An employee may satisfy the verification requirement of this section by providing the employer with one or more of the following:

(a) A police report indicating that the employee or employee's family member was a victim of domestic violence, sexual assault, ~~((✖))~~ stalking, or hate crime;

(b) A court order protecting or separating the employee or employee's family member from the perpetrator of the act of domestic violence, sexual assault, ~~((✖))~~ stalking, or hate crime, or other evidence from the court or the prosecuting attorney that the employee or employee's family member appeared, or is scheduled to appear, in court in connection with ~~((an incident of))~~ a case involving domestic violence, sexual assault, ~~((✖))~~ stalking, or hate crime;

(c) Documentation that the employee or the employee's family member is a victim of domestic violence, sexual assault, ~~((✖))~~ stalking, or hate crime, from any of the following persons from whom the employee or employee's family member sought assistance in addressing the domestic violence, sexual assault, ~~((✖))~~ stalking, or hate crime: An advocate for victims of domestic violence, sexual assault, ~~((✖))~~ stalking, or hate crimes; an attorney; a member of the clergy; or a medical or other professional. The provision of documentation under this section does not waive or diminish the confidential or privileged nature of communications between a victim of domestic violence, sexual assault, ~~((✖))~~ stalking, or hate crime with one or more of the individuals named in this subsection (4)(c) pursuant to RCW 5.60.060, 70.123.075, 70.123.076, or 70.125.065; or

(d) An employee's written statement that the employee or the employee's family member is a victim of domestic violence, sexual assault, ~~((✖))~~ stalking, or hate crime and that the leave taken was for one of the purposes described in RCW 49.76.030 or the safety accommodation requested pursuant to RCW 49.76.115 is to protect the employee from domestic violence, sexual assault, ~~((✖))~~ stalking, or hate crime.

(5) If the victim of domestic violence, sexual assault, ~~((✖))~~ stalking, or hate crime is the employee's family member, verification of the familial relationship between the employee and the victim may include, but is not limited to, a statement from the employee, a birth certificate, a court document, or other similar documentation.

(6) An employee who is absent from work pursuant to RCW 49.76.030 may elect to use the employee's sick leave and other paid time off, compensatory time, or unpaid leave time.

(7) An employee is required to provide only the information enumerated in subsection (2) of this section to establish that the employee's leave is protected under this chapter or to establish that the employee's request for a safety accommodation is protected under this chapter. An employee is not required to

produce or discuss any information with the employer that is beyond the scope of subsection (2) of this section, or that would compromise the employee's safety or the safety of the employee's family member in any way, and an employer is prohibited from requiring any such disclosure.

(8)(a) Except as provided in (b) of this subsection, an employer shall maintain the confidentiality of all information provided by the employee under this section, including the fact that the employee or employee's family member is a victim of domestic violence, sexual assault, ~~((or))~~ stalking, or hate crime, that the employee has requested or obtained leave under this chapter, and any written or oral statement, documentation, record, or corroborating evidence provided by the employee.

(b) Information given by an employee may be disclosed by an employer only if:

- (i) Requested or consented to by the employee;
- (ii) Ordered by a court or administrative agency; or
- (iii) Otherwise required by applicable federal or state law.

Sec. 5. RCW 49.76.060 and 2018 c 47 s 4 are each amended to read as follows:

(1) The rights provided in this chapter are in addition to any other rights provided by state and federal law.

(2) Nothing in this chapter shall be construed to discourage employers from adopting policies that provide greater leave rights or greater safety accommodations to employees who are victims of domestic violence, sexual assault, ~~((or))~~ stalking, or hate crime than those required by this chapter.

(3) Nothing in this chapter shall be construed to diminish an employer's obligation to comply with any collective bargaining agreement, or any employment benefit program or plan, that provides greater leave rights or greater safety accommodations to employees than the rights provided by this chapter.

Sec. 6. RCW 49.76.115 and 2018 c 47 s 2 are each amended to read as follows:

An employer may not:

(1) Refuse to hire an otherwise qualified individual because the individual is an actual or perceived victim of domestic violence, sexual assault, ~~((or))~~ stalking, or hate crime;

(2) Discharge, threaten to discharge, demote, suspend or in any manner discriminate or retaliate against an individual with regard to promotion, compensation, or other terms, conditions, or privileges of employment because the individual is an actual or perceived victim of domestic violence, sexual assault, ~~((or))~~ stalking, or hate crime;

(3) Refuse to make a reasonable safety accommodation requested by an individual who is a victim of domestic violence, sexual assault, ~~((or))~~ stalking, or hate crime, unless the employer can demonstrate that the accommodation would impose an undue hardship on the operation of the business of the employer. For the purposes of this section, an "undue hardship" means an action requiring significant difficulty or expense. A reasonable safety accommodation may include, but is not limited to, a transfer, reassignment, modified schedule, changed work telephone number, changed work email address, changed workstation, installed lock, implemented safety procedure, or any other

adjustment to a job structure, workplace facility, or work requirement in response to actual or threatened domestic violence, sexual assault, ~~((stalking, or hate crime.))~~

Sec. 7. RCW 7.69.030 and 2024 c 297 s 10 are each amended to read as follows:

(1) There shall be a reasonable effort made to ensure that victims, survivors of victims, and witnesses of crimes have the following rights, which apply to any adult or juvenile criminal proceeding and any civil commitment proceeding under chapter 10.77 or 71.09 RCW:

(a) With respect to victims of violent or sex crimes, to receive, at the time of reporting the crime to law enforcement officials, a written statement of the rights of crime victims as provided in this chapter. The written statement shall include the name, address, and telephone number of a county or local crime victim/witness program, if such a crime victim/witness program exists in the county;

(b) To be informed by local law enforcement agencies or the prosecuting attorney of the final disposition of the case in which the victim, survivor, or witness is involved;

(c) With respect to victims of violent offenses, domestic violence, or sex offenses, to be informed by local law enforcement agencies or the prosecuting attorney that charges have been filed and when the defendant has been found not competent to stand trial and referred for restoration services;

(d) To be notified by the party who issued the subpoena that a court proceeding to which they have been subpoenaed will not occur as scheduled, in order to save the person an unnecessary trip to court;

(e) To receive protection from harm and threats of harm arising out of cooperation with law enforcement and prosecution efforts, and to be provided with information as to the level of protection available;

(f) To be informed of the procedure to be followed to apply for and receive any witness fees to which they are entitled;

(g) To be provided, whenever practical, a secure waiting area during court proceedings that does not require them to be in close proximity to defendants and families or friends of defendants;

(h) To have any stolen or other personal property expeditiously returned by law enforcement agencies or the superior court when no longer needed as evidence. When feasible, all such property, except weapons, currency, contraband, property subject to evidentiary analysis, and property of which ownership is disputed, shall be photographed and returned to the owner within ten days of being taken;

(i) To be provided with appropriate employer intercession services to ensure that employers of victims, survivors of victims, and witnesses of crime will cooperate with the criminal justice process or the civil commitment process under chapter 10.77 or 71.09 RCW in order to minimize an employee's loss of pay and other benefits resulting from court appearance;

(j) To have access to immediate medical assistance and not to be detained for an unreasonable length of time by a law enforcement agency before having such assistance administered. However, an employee of the law enforcement agency may, if necessary, accompany the person to a medical facility to question the person about the criminal incident if the questioning does not hinder the

administration of medical assistance. Victims of domestic violence, sexual assault, ~~((or))~~ stalking, or hate crime, as defined in RCW 49.76.020, shall be notified of their right to reasonable leave from employment under chapter 49.76 RCW;

(k) With respect to victims of violent and sex crimes, to have a crime victim advocate from a crime victim/witness program, or any other support person of the victim's choosing, present at any prosecutorial or defense interviews with the victim, and at any judicial proceedings related to criminal acts committed against the victim. This subsection applies if practical and if the presence of the crime victim advocate or support person does not cause any unnecessary delay in the investigation or prosecution of the case. The role of the crime victim advocate is to provide emotional support to the crime victim;

(l) With respect to victims of violent offenses, domestic violence, or sex offenses, such victims may attend court proceedings or required interviews in person or remotely, including by video or other electronic means, as available in the local jurisdiction, to ensure access to justice to participate in criminal justice proceedings;

(m) With respect to victims and survivors of victims, to be physically present in court during trial, or if subpoenaed to testify, to be scheduled as early as practical in the proceedings in order to be physically present during trial after testifying and not to be excluded solely because they have testified;

(n) With respect to victims and survivors of victims in any felony case, any case involving domestic violence, or any final determination under chapter 10.77 or 71.09 RCW, to be informed by the prosecuting attorney of the date, time, and place of the trial and of the sentencing hearing or disposition hearing upon request by a victim or survivor;

(o) To submit a victim impact statement or report to the court, with the assistance of the prosecuting attorney if requested, which shall be included in all presentence reports and permanently included in the files and records accompanying the offender committed to the custody of a state agency or institution;

(p) With respect to victims and survivors of victims in any felony case or any case involving domestic violence, to present a statement, personally or by representation, at the sentencing hearing; and

(q) With respect to victims and survivors of victims, to entry of an order of restitution by the court in all felony cases, even when the offender is sentenced to confinement, unless extraordinary circumstances exist which make restitution inappropriate in the court's judgment.

(2) If a victim, survivor of a victim, or witness of a crime is denied a right under this section, the person may seek an order directing compliance by the relevant party or parties by filing a petition in the superior court in the county in which the crime occurred and providing notice of the petition to the relevant party or parties. Compliance with the right is the sole available remedy. The court shall expedite consideration of a petition filed under this subsection.

NEW SECTION. Sec. 8. This act takes effect January 1, 2026.

Passed by the Senate February 28, 2025.

Passed by the House April 15, 2025.

Approved by the Governor May 20, 2025.

Filed in Office of Secretary of State May 21, 2025.

CHAPTER 376

[Senate Bill 5138]

PUBLIC FACILITIES DISTRICT LODGING TAX—COUNTY USE—COMMUNITY-INITIATED EQUITABLE DEVELOPMENT

AN ACT Relating to public facilities districts; amending RCW 36.100.040; and providing an expiration date.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. RCW 36.100.040 and 2018 c 245 s 2 are each amended to read as follows:

(1) A public facilities district may impose an excise tax on the sale of or charge made for the furnishing of lodging that is subject to tax under chapter 82.08 RCW, except that no such tax may be levied on any premises having fewer than ~~((forty))~~ 40 lodging units. Except for any tax imposed under subsection (4) or (5) of this section, if a public facilities district has not imposed such an excise tax prior to December 31, 1995, the public facilities district may only impose the excise tax if a ballot proposition authorizing the imposition of the tax has been approved by a simple majority vote of voters of the public facilities district voting on the proposition.

(2) The rate of the tax may not exceed two percent and the proceeds of the tax may only be used for the acquisition, design, construction, remodeling, maintenance, equipping, reequipping, repairing, and operation of its public facilities. This excise tax may not be imposed until the district has approved the proposal to acquire, design, and construct the public facilities.

(3) Except for a public facilities district created within a county with a population of one million five hundred thousand or more for the purpose of acquiring, owning, and operating a convention and trade center, a public facilities district may not impose the tax authorized in this section if, after the tax authorized in this section was imposed, the effective combined rate of state and local excise taxes, including sales and use taxes and excise taxes on lodging, imposed on the sale of or charge made for furnishing of lodging in any jurisdiction in the public facilities district exceeds eleven and one-half percent.

(4)(a) To replace the tax authorized by RCW 67.40.090, a public facilities district created within a county with a population of one million five hundred thousand or more for the purpose of acquiring, owning, operating, renovating, and expanding a convention and trade center may impose an excise tax on the sale of or charge made for the furnishing of lodging (including but not limited to any short-term rental) that is subject to tax under chapter 82.08 RCW, except that no such tax may be levied on:

(i) Any premises:

(A) Having fewer than ~~((sixty))~~ 60 lodging units if the premises is located in a town with a population less than three hundred; or

(B) Classified as a hostel;

(ii) Any lodging that is concurrently subject to a tax on engaging in the business of being a short-term rental operator imposed by a city in which a convention and trade center is located; or

(iii) Any lodging that is operated by a university health care system exclusively for family members of patients.

(b) The rate of the tax may not exceed seven percent within the portion of the district that corresponds to the boundaries of the largest city within the public facilities district and may not exceed 2.8 percent in the remainder of the district. The tax imposed under this subsection (4) may not be collected prior to the transfer date defined in RCW 36.100.230.

(5) To replace the tax authorized by RCW 67.40.130, a public facilities district created within a county with a population of one million five hundred thousand or more for the purpose of acquiring, owning, operating, renovating, and expanding a convention and trade center may impose an additional excise tax on the sale of or charge made for the furnishing of lodging (including but not limited to any short-term rental) that is subject to tax under chapter 82.08 RCW, except that no such tax may be levied on any premises: (a) Having fewer than sixty lodging units if the premises is located in a town with a population less than three hundred; or (b) classified as a hostel. The rate of the additional excise tax may not exceed two percent and may be imposed only within the portion of the district that corresponds to the boundaries of the largest city within the public facilities district and may not be imposed in the remainder of the district. The tax imposed under this subsection (5) may not be collected prior to the transfer date specified in RCW 36.100.230. The tax imposed under this subsection (5) must be credited against the amount of the tax otherwise due to the state from those same taxpayers under chapter 82.08 RCW. The tax under this subsection (5) may be imposed only for the purpose of paying or securing the payment of the principal of and interest on obligations issued or incurred by the public facilities district and paying annual payment amounts to the state under subsection (6)(a) of this section. The authority to impose the additional excise tax under this subsection (5) expires on the date that is the earlier of (i) July 1, 2029, or (ii) the date on which all obligations issued or incurred by the public facilities district to implement any redemption, prepayment, or legal defeasance of outstanding obligations under RCW 36.100.230(3)(a) are no longer outstanding.

(6)(a) Commencing with the first full fiscal year of the state after the transfer date defined in RCW 36.100.230 and for so long as a public facilities district imposes a tax under subsection (5) of this section, the public facilities district must transfer to the state of Washington on June 30th of each state fiscal year an annual payment amount.

(b) For the purposes of this subsection (6), "annual payment amount" means an amount equal to revenues received by the public facilities district in the fiscal year from the additional excise tax imposed under subsection (5) of this section plus an interest charge calculated on one-half the annual payment amount times an interest rate equal to the average annual rate of return for the prior calendar year in the Washington state local government investment pool created in chapter 43.250 RCW.

(c)(i) If the public facilities district in any fiscal year is required to apply additional lodging excise tax revenues to the payment of principal and interest

on obligations it issues or incurs, and the public facilities district is unable to pay all or any portion of the annual payment amount to the state, the deficiency is deemed to be a loan from the state to the public facilities district for the purpose of assisting the district in paying such principal and interest and must be repaid by the public facilities district to the state after providing for the payment of the principal of and interest on obligations issued or incurred by the public facilities district, all on terms established by an agreement between the state treasurer and the public facilities district executed prior to the transfer date. Any agreement between the state treasurer and the public facilities district must specify the term for the repayment of the deficiency in the annual payment amount with an interest rate equal to the twenty bond general obligation bond buyer index plus one percentage point.

(ii) Outstanding obligations to repay any loans deemed to have been made to the public facilities district as provided in any such agreements between the state treasurer and the public facilities district survive the expiration of the additional excise tax under subsection (5) of this section.

(iii) For the purposes of this subsection (6)(c), "additional lodging excise tax revenues" mean the tax revenues received by the public facilities district under subsection (5) of this section.

(7) A public facilities district is authorized to pledge any of its revenues, including without limitation revenues from the taxes authorized in this section, to pay or secure the payment of obligations issued or incurred by the public facilities district, subject to the terms established by the board of directors of the public facilities district. So long as a pledge of the taxes authorized under this section is in effect, the legislature may not withdraw or modify the authority to levy and collect the taxes at the rates permitted under this section and may not increase the annual payment amount to be transferred to the state under subsection (6) of this section.

(8) The department of revenue must perform the collection of such taxes on behalf of the public facilities district at no cost to the district, and the state treasurer must distribute those taxes as available on a monthly basis to the district or, upon the direction of the district, to a fiscal agent, paying agent, or trustee for obligations issued or incurred by the district.

(9) Except as expressly provided in this chapter, all of the provisions contained in RCW 82.08.050 and 82.08.060 and chapter 82.32 RCW have full force and application with respect to taxes imposed under the provisions of this section.

(10) In determining the effective combined rate of tax for purposes of the limit in subsection (3) of this section, the tax rate under RCW 82.14.530 is not included.

(11) The taxes imposed in this section do not apply to sales of temporary medical housing exempt under RCW 82.08.997.

(12) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Community-initiated equitable development" means strategic capacity-building and capital investments that are determined and directed by communities who have experienced significant historical and ongoing social and economic vulnerabilities with the purpose to offset disparities, prevent or reduce

displacement, address marginalization, and improve access to opportunities, resources, and outcomes.

((~~(a)~~)) (b)(i) "Hostel" means a structure or facility where a majority of the rooms for sleeping accommodations are hostel dormitories containing a minimum of four standard beds designed for single-person occupancy within the facility. Hostel accommodations are supervised and must include at least one common area and at least one common kitchen for guest use.

(ii) For the purpose of this subsection (12)((~~(a)~~)) (b), "hostel dormitory" means a single room, containing four or more standard beds designed for single-person occupancy, used exclusively as nonprivate communal sleeping quarters, generally for unrelated persons, where such persons independently acquire the right to occupy individual beds, with the operator supervising and determining which bed each person will occupy.

((~~(b)~~)) (c) "Short-term rental" means a lodging use, that is not a hotel or motel, in which a dwelling unit, or portion thereof, that is offered or provided to a guest or guests by a short-term rental operator for a fee for fewer than thirty consecutive nights. The term "short-term rental" does not include:

(i) A dwelling unit, or portion thereof, that is used by the same person for thirty or more consecutive nights; and

(ii) A dwelling unit, or portion thereof, that is operated by an organization or government entity that is registered as a charitable organization with the secretary of state, state of Washington, and/or is classified by the federal internal revenue service as a public charity or a private foundation, and provides temporary housing to individuals who are being treated for trauma, injury, or disease and/or their family members.

(13) Taxes authorized under subsections (4) and (5) of this section are deemed to have been imposed on December 1, 2000, for the purposes of RCW 82.14.410.

(14)(a) Beginning on the date that the condition in (b) of this subsection is satisfied, a public facilities district created within a county with a population of one million five hundred thousand or more for the purpose of acquiring, owning, operating, renovating, and expanding a convention and trade center must make quarterly payments from tax revenue collected by a public facilities district as a result of the tax imposed in chapter 245, Laws of 2018 to a city in which the convention and trade center is located that has authorized on or before December 31, 2017, a tax on engaging in the business of being a short-term rental operator. Such payments must be made no more than thirty days after the last day of each fiscal quarter and must equal the portion of the revenues received by the public facilities district during such fiscal quarter from the lodging taxes authorized under subsection (4) of this section that are determined by the department of revenue to be derived from the short-term rental activity within such city.

(b) The public facilities district is not required to make any payments under this subsection (14) unless the city has repealed any ordinance authorizing a tax on engaging in the business of being a short-term rental operator.

(c) The public facilities district is not required to make any payments to a city under this subsection (14), if the city, after satisfying the condition in (b) of this subsection imposes any tax specifically on the act of engaging in the business of being a short-term rental operator.

(d) The proceeds of any payments made by a public facilities district to a city under this subsection (14) must be used by the city to support community-initiated equitable development and affordable housing programs, as determined by the city in its sole discretion.

(15) ~~((Fifty))~~ 50 percent of any tax revenue collected by a public facilities district as a result of the tax imposed in chapter 245, Laws of 2018 must be distributed by the public facilities district to the county in which the convention and trade center is located. However, if a city has satisfied the condition in subsection (14)(b) of this section, payments made under this subsection to the county in which the convention and trade center is located must be calculated after deducting any payments made to a city under subsection (14) of this section from the total tax revenue received by the public facilities district as a result of the enactment of chapter 245, Laws of 2018. The proceeds of such payments to a county under this subsection (15) must be used by the county to support community-initiated equitable development and affordable housing programs, as determined by the county, in its sole discretion.

NEW SECTION. Sec. 2. This act expires July 1, 2035.

Passed by the Senate April 17, 2025.

Passed by the House April 12, 2025.

Approved by the Governor May 20, 2025.

Filed in Office of Secretary of State May 21, 2025.

CHAPTER 377

[Engrossed Substitute Senate Bill 5143]

ETHICS IN PUBLIC SERVICE ACT—MODIFICATION

AN ACT Relating to the ethics in public service act; amending RCW 42.52.010, 42.52.030, 42.52.070, 42.52.080, 42.52.090, 42.52.110, 42.52.120, 42.52.150, 42.52.150, 42.52.160, 42.52.180, 42.52.180, 42.52.220, 42.52.320, 42.52.480, 42.52.490, 42.52.805, 42.52.810, 42.17A.005, 29B.10.270, 42.17A.615, 29B.50.050, 42.17A.620, 29B.50.060, 42.17A.710, and 29B.55.030; reenacting and amending RCW 42.52.010; adding a new section to chapter 42.52 RCW; repealing RCW 42.52.140, 42.52.340, and 42.52.801; providing an effective date; and providing an expiration date.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. RCW 42.52.010 and 2022 c 173 s 1 and 2022 c 71 s 15 are each reenacted and amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Agency" means any state board, commission, bureau, committee, department, institution, division, or tribunal in the legislative, executive, or judicial branch of state government. "Agency" includes all elective offices, the state legislature, those institutions of higher education created and supported by the state government, and those courts that are parts of state government. "Agency" does not include a comprehensive cancer center participating in a collaborative arrangement as defined in RCW 28B.10.930 that is operated in conformance with RCW 28B.10.930.

(2) "Appearance" means the act of performing or participating in an event.

(3) "Assist" means to act, or offer or agree to act, in such a way as to help, aid, advise, furnish information to, or otherwise provide assistance to another

person, believing that the action is of help, aid, advice, or assistance to the person and with intent so to assist such person.

~~((3))~~ (4) "Beneficial interest" ~~((has the meaning ascribed to it under the Washington case law))~~ means a financial interest in a contract, sale, lease, purchase, or grant to which an individual subject to the act is not a party, but is an owner of an entity that is a party. An ownership interest of less than 10 percent of an entity is not a beneficial interest. However, an ownership interest in a mutual fund or similar investment pooling fund in which the owner has no management powers does not constitute a beneficial interest in the entities in which the fund or pool invests.

~~((4))~~ (5) "Charitable association, institution, or organization" means any entity that provides services beneficial to the public to an open class of people.

(6) "Civic organization" means a nonprofit group relating to the duties or activities of people in relation to their town, city, or local area.

(7) "Community organization" means an organization aimed at making desired improvements to a community's social health, well-being, and overall functioning.

(8) "Compensation" means anything of economic value, however designated, that is paid, loaned, granted, or transferred, or to be paid, loaned, granted, or transferred for, or in consideration of, personal services to any person.

~~((5))~~ (9) "Confidential information" means (a) specific information, rather than generalized knowledge, that is not available to the general public on request or (b) information made confidential by law.

~~((6))~~ (10) "Contract" or "grant" means an agreement between two or more persons that creates an obligation to do or not to do a particular thing. "Contract" or "grant" includes, but is not limited to, an employment contract, a lease, a license, a purchase agreement, or a sales agreement.

~~((7))~~ (11) "Emergency" means a serious, unexpected, and often dangerous situation requiring immediate action.

(12) "Ethics boards" means the commission on judicial conduct, the legislative ethics board, and the executive ethics board.

~~((8))~~ (13) "Extraordinary award" means a national, state, or local award with very few recipients that is sufficiently infrequent to be noteworthy to a reasonable person.

(14) "Family" has the same meaning as "immediate family" in RCW 42.17A.005.

~~((9))~~ "Gift" ~~means anything of economic value for which no consideration is given. "Gift" does not include:~~

~~(a) Items from family members or friends where it is clear beyond a reasonable doubt that the gift was not made as part of any design to gain or maintain influence in the agency of which the recipient is an officer or employee;~~

~~(b) Items related to the outside business of the recipient that are customary and not related to the recipient's performance of official duties;~~

~~(c) Items exchanged among officials and employees or a social event hosted or sponsored by a state officer or state employee for coworkers;~~

~~(d) Payments by a governmental or nongovernmental entity of reasonable expenses incurred in connection with a speech, presentation, appearance, or~~

~~trade mission made in an official capacity. As used in this subsection, "reasonable expenses" are limited to travel, lodging, and subsistence expenses incurred the day before through the day after the event;~~

~~(e) Items a state officer or state employee is authorized by law to accept;~~

~~(f) Payment of enrollment and course fees and reasonable travel expenses attributable to attending seminars and educational programs sponsored by a bona fide governmental or nonprofit professional, educational, trade, or charitable association or institution. As used in this subsection, "reasonable expenses" are limited to travel, lodging, and subsistence expenses incurred the day before through the day after the event;~~

~~(g) Items returned by the recipient to the donor within thirty days of receipt or donated to a charitable organization within thirty days of receipt;~~

~~(h) Campaign contributions reported under chapter 42.17A RCW;~~

~~(i) Discounts available to an individual as a member of an employee group, occupation, or similar broad-based group; and~~

~~(j) Awards, prizes, scholarships, or other items provided in recognition of academic or scientific achievement.~~

~~((+0)) (15) "Federal holiday" means the legal public holidays provided in 5 U.S.C. Sec. 6103(a), as it existed on the effective date of this section.~~

~~(16) "Head of agency" means the chief executive officer of an agency. In the case of an agency headed by a commission, board, committee, or other body consisting of more than one natural person, agency head means the person or board authorized to appoint agency employees and regulate their conduct.~~

~~((+1)) (17) "Honorarium" means money or thing of value offered to a state officer or state employee for a speech, appearance, article, or similar item or activity in connection with the state officer's or state employee's official role.~~

~~((+2)) (18) "Institution of higher education" has the same meaning as in RCW 28B.10.016.~~

~~((+3)) (19) "Lobbying the legislature" means attempting to influence the passage or defeat of any legislation by the legislature of the state of Washington.~~

~~(20) "Official duty" means those duties within the specific scope of employment of the state officer or state employee as defined by the officer's or employee's agency or by statute or the state Constitution.~~

~~((+4)) (21) "Official position" means holding an office or having authority.~~

~~(22) "Participate" means to participate in state action or a proceeding personally and substantially as a state officer or state employee, through approval, disapproval, decision, recommendation, the rendering of advice, investigation, or otherwise but does not include preparation, consideration, or enactment of legislation or the performance of legislative duties.~~

~~((+5)) (23) "Person" means any individual, partnership, association, corporation, firm, institution, or other entity, whether or not operated for profit.~~

~~((+6)) (24) "Regulatory agency" means any state board, commission, department, or officer, except those in the legislative or judicial branches, authorized by law to conduct adjudicative proceedings, issue permits or licenses, or to control or affect interests of identified persons.~~

~~((+7)) (25) "Responsibility" in connection with a transaction involving the state, means the direct administrative or operating authority, whether intermediate or final, and either exercisable alone or through subordinates,~~

effectively to approve, disapprove, or otherwise direct state action in respect of such transaction.

~~((48))~~ (26) "State action" means any action on the part of an agency, including, but not limited to:

- (a) A decision, determination, finding, ruling, or order; and
- (b) A grant, payment, award, license, contract, transaction, sanction, or approval, or the denial thereof, or failure to act with respect to a decision, determination, finding, ruling, or order.

~~((49))~~ (27) "State employee" means an individual who is employed by an agency in any branch of state government. For purposes of this chapter, employees of the superior courts are not state officers or state employees.

~~((20))~~ (28) "State officer" means every person holding a position of public trust in or under an executive, legislative, or judicial office of the state. "State officer" includes judges of the superior court, judges of the court of appeals, justices of the supreme court, members of the legislature together with the secretary of the senate and the chief clerk of the house of representatives, holders of elective offices in the executive branch of state government, chief executive officers of state agencies, members of boards, commissions, or committees with authority over one or more state agencies or institutions, and employees of the state who are engaged in supervisory, policy-making, or policy-enforcing work. For the purposes of this chapter, "state officer" also includes any person exercising or undertaking to exercise the powers or functions of a state officer.

~~((21))~~ (29) "Thing of economic value," in addition to its ordinary meaning, includes:

- (a) A loan, property interest, interest in a contract or other chose in action, and employment or another arrangement involving a right to compensation;
- (b) An option, irrespective of the conditions to the exercise of the option; and
- (c) A promise or undertaking for the present or future delivery or procurement.

~~((22))~~ (30)(a) "Transaction involving the state" means a proceeding, application, submission, request for a ruling or other determination, contract, claim, case, or other similar matter that the state officer, state employee, or former state officer or state employee in question believes, or has reason to believe:

- (i) Is, or will be, the subject of state action; or
 - (ii) Is one to which the state is or will be a party; or
 - (iii) Is one in which the state has a direct and substantial proprietary interest.
- (b) "Transaction involving the state" does not include the following: Preparation, consideration, or enactment of legislation, including appropriation of moneys in a budget, or the performance of legislative duties by an officer or employee; or a claim, case, lawsuit, or similar matter if the officer or employee did not participate in the underlying transaction involving the state that is the basis for the claim, case, or lawsuit.

~~((23))~~ (31) "University" includes "state universities" and "regional universities" as defined in RCW 28B.10.016 and also includes any research or technology institute affiliated with a university.

~~((24))~~ (32) "University research employee" means a state officer or state employee employed by a university, but only to the extent the state officer or

state employee is engaged in research, technology transfer, approved consulting activities related to research and technology transfer, or other incidental activities.

Sec. 2. RCW 42.52.010 and 2024 c 164 s 513 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Agency" means any state board, commission, bureau, committee, department, institution, division, or tribunal in the legislative, executive, or judicial branch of state government. "Agency" includes all elective offices, the state legislature, those institutions of higher education created and supported by the state government, and those courts that are parts of state government. "Agency" does not include a comprehensive cancer center participating in a collaborative arrangement as defined in RCW 28B.10.930 that is operated in conformance with RCW 28B.10.930.

(2) "Appearance" means the act of performing or participating in an event.

(3) "Assist" means to act, or offer or agree to act, in such a way as to help, aid, advise, furnish information to, or otherwise provide assistance to another person, believing that the action is of help, aid, advice, or assistance to the person and with intent so to assist such person.

~~((3))~~ (4) "Beneficial interest" ~~((has the meaning ascribed to it under the Washington case law))~~ means a financial interest in a contract, sale, lease, purchase, or grant to which an individual subject to the act is not a party, but is an owner of an entity that is a party. An ownership interest of less than 10 percent of an entity is not a beneficial interest. However, an ownership interest in a mutual fund or similar investment pooling fund in which the owner has no management powers does not constitute a beneficial interest in the entities in which the fund or pool invests.

~~((4))~~ "Charitable association, institution, or organization" means any entity that provides services beneficial to the public to an open class of people.

(6) "Civic organization" means a nonprofit group relating to the duties or activities of people in relation to their town, city, or local area.

(7) "Community organization" means an organization aimed at making desired improvements to a community's social health, well-being, and overall functioning.

(8) "Compensation" means anything of economic value, however designated, that is paid, loaned, granted, or transferred, or to be paid, loaned, granted, or transferred for, or in consideration of, personal services to any person.

~~((5))~~ (9) "Confidential information" means (a) specific information, rather than generalized knowledge, that is not available to the general public on request or (b) information made confidential by law.

~~((6))~~ (10) "Contract" or "grant" means an agreement between two or more persons that creates an obligation to do or not to do a particular thing. "Contract" or "grant" includes, but is not limited to, an employment contract, a lease, a license, a purchase agreement, or a sales agreement.

~~((7))~~ (11) "Emergency" means a serious, unexpected, and often dangerous situation requiring immediate action.

(12) "Ethics boards" means the commission on judicial conduct, the legislative ethics board, and the executive ethics board.

~~((8))~~ (13) "Extraordinary award" means a national, state, or local award with very few recipients that is sufficiently infrequent to be noteworthy to a reasonable person.

(14) "Family" has the same meaning as "immediate family" in RCW 29B.10.280.

~~((9))~~ "Gift" means anything of economic value for which no consideration is given. "Gift" does not include:

(a) Items from family members or friends where it is clear beyond a reasonable doubt that the gift was not made as part of any design to gain or maintain influence in the agency of which the recipient is an officer or employee;

(b) Items related to the outside business of the recipient that are customary and not related to the recipient's performance of official duties;

(c) Items exchanged among officials and employees or a social event hosted or sponsored by a state officer or state employee for coworkers;

(d) Payments by a governmental or nongovernmental entity of reasonable expenses incurred in connection with a speech, presentation, appearance, or trade mission made in an official capacity. As used in this subsection, "reasonable expenses" are limited to travel, lodging, and subsistence expenses incurred the day before through the day after the event;

(e) Items a state officer or state employee is authorized by law to accept;

(f) Payment of enrollment and course fees and reasonable travel expenses attributable to attending seminars and educational programs sponsored by a bona fide governmental or nonprofit professional, educational, trade, or charitable association or institution. As used in this subsection, "reasonable expenses" are limited to travel, lodging, and subsistence expenses incurred the day before through the day after the event;

(g) Items returned by the recipient to the donor within 30 days of receipt or donated to a charitable organization within 30 days of receipt;

(h) Campaign contributions reported under Title 29B RCW;

(i) Discounts available to an individual as a member of an employee group, occupation, or similar broad-based group; and

(j) Awards, prizes, scholarships, or other items provided in recognition of academic or scientific achievement.

~~((10))~~ (15) "Federal holiday" means the legal public holidays provided in 5 U.S.C. Sec. 6103(a), as it existed on the effective date of this section.

(16) "Head of agency" means the chief executive officer of an agency. In the case of an agency headed by a commission, board, committee, or other body consisting of more than one natural person, agency head means the person or board authorized to appoint agency employees and regulate their conduct.

~~((11))~~ (17) "Honorarium" means money or thing of value offered to a state officer or state employee for a speech, appearance, article, or similar item or activity in connection with the state officer's or state employee's official role.

~~((12))~~ (18) "Institution of higher education" has the same meaning as in RCW 28B.10.016.

~~((13))~~ (19) "Lobbying the legislature" means attempting to influence the passage or defeat of any legislation by the legislature of the state of Washington.

(20) "Official duty" means those duties within the specific scope of employment of the state officer or state employee as defined by the officer's or employee's agency or by statute or the state Constitution.

~~((14))~~ (21) "Official position" means holding an office or having authority.

(22) "Participate" means to participate in state action or a proceeding personally and substantially as a state officer or state employee, through approval, disapproval, decision, recommendation, the rendering of advice, investigation, or otherwise but does not include preparation, consideration, or enactment of legislation or the performance of legislative duties.

~~((15))~~ (23) "Person" means any individual, partnership, association, corporation, firm, institution, or other entity, whether or not operated for profit.

~~((16))~~ (24) "Regulatory agency" means any state board, commission, department, or officer, except those in the legislative or judicial branches, authorized by law to conduct adjudicative proceedings, issue permits or licenses, or to control or affect interests of identified persons.

~~((17))~~ (25) "Responsibility" in connection with a transaction involving the state, means the direct administrative or operating authority, whether intermediate or final, and either exercisable alone or through subordinates, effectively to approve, disapprove, or otherwise direct state action in respect of such transaction.

~~((18))~~ (26) "State action" means any action on the part of an agency, including, but not limited to:

(a) A decision, determination, finding, ruling, or order; and

(b) A grant, payment, award, license, contract, transaction, sanction, or approval, or the denial thereof, or failure to act with respect to a decision, determination, finding, ruling, or order.

~~((19))~~ (27) "State employee" means an individual who is employed by an agency in any branch of state government. For purposes of this chapter, employees of the superior courts are not state officers or state employees.

~~((20))~~ (28) "State officer" means every person holding a position of public trust in or under an executive, legislative, or judicial office of the state. "State officer" includes judges of the superior court, judges of the court of appeals, justices of the supreme court, members of the legislature together with the secretary of the senate and the chief clerk of the house of representatives, holders of elective offices in the executive branch of state government, chief executive officers of state agencies, members of boards, commissions, or committees with authority over one or more state agencies or institutions, and employees of the state who are engaged in supervisory, policy-making, or policy-enforcing work. For the purposes of this chapter, "state officer" also includes any person exercising or undertaking to exercise the powers or functions of a state officer.

~~((21))~~ (29) "Thing of economic value," in addition to its ordinary meaning, includes:

(a) A loan, property interest, interest in a contract or other chose in action, and employment or another arrangement involving a right to compensation;

(b) An option, irrespective of the conditions to the exercise of the option; and

(c) A promise or undertaking for the present or future delivery or procurement.

~~((22))~~ (30)(a) "Transaction involving the state" means a proceeding, application, submission, request for a ruling or other determination, contract, claim, case, or other similar matter that the state officer, state employee, or former state officer or state employee in question believes, or has reason to believe:

- (i) Is, or will be, the subject of state action; or
- (ii) Is one to which the state is or will be a party; or
- (iii) Is one in which the state has a direct and substantial proprietary interest.

(b) "Transaction involving the state" does not include the following: Preparation, consideration, or enactment of legislation, including appropriation of moneys in a budget, or the performance of legislative duties by an officer or employee; or a claim, case, lawsuit, or similar matter if the officer or employee did not participate in the underlying transaction involving the state that is the basis for the claim, case, or lawsuit.

~~((23))~~ (31) "University" includes "state universities" and "regional universities" as defined in RCW 28B.10.016 and also includes any research or technology institute affiliated with a university.

~~((24))~~ (32) "University research employee" means a state officer or state employee employed by a university, but only to the extent the state officer or state employee is engaged in research, technology transfer, approved consulting activities related to research and technology transfer, or other incidental activities.

Sec. 3. RCW 42.52.030 and 2005 c 106 s 2 are each amended to read as follows:

(1) No state officer or state employee, except as provided in subsection (2) of this section, may ~~((be beneficially interested, directly or indirectly,))~~ have a beneficial interest in a contract, sale, lease, purchase, or grant that may be made by, through, or is under the supervision of the officer or employee, in whole or in part, or accept~~((, directly or indirectly,))~~ any compensation, gratuity, or reward from any other person ~~((beneficially interested))~~ who has a beneficial interest in the contract, sale, lease, purchase, or grant.

(2) No state officer or state employee may participate in a transaction involving the state in his or her official capacity with a person of which the officer or employee is an officer, agent, employee, or member, or in which the officer or employee owns a beneficial interest, except that an officer or employee of an institution of higher education ~~((or the Spokane intercollegiate research and technology institute))~~ may serve as an officer, agent, employee, or member, or on the board of directors, board of trustees, advisory board, or committee or review panel for any nonprofit institute, foundation, or fund-raising entity; and may serve as a member of an advisory board, committee, or review panel for a governmental or other nonprofit entity.

Sec. 4. RCW 42.52.070 and 2022 c 37 s 1 are each amended to read as follows:

(1) Except as required to perform duties within the scope of employment, no state officer or state employee may use his or her position to secure special privileges or exemptions for himself or herself, or his or her spouse, child, parents, or other persons.

(2) For purposes of this section, and only as applied to legislators and employees under the jurisdiction of the legislative ethics board, activities within the scope of employment include but are not limited to duties enumerated in law and activities that have a tangible legislative nexus as described in section 12 of this act. ~~((Activities with a legislative nexus include but are not limited to:~~

~~(a) Communications directly pertaining to any legislative proposal which has been introduced in either chamber of the legislature; and~~

~~(b) Posting information to a legislator's official legislative website, including an official legislative social media account, about:~~

~~(i) Emergencies;~~

~~(ii) Federal holidays, state and legislatively recognized holidays established under RCW 1.16.050, and religious holidays;~~

~~(iii) Information originally provided or published by other government entities which provide information about government resources; and~~

~~(iv) Achievements, honors, or awards of extraordinary distinction.~~

~~(3) It is not a violation of this section for a legislator or an appropriate legislative staff designee to engage in activities listed in subsection (2) of this section.~~

~~((4))~~ (3) For purposes of this section, and only as applied to legislators and employees of the legislative branch, "special privileges" includes, but is not limited to, engaging in behavior that constitutes harassment. As used in this section:

(a) "Harassment" means engaging in physical, verbal, visual, or psychological conduct that:

(i) Has the purpose or effect of interfering with the person's work performance;

(ii) Creates a hostile, intimidating, or offensive work environment; or

(iii) Constitutes sexual harassment.

(b) "Sexual harassment" means unwelcome or unwanted sexual advances, requests for sexual or romantic favors, sexually motivated bullying, or other verbal, visual, physical, or psychological conduct or communication of a sexual or romantic nature, when:

(i) Submission to the conduct or communication is either explicitly or implicitly a term or condition of current or future employment;

(ii) Submission to or rejection of the conduct or communication is used as the basis of an employment decision affecting the person; or

(iii) The conduct or communication unreasonably interferes with the person's job performance or creates a work environment that is hostile, intimidating, or offensive.

Sec. 5. RCW 42.52.080 and 1999 c 299 s 3 are each amended to read as follows:

(1) No former state officer or state employee may, within a period of one year from the date of termination of state employment, accept employment or receive compensation from an employer if:

(a) The officer or employee, during the two years immediately preceding termination of state employment, was engaged in the negotiation or administration on behalf of the state or agency of one or more contracts with that employer and was in a position to make discretionary decisions affecting the outcome of such negotiation or the nature of such administration;

(b) Such a contract or contracts have a total value of more than ten thousand dollars; and

(c) The duties of the employment with the employer or the activities for which the compensation would be received include fulfilling or implementing, in whole or in part, the provisions of such a contract or contracts or include the supervision or control of actions taken to fulfill or implement, in whole or in part, the provisions of such a contract or contracts. This subsection shall not be construed to prohibit a state officer or state employee from accepting employment with a state employee organization.

(2) No person who has served as a state officer or state employee may, within a period of two years following the termination of state employment, have a (~~(direct or indirect)~~) beneficial interest in a contract or grant that was expressly authorized or funded by specific legislative or executive action in which the former state officer or state employee participated.

(3) No former state officer or state employee may accept an offer of employment or receive compensation from an employer if the officer or employee knows or has reason to believe that the offer of employment or compensation was intended, in whole or in part, directly or indirectly, to influence the officer or employee or as compensation or reward for the performance or nonperformance of a duty by the officer or employee during the course of state employment.

(4) No former state officer or state employee may accept an offer of employment or receive compensation from an employer if the circumstances would lead a reasonable person to believe the offer has been made, or compensation given, for the purpose of influencing the performance or nonperformance of duties by the officer or employee during the course of state employment.

(5) No former state officer or state employee may at any time subsequent to his or her state employment assist another person, whether or not for compensation, in any transaction involving the state in which the former state officer or state employee at any time participated during state employment. This subsection shall not be construed to prohibit any employee or officer of a state employee organization from rendering assistance to state officers or state employees in the course of employee organization business.

(6) As used in this section, "employer" means a person as defined in RCW 42.52.010 or any other entity or business that the person owns or in which the person has a controlling interest. For purposes of subsection (1) of this section, the term "employer" does not include a successor organization to the rural development council under chapter 43.31 RCW.

Sec. 6. RCW 42.52.090 and 1994 c 154 s 109 are each amended to read as follows:

This chapter shall not be construed to prevent a former state officer or state employee from rendering assistance to others if the assistance is provided without compensation in any form and is limited to one or more of the following:

(1) Providing the names, addresses, and telephone numbers of state agencies or state employees;

(2) Providing free transportation to another for the purpose of conducting business with a state agency;

(3) Assisting (~~((a natural person))~~) an individual or nonprofit corporation in obtaining or completing application forms or other forms required by a state agency for the conduct of a state business; or

(4) Providing assistance to the poor and infirm.

Sec. 7. RCW 42.52.110 and 1996 c 213 s 5 are each amended to read as follows:

No state officer or state employee may, directly or indirectly, ask for or give or receive or agree to receive any compensation, gift, reward, or gratuity from a source for performing or omitting or deferring the performance of any official duty, unless otherwise authorized by law except: (1) The state of Washington; or (2) in the case of officers or employees of institutions of higher education (~~((or of the Spokane intercollegiate research and technology institute))~~), a governmental entity, an agency or instrumentality of a governmental entity, or a nonprofit corporation organized for the benefit and support of the state employee's agency or other state agencies pursuant to an agreement with the state employee's agency.

Sec. 8. RCW 42.52.120 and 1997 c 318 s 1 are each amended to read as follows:

(1) No state officer or state employee may receive any thing of economic value under any contract or grant outside of his or her official duties. The prohibition in this subsection does not apply where the state officer or state employee has (~~((complied with RCW 42.52.030(2) or))~~) met each of the following conditions (~~((are met))~~):

(a) The contract or grant is bona fide and actually performed;

(b) The performance or administration of the contract or grant is not within the course of the officer's or employee's official duties, or is not under the officer's or employee's official supervision;

(c) The performance of the contract or grant is not prohibited by RCW 42.52.040 or by applicable laws or rules governing outside employment for the officer or employee;

(d) The contract or grant is neither performed for nor compensated by any person from whom such officer or employee would be prohibited by RCW 42.52.150(~~((4))~~) (6) from receiving a gift;

(e) The contract or grant is not one expressly created or authorized by the officer or employee in his or her official capacity;

(f) The contract or grant would not require unauthorized disclosure of confidential information.

(2) In addition to satisfying the requirements of subsection (1) of this section, a state officer or state employee may have a beneficial interest in a grant or contract or a series of substantially identical contracts or grants with a state agency only if:

(a) The contract or grant is awarded or issued as a result of an open and competitive bidding process in which more than one bid or grant application was received; or

(b) The contract or grant is awarded or issued as a result of an open and competitive bidding or selection process in which the officer's or employee's bid or proposal was the only bid or proposal received and the officer or employee has been advised by the appropriate ethics board, before execution of the

contract or grant, that the contract or grant would not be in conflict with the proper discharge of the officer's or employee's official duties; or

(c) The process for awarding the contract or issuing the grant is not open and competitive, but the officer or employee has been advised by the appropriate ethics board after the contract or grant has been awarded that the contract or grant would not be in conflict with the proper discharge of the officer's or employee's official duties.

(3) A state officer or state employee awarded a contract or issued a grant in compliance with subsection (2) of this section shall file the contract or grant with the appropriate ethics board within thirty days after the date of execution; however, if proprietary formulae, designs, drawings, or research are included in the contract or grant, the proprietary formulae, designs, drawings, or research may be deleted from the contract or grant filed with the appropriate ethics board.

(4) This section does not prevent a state officer or state employee from receiving compensation contributed from the treasury of the United States, another state, county, or municipality if the compensation is received pursuant to arrangements entered into between such state, county, municipality, or the United States and the officer's or employee's agency. This section does not prohibit a state officer or state employee from serving or performing any duties under an employment contract with a governmental entity.

(5) As used in this section, "officer" and "employee" do not include officers and employees who, in accordance with the terms of their employment or appointment, are serving without compensation from the state of Washington or are receiving from the state only reimbursement of expenses incurred or a predetermined allowance for such expenses.

Sec. 9. RCW 42.52.150 and 2023 c 91 s 2 are each amended to read as follows:

(1)(a) Unless the context requires otherwise, the definition of "gift" in this subsection applies throughout this chapter.

(b) "Gift" means anything of economic value for which no consideration is given.

(c) "Gift" does not include the following:

(i) Items from family members or friends where it is clear beyond a reasonable doubt that the gift was not made as part of any design to gain or maintain influence in the agency of which the recipient is an officer or employee;

(ii) Items related to the outside business of the recipient that are customary and not related to the recipient's performance of official duties;

(iii) Items exchanged among officials and employees at a social event hosted or sponsored by a state officer or state employee for coworkers;

(iv) Payments by a governmental or nongovernmental entity of reasonable expenses incurred in connection with a speech, presentation, appearance, or trade mission made in an official capacity. As used in this subsection, "reasonable expenses" are limited to travel, lodging, and subsistence expenses incurred the day before through the day after the event;

(v) Items a state officer or state employee is authorized by law to accept;

(vi) Payment of enrollment and course fees and reasonable travel expenses attributable to attending seminars and educational programs sponsored by a bona fide governmental or nonprofit professional, educational, trade, or charitable

association or institution. As used in this subsection, "reasonable expenses" are limited to travel, lodging, and subsistence expenses incurred the day before through the day after the event;

(vii) Items returned by the recipient to the donor within 30 days of receipt or donated to a charitable organization within 30 days of receipt;

(viii) Campaign contributions reported under chapter 42.17A RCW;

(ix) Discounts available to an individual as a member of an employee group, occupation, or similar broad-based group;

(x) Awards, prizes, scholarships, or other items provided in recognition of academic or scientific achievement; and

(xi) Gift cards received by legislative employees in an amount of \$25 or less.

(2) No state officer or state employee may receive, accept, take, seek, or solicit, directly or indirectly, any thing of economic value as a gift, gratuity, or favor from a person if it could be reasonably expected that the gift, gratuity, or favor would influence the vote, action, or judgment of the officer or employee, or be considered as part of a reward for action or inaction.

(3) No state officer or state employee may accept gifts, other than those specified in subsections ~~((2) and (5))~~ (4) and (7) of this section, with an aggregate value in excess of ~~((fifty dollars))~~ \$100 from a single source in a calendar year or a single gift from multiple sources with a value in excess of ~~((fifty dollars))~~ \$100. For purposes of this section, "single source" means any person, as defined in RCW 42.52.010, whether acting directly or through any agent or other intermediary, and "single gift" includes any event, item, or group of items used in conjunction with each other or any trip including transportation, lodging, and attendant costs, not excluded from the definition of gift under ~~((RCW 42.52.010))~~ subsection (1)(c) of this section. The value of gifts given to an officer's or employee's family member or guest shall be attributed to the official or employee for the purpose of determining whether the limit has been exceeded, unless an independent business, family, or social relationship exists between the donor and the family member or guest.

~~((2))~~ (4) Except as provided in subsection ~~((4))~~ (6) of this section, the following items are presumed not to influence under ~~((RCW 42.52.140))~~ subsection (3) of this section, and may be accepted without regard to the limit established by subsection ~~((4))~~ (3) of this section:

(a) Unsolicited flowers, plants, and floral arrangements;

(b) Unsolicited advertising or promotional items of nominal value, such as pens and note pads;

(c) Unsolicited tokens or awards of appreciation in the form of a plaque, trophy, desk item, wall memento, or similar item;

(d) Unsolicited items received by a state officer or state employee for the purpose of evaluation or review, if the officer or employee has no personal beneficial interest in the eventual use or acquisition of the item by the officer's or employee's agency;

(e) Informational material, publications, or subscriptions related to the recipient's performance of official duties;

(f) Food and beverages consumed at hosted receptions where attendance is related to the state officer's or state employee's official duties;

(g) Gifts, grants, conveyances, bequests, and devises of real or personal property, or both, in trust or otherwise accepted and solicited for deposit in the legislative international trade account created in RCW 43.15.050;

~~(h) ((Gifts, grants, conveyances, bequests, and devises of real or personal property, or both, in trust or otherwise accepted and solicited for the purpose of promoting the expansion of tourism as provided for in RCW 43.330.090;~~

~~(+))~~ Gifts, grants, conveyances, bequests, and devises of real or personal property, or both, solicited on behalf of a national or regional legislative association as defined in RCW 42.52.822(2), the 2006 official conference of the national lieutenant governors' association, the annual conference of the national association of state treasurers, or a host committee, for the purpose of hosting an official conference under the circumstances specified in RCW 42.52.820, section 2, chapter 5, Laws of 2006, RCW 42.52.821, or RCW 42.52.822. Anything solicited or accepted may only be received by the national association or host committee and may not be commingled with any funds or accounts that are the property of any person;

~~((+))~~ (i) Admission to, and the cost of food and beverages consumed at, events sponsored by or in conjunction with a civic, charitable, governmental, or community organization;

~~((+))~~ (j) Unsolicited gifts from dignitaries from another state or a foreign country that are intended to be personal in nature; ~~and~~

~~(+))~~ (k) Gifts, grants, donations, sponsorships, or contributions from any agency or federal or local government agency or program or private source for the purposes of chapter 28B.156 RCW; and

(l) Unsolicited gifts received by legislative employees from a legislator.

~~((+))~~ (5) The presumption in subsection ~~((2))~~ (4) of this section is rebuttable and may be overcome based on the circumstances surrounding the giving and acceptance of the item.

~~((+))~~ (6) Notwithstanding subsections ~~((2) and (5))~~ (4) and (7) of this section, a state officer or state employee of a regulatory agency or of an agency that seeks to acquire goods or services who participates in those regulatory or contractual matters may receive, accept, take, or seek, directly or indirectly, only the following items from a person regulated by the agency or from a person who seeks to provide goods or services to the agency:

(a) Unsolicited advertising or promotional items of nominal value, such as pens and note pads;

(b) Unsolicited tokens or awards of appreciation in the form of a plaque, trophy, desk item, wall memento, or similar item;

(c) Unsolicited items received by a state officer or state employee for the purpose of evaluation or review, if the officer or employee has no personal ~~((beneficial))~~ interest in the eventual use or acquisition of the item by the officer's or employee's agency;

(d) Informational material, publications, or subscriptions related to the recipient's performance of official duties;

(e) Food and beverages consumed at hosted receptions where attendance is related to the state officer's or state employee's official duties;

(f) Admission to, and the cost of food and beverages consumed at, events sponsored by or in conjunction with a civic, charitable, governmental, or community organization; and

(g) Those items excluded from the definition of gift in ~~((RCW 42.52.010))~~ subsection (1)(c) of this section except:

(i) Payments by a governmental or nongovernmental entity of reasonable expenses incurred in connection with a speech, presentation, appearance, or trade mission made in an official capacity;

(ii) Payments for seminars and educational programs sponsored by a bona fide governmental or nonprofit professional, educational, trade, or charitable association or institution; and

(iii) Flowers, plants, and floral arrangements.

~~((5))~~ (7) A state officer or state employee may accept gifts in the form of food and beverage on infrequent occasions in the ordinary course of meals where attendance by the officer or employee is related to the performance of official duties. Gifts in the form of food and beverage that exceed ~~((fifty dollars))~~ \$100 on a single occasion shall be reported as provided in chapter 42.17A RCW.

Sec. 10. RCW 42.52.150 and 2024 c 164 s 514 are each amended to read as follows:

(1)(a) Unless the context requires otherwise, the definition of "gift" in this subsection applies throughout this chapter.

(b) "Gift" means anything of economic value for which no consideration is given.

(c) "Gift" does not include the following:

(i) Items from family members or friends where it is clear beyond a reasonable doubt that the gift was not made as part of any design to gain or maintain influence in the agency of which the recipient is an officer or employee;

(ii) Items related to the outside business of the recipient that are customary and not related to the recipient's performance of official duties;

(iii) Items exchanged among officials and employees at a social event hosted or sponsored by a state officer or state employee for coworkers;

(iv) Payments by a governmental or nongovernmental entity of reasonable expenses incurred in connection with a speech, presentation, appearance, or trade mission made in an official capacity. As used in this subsection, "reasonable expenses" are limited to travel, lodging, and subsistence expenses incurred the day before through the day after the event;

(v) Items a state officer or state employee is authorized by law to accept;

(vi) Payment of enrollment and course fees and reasonable travel expenses attributable to attending seminars and educational programs sponsored by a bona fide governmental or nonprofit professional, educational, trade, or charitable association or institution. As used in this subsection, "reasonable expenses" are limited to travel, lodging, and subsistence expenses incurred the day before through the day after the event;

(vii) Items returned by the recipient to the donor within 30 days of receipt or donated to a charitable organization within 30 days of receipt;

(viii) Campaign contributions reported under Title 29B RCW;

(ix) Discounts available to an individual as a member of an employee group, occupation, or similar broad-based group;

(x) Awards, prizes, scholarships, or other items provided in recognition of academic or scientific achievement; and

(xi) Gift cards received by legislative employees in an amount of \$25 or less.

(2) No state officer or state employee may receive, accept, take, seek, or solicit, directly or indirectly, any thing of economic value as a gift, gratuity, or favor from a person if it could be reasonably expected that the gift, gratuity, or favor would influence the vote, action, or judgment of the officer or employee, or be considered as part of a reward for action or inaction.

(3) No state officer or state employee may accept gifts, other than those specified in subsections ((2) and (5)) (4) and (7) of this section, with an aggregate value in excess of ((fifty dollars)) \$100 from a single source in a calendar year or a single gift from multiple sources with a value in excess of ((fifty dollars)) \$100. For purposes of this section, "single source" means any person, as defined in RCW 42.52.010, whether acting directly or through any agent or other intermediary, and "single gift" includes any event, item, or group of items used in conjunction with each other or any trip including transportation, lodging, and attendant costs, not excluded from the definition of gift under ((RCW 42.52.010)) subsection (1)(c) of this section. The value of gifts given to an officer's or employee's family member or guest shall be attributed to the official or employee for the purpose of determining whether the limit has been exceeded, unless an independent business, family, or social relationship exists between the donor and the family member or guest.

((2)) (4) Except as provided in subsection ((4)) (6) of this section, the following items are presumed not to influence under ((RCW 42.52.140)) subsection (3) of this section, and may be accepted without regard to the limit established by subsection ((4)) (3) of this section:

- (a) Unsolicited flowers, plants, and floral arrangements;
- (b) Unsolicited advertising or promotional items of nominal value, such as pens and note pads;
- (c) Unsolicited tokens or awards of appreciation in the form of a plaque, trophy, desk item, wall memento, or similar item;
- (d) Unsolicited items received by a state officer or state employee for the purpose of evaluation or review, if the officer or employee has no personal beneficial interest in the eventual use or acquisition of the item by the officer's or employee's agency;
- (e) Informational material, publications, or subscriptions related to the recipient's performance of official duties;
- (f) Food and beverages consumed at hosted receptions where attendance is related to the state officer's or state employee's official duties;
- (g) Gifts, grants, conveyances, bequests, and devises of real or personal property, or both, in trust or otherwise accepted and solicited for deposit in the legislative international trade account created in RCW 43.15.050;
- (h) ((Gifts, grants, conveyances, bequests, and devises of real or personal property, or both, in trust or otherwise accepted and solicited for the purpose of promoting the expansion of tourism as provided for in RCW 43.330.090;
- ((i)) Gifts, grants, conveyances, bequests, and devises of real or personal property, or both, solicited on behalf of a national or regional legislative association as defined in RCW 42.52.822(2), the 2006 official conference of the national lieutenant governors' association, the annual conference of the national association of state treasurers, or a host committee, for the purpose of hosting an

official conference under the circumstances specified in RCW 42.52.820, section 2, chapter 5, Laws of 2006, RCW 42.52.821, or RCW 42.52.822. Anything solicited or accepted may only be received by the national association or host committee and may not be commingled with any funds or accounts that are the property of any person;

~~((f))~~ (i) Admission to, and the cost of food and beverages consumed at, events sponsored by or in conjunction with a civic, charitable, governmental, or community organization;

~~((h))~~ (j) Unsolicited gifts from dignitaries from another state or a foreign country that are intended to be personal in nature; ~~(and~~

~~((i))~~ (k) Gifts, grants, donations, sponsorships, or contributions from any agency or federal or local government agency or program or private source for the purposes of chapter 28B.156 RCW; and

(l) Unsolicited gifts received by legislative employees from a legislator.

~~((3))~~ (5) The presumption in subsection ~~((2))~~ (4) of this section is rebuttable and may be overcome based on the circumstances surrounding the giving and acceptance of the item.

~~((4))~~ (6) Notwithstanding subsections ~~((2) and (5))~~ (4) and (7) of this section, a state officer or state employee of a regulatory agency or of an agency that seeks to acquire goods or services who participates in those regulatory or contractual matters may receive, accept, take, or seek, directly or indirectly, only the following items from a person regulated by the agency or from a person who seeks to provide goods or services to the agency:

(a) Unsolicited advertising or promotional items of nominal value, such as pens and note pads;

(b) Unsolicited tokens or awards of appreciation in the form of a plaque, trophy, desk item, wall memento, or similar item;

(c) Unsolicited items received by a state officer or state employee for the purpose of evaluation or review, if the officer or employee has no personal ~~(beneficial)~~ interest in the eventual use or acquisition of the item by the officer's or employee's agency;

(d) Informational material, publications, or subscriptions related to the recipient's performance of official duties;

(e) Food and beverages consumed at hosted receptions where attendance is related to the state officer's or state employee's official duties;

(f) Admission to, and the cost of food and beverages consumed at, events sponsored by or in conjunction with a civic, charitable, governmental, or community organization; and

(g) Those items excluded from the definition of gift in ~~((RCW 42.52.010))~~ subsection (1)(c) of this section except:

(i) Payments by a governmental or nongovernmental entity of reasonable expenses incurred in connection with a speech, presentation, appearance, or trade mission made in an official capacity;

(ii) Payments for seminars and educational programs sponsored by a bona fide governmental or nonprofit professional, educational, trade, or charitable association or institution; and

(iii) Flowers, plants, and floral arrangements.

~~((5))~~ (7) A state officer or state employee may accept gifts in the form of food and beverage on infrequent occasions in the ordinary course of meals where

attendance by the officer or employee is related to the performance of official duties. Gifts in the form of food and beverage that exceed ~~((fifty dollars))~~ \$100 on a single occasion shall be reported as provided in Title 29B RCW.

Sec. 11. RCW 42.52.160 and 2024 c 333 s 21 are each amended to read as follows:

(1) No state officer or state employee may employ or use any person, money, or property under the officer's or employee's official control or direction, or in his or her official custody, for the private benefit or gain of the officer, employee, or another.

(2) This section does not prohibit the use of public resources to benefit others as part of a state officer's or state employee's official duties. It is not a violation of this section for a legislator or ~~((an appropriate legislative staff designee))~~ employees under the jurisdiction of the legislative ethics board to engage in activities listed under RCW ~~((42.52.070(2) or))~~ 42.52.822 or section 12 of this act.

(3) This section does not prohibit de minimis use of state facilities to provide employees with information about (a) medical, surgical, and hospital care; (b) life insurance or accident and health disability insurance; or (c) individual retirement accounts, by any person, firm, or corporation administering such program as part of authorized payroll deductions pursuant to RCW 41.04.020.

(4) The appropriate ethics boards may adopt rules providing exceptions to this section for occasional use of the state officer or state employee, of de minimis cost and value, if the activity does not result in interference with the proper performance of ~~((public))~~ official duties.

(5) This section does not apply to activities conducted by legislative employees authorized under RCW 44.90.110.

NEW SECTION. Sec. 12. A new section is added to chapter 42.52 RCW to read as follows:

(1) This section applies to legislators and employees under the jurisdiction of the legislative ethics board.

(2) Legislative nexus means activities by legislators and staff having a reasonably objective connection to the legislator's or staff's official duties or to the policy or programmatic prerogatives of the legislature, or the legislative institution. In cases where legislative nexus is required for the use of state resources, activities with a per se tangible legislative nexus also include the following:

(a) Communications directly pertaining to any legislative proposal which has been introduced in either chamber of the legislature; and

(b) Posting information to an official legislative website or social media account about:

(i) Emergencies;

(ii) Federal holidays, state holidays recognized under RCW 1.16.050, religious holidays, and generally recognized days or months of note;

(iii) Information originally provided or published by other government entities which provide information about government resources;

(iv) Achievements, honors, or awards of extraordinary distinction received by a constituent who has granted permission to post about the achievement, honor, or award;

(v) A legislator if the information posted has a direct and tangible relationship to a legislative proposal or policy introduced in the legislature; and

(vi) Commemorations or celebrations of Washington state historical events, holidays, or persons who are not current legislators.

Sec. 13. RCW 42.52.180 and 2022 c 37 s 3 are each amended to read as follows:

(1) No state officer or state employee may use or authorize the use of facilities of an agency, directly or indirectly, for the purpose of assisting a campaign for election of a person to an office or for the promotion of or opposition to a ballot proposition. Knowing acquiescence by a person with authority to direct, control, or influence the actions of the state officer or state employee using public resources in violation of this section constitutes a violation of this section. Facilities of an agency include, but are not limited to, use of stationery, postage, machines, and equipment, use of state employees of the agency during working hours, vehicles, office space, publications of the agency, and clientele lists of persons served by the agency.

(2) ~~((This))~~ Subsection (1) of this section shall not apply to the following activities:

(a) Action taken at an open public meeting by members of an elected legislative body to express a collective decision, or to actually vote upon a motion, proposal, resolution, order, or ordinance, or to support or oppose a ballot proposition as long as (i) required notice of the meeting includes the title and number of the ballot proposition, and (ii) members of the legislative body or members of the public are afforded an approximately equal opportunity for the expression of an opposing view;

(b) A statement by an elected official in support of or in opposition to any ballot proposition at an open press conference or in response to a specific inquiry. For the purposes of this subsection, it is not a violation of this section for an elected official to respond to an inquiry regarding a ballot proposition, to make incidental remarks concerning a ballot proposition in an official communication, or otherwise comment on a ballot proposition without an actual, measurable expenditure of public funds. The ethics boards shall adopt by rule a definition of measurable expenditure;

(c)(i) The maintenance of official legislative websites throughout the year, regardless of pending elections. The websites may contain any discretionary material which was also specifically prepared for the legislator in the course of his or her official duties as a legislator, including newsletters and press releases.

(ii) The official legislative websites of legislators seeking reelection or election to any office shall not be altered, other than during a special legislative session or to change office contact information, beginning on the first day of the declaration of candidacy filing period specified in RCW 29A.24.050 through the date of certification by the secretary of state of the general election of the election year. As used in this subsection, "legislator" means a legislator who is a "candidate," as defined in RCW 42.17A.005, for any public office. "Legislator" does not include a member of the legislature who has announced their retirement

from elected public office and who does not file a declaration of candidacy by the end of the candidacy filing period specified in RCW 29A.24.050.

(iii) The website shall not be used for campaign purposes;

(d) Activities that are part of the normal and regular conduct of the office or agency(~~, which include but are not limited to:~~

~~(i) Communications by a legislator or appropriate legislative staff designee directly pertaining to any legislative proposal which has been introduced in either chamber of the legislature; and~~

~~(ii) Posting, by a legislator or appropriate legislative staff designee, information to a legislator's official legislative website including an official legislative social media account, about:~~

~~(A) Emergencies;~~

~~(B) Federal holidays, state and legislatively recognized holidays established under RCW 1.16.050, and religious holidays;~~

~~(C) Information originally provided or published by other government entities which provide information about government resources; and~~

~~(D) Achievements, honors, or awards of extraordinary distinction; and);~~

(e) De minimis use of public facilities by statewide elected officials and legislators incidental to the preparation or delivery of permissible communications, including written and verbal communications initiated by them of their views on ballot propositions that foreseeably may affect a matter that falls within their constitutional or statutory responsibilities; and

(f) Activities with a legislative nexus as described under section 12 of this act. For the official legislative website of a legislator, this subsection is subject to subsection (2)(c)(ii) of this section. Official legislative websites that are not the official legislative website of a legislator are not subject to subsection (2)(c)(ii) of this section but may not directly or indirectly reference a ballot measure or legislator running for elected office, during the period described in subsection (2)(c)(ii) of this section.

(3) As to state officers and employees, this section operates to the exclusion of RCW 42.17A.555.

(4) As used in this section, "official legislative website" includes, but is not limited to, a legislator's official legislative social media accounts.

Sec. 14. RCW 42.52.180 and 2024 c 164 s 515 are each amended to read as follows:

(1) No state officer or state employee may use or authorize the use of facilities of an agency, directly or indirectly, for the purpose of assisting a campaign for election of a person to an office or for the promotion of or opposition to a ballot proposition. Knowing acquiescence by a person with authority to direct, control, or influence the actions of the state officer or state employee using public resources in violation of this section constitutes a violation of this section. Facilities of an agency include, but are not limited to, use of stationery, postage, machines, and equipment, use of state employees of the agency during working hours, vehicles, office space, publications of the agency, and clientele lists of persons served by the agency.

(2) ~~((This))~~ Subsection (1) of this section shall not apply to the following activities:

(a) Action taken at an open public meeting by members of an elected legislative body to express a collective decision, or to actually vote upon a

motion, proposal, resolution, order, or ordinance, or to support or oppose a ballot proposition as long as (i) required notice of the meeting includes the title and number of the ballot proposition, and (ii) members of the legislative body or members of the public are afforded an approximately equal opportunity for the expression of an opposing view;

(b) A statement by an elected official in support of or in opposition to any ballot proposition at an open press conference or in response to a specific inquiry. For the purposes of this subsection, it is not a violation of this section for an elected official to respond to an inquiry regarding a ballot proposition, to make incidental remarks concerning a ballot proposition in an official communication, or otherwise comment on a ballot proposition without an actual, measurable expenditure of public funds. The ethics boards shall adopt by rule a definition of measurable expenditure;

(c)(i) The maintenance of official legislative websites throughout the year, regardless of pending elections. The websites may contain any discretionary material which was also specifically prepared for the legislator in the course of his or her official duties as a legislator, including newsletters and press releases.

(ii) The official legislative websites of legislators seeking reelection or election to any office shall not be altered, other than during a special legislative session or to change office contact information, beginning on the first day of the declaration of candidacy filing period specified in RCW 29A.24.050 through the date of certification by the secretary of state of the general election of the election year. As used in this subsection, "legislator" means a legislator who is a "candidate," as defined in RCW 29B.10.090, for any public office. "Legislator" does not include a member of the legislature who has announced their retirement from elected public office and who does not file a declaration of candidacy by the end of the candidacy filing period specified in RCW 29A.24.050.

(iii) The website shall not be used for campaign purposes;

(d) Activities that are part of the normal and regular conduct of the office or agency(~~which include but are not limited to:~~

~~(i) Communications by a legislator or appropriate legislative staff designee directly pertaining to any legislative proposal which has been introduced in either chamber of the legislature; and~~

~~(ii) Posting, by a legislator or appropriate legislative staff designee, information to a legislator's official legislative website including an official legislative social media account, about:~~

~~(A) Emergencies;~~

~~(B) Federal holidays, state and legislatively recognized holidays established under RCW 1.16.050, and religious holidays;~~

~~(C) Information originally provided or published by other government entities which provide information about government resources; and~~

~~(D) Achievements, honors, or awards of extraordinary distinction; and));~~

(e) De minimis use of public facilities by statewide elected officials and legislators incidental to the preparation or delivery of permissible communications, including written and verbal communications initiated by them of their views on ballot propositions that foreseeably may affect a matter that falls within their constitutional or statutory responsibilities; and

(f) Activities with a legislative nexus as described under section 12 of this act. For the official legislative website of a legislator, this subsection is subject

to subsection (2)(c)(ii) of this section. Official legislative websites that are not the official legislative website of a legislator are not subject to subsection (2)(c)(ii) of this section but may not directly or indirectly reference a ballot measure or legislator running for elected office, during the period described in subsection (2)(c)(ii) of this section.

(3) As to state officers and employees, this section operates to the exclusion of RCW 29B.45.010.

(4) As used in this section, "official legislative website" includes, but is not limited to, a legislator's official legislative social media accounts.

Sec. 15. RCW 42.52.220 and 2022 c 173 s 3 are each amended to read as follows:

(1) Consistent with the state policy to encourage basic and applied scientific research by the state's research universities as stated in RCW 28B.140.005, and consistent with the expectations of university faculty to produce, publish, and disseminate research and scholarship, each university and the state board for community and technical colleges may develop, adopt, and implement one or more written administrative processes that shall apply in place of the obligations imposed on institutions of higher education, faculty, and university research employees under RCW 42.52.030, 42.52.040, 42.52.080, 42.52.110, 42.52.120, 42.52.130, ((42.52.140,)) 42.52.150, and 42.52.160. The institutions of higher education shall coordinate on the development of administrative processes to ensure the processes are comparable. Each policy shall apply upon approval by boards of trustees or regents for the state universities, regional universities, and The Evergreen State College, or by the state board for community and technical colleges. Each board of trustees or regents and the state board for community and technical colleges must provide the executive ethics board with a copy of each institution's policy upon approval. A faculty member or university research employee in compliance with the processes authorized in this section shall be deemed to be in compliance with RCW 42.52.030, 42.52.040, 42.52.080, 42.52.110, 42.52.120, 42.52.130, ((42.52.140,)) 42.52.150, and 42.52.160.

(2) The executive ethics board shall enforce activity subject to the written approval processes under this section, as provided in RCW 42.52.360.

Sec. 16. RCW 42.52.320 and 1994 c 154 s 202 are each amended to read as follows:

(1) The legislative ethics board shall enforce this chapter and rules adopted under it with respect to members and employees of the legislature.

(2) The legislative ethics board shall:

(a) Develop educational materials and training with regard to legislative ethics for legislators and legislative employees;

(b) Issue advisory opinions;

(c) Adopt rules or policies governing the conduct of business by the board, and adopt rules defining working hours for purposes of RCW 42.52.180 and where otherwise authorized under chapter 154, Laws of 1994;

(d) Investigate, hear, and determine complaints by any person or on its own motion;

(e) Impose sanctions including reprimands and monetary penalties;

(f) Recommend suspension or removal to the appropriate legislative entity, or recommend prosecution to the appropriate authority; and

(g) Establish criteria regarding the levels of civil penalties appropriate for different types of violations of this chapter and rules adopted under it.

(3) The board may:

(a) Issue subpoenas for the attendance and testimony of witnesses and the production of documentary evidence relating to any matter under examination by the board or involved in any hearing;

(b) Administer oaths and affirmations;

(c) Examine witnesses; and

(d) Receive evidence.

~~((4) Subject to RCW 42.52.540, the board has jurisdiction over any alleged violation that occurred before January 1, 1995, and that was within the jurisdiction of any of the boards established under chapter 44.60 RCW. The board's jurisdiction with respect to any such alleged violation shall be based on the statutes and rules in effect at [the] time of the violation.))~~

Sec. 17. RCW 42.52.480 and 1994 c 154 s 218 are each amended to read as follows:

(1) Except as otherwise provided by law, an ethics board may order payment of the following amounts if it finds a violation of this chapter or rules adopted under it after a hearing under RCW 42.52.370 or other applicable law:

(a) Any damages sustained by the state that are caused by the conduct constituting the violation;

(b) From each such person, a civil penalty of up to five thousand dollars per violation or three times the economic value of any thing received or sought in violation of this chapter or rules adopted under it, whichever is greater; and

(c) Costs, including reasonable investigative ~~((costs, which shall be included as part of the limit under (b) of this subsection. The costs may not exceed the penalty imposed. The payment owed on the penalty shall be reduced by the amount of the costs paid))~~ expenses.

(2) Damages under this section may be enforced in the same manner as a judgment in a civil case.

Sec. 18. RCW 42.52.490 and 1994 c 154 s 219 are each amended to read as follows:

(1) Upon a written determination by the attorney general that the action of an ethics board was clearly erroneous or if requested by an ethics board, the attorney general may bring a civil action in the superior court of the county in which the violation is alleged to have occurred against a state officer, state employee, former state officer, former state employee, or other person who has violated or knowingly assisted another person in violating any of the provisions of this chapter or the rules adopted under it. In such action the attorney general may recover the following amounts on behalf of the state of Washington:

(a) Any damages sustained by the state that are caused by the conduct constituting the violation;

(b) From each such person, a civil penalty of up to five thousand dollars per violation or three times the economic value of any thing received or sought in violation of this chapter or the rules adopted under it, whichever is greater; and

(c) Costs, including reasonable investigative ~~((costs, which shall be included as part of the limit under (b) of this subsection. The costs may not~~

exceed the penalty imposed. The payment owed on the penalty shall be reduced by the amount of the costs paid)) expenses.

(2) In any civil action brought by the attorney general upon the basis that the attorney general has determined that the board's action was clearly erroneous, the court shall not proceed with the action unless the attorney general has first shown, and the court has found, that the action of the board was clearly erroneous.

Sec. 19. RCW 42.52.805 and 2007 c 452 s 2 are each amended to read as follows:

(1) When soliciting gifts, grants, or donations solely to support the charitable activities of executive branch state employees conducted pursuant to RCW 9.46.0209, the executive branch state officers and executive branch state employees are presumed not to be in violation of the solicitation and receipt of gift provisions in RCW ((42.52.140)) 42.52.150(3). However, the gifts, grants, or donations must only be solicited from state employees or businesses and organizations that have no business dealings with the soliciting employee's agency. For the purposes of this subsection, "business dealings" includes being subject to regulation by the agency, having a contractual relationship with the agency, and purchasing goods or services from the agency.

(2) For purposes of this section, activities are deemed to be charitable if the activities are devoted to the purposes authorized under RCW 9.46.0209 for charitable and nonprofit organizations listed in that section, or are in support of the activities of those charitable or nonprofit organizations.

Sec. 20. RCW 42.52.810 and 2005 c 274 s 293 are each amended to read as follows:

(1) When soliciting charitable gifts, grants, or donations solely for the legislative international trade account created in RCW ((44.04.270)) 43.15.050, the president of the senate is presumed not to be in violation of the solicitation and receipt of gift provisions in RCW ((42.52.140)) 42.52.150(3).

(2) When soliciting charitable gifts, grants, or donations solely for the legislative international trade account created in RCW ((44.04.270)) 43.15.050, state officers and state employees are presumed not to be in violation of the solicitation and receipt of gift provisions in RCW ((42.52.140)) 42.52.150(3).

(3) An annual report of the legislative international trade account activities, including a list of receipts and expenditures, shall be published by the president of the senate and submitted to the house of representatives and the senate and be a public record for the purposes of RCW 42.56.070.

Sec. 21. RCW 42.17A.005 and 2022 c 71 s 14 are each amended to read as follows:

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

(1) "Actual malice" means to act with knowledge of falsity or with reckless disregard as to truth or falsity.

(2) "Agency" includes all state agencies and all local agencies. "State agency" includes every state office, department, division, bureau, board, commission, or other state agency. "Local agency" includes every county, city, town, municipal corporation, quasi-municipal corporation, or special purpose district, or any office, department, division, bureau, board, commission, or

agency thereof, or other local public agency. "Agency" does not include a comprehensive cancer center participating in a collaborative arrangement as defined in RCW 28B.10.930 that is operated in conformance with RCW 28B.10.930.

(3) "Authorized committee" means the political committee authorized by a candidate, or by the public official against whom recall charges have been filed, to accept contributions or make expenditures on behalf of the candidate or public official.

(4) "Ballot proposition" means any "measure" as defined by RCW 29A.04.091, or any initiative, recall, or referendum proposition proposed to be submitted to the voters of the state or any municipal corporation, political subdivision, or other voting constituency from and after the time when the proposition has been initially filed with the appropriate election officer of that constituency before its circulation for signatures.

(5) "Benefit" means a commercial, proprietary, financial, economic, or monetary advantage, or the avoidance of a commercial, proprietary, financial, economic, or monetary disadvantage.

(6) "Bona fide political party" means:

(a) An organization that has been recognized as a minor political party by the secretary of state;

(b) The governing body of the state organization of a major political party, as defined in RCW 29A.04.086, that is the body authorized by the charter or bylaws of the party to exercise authority on behalf of the state party; or

(c) The county central committee or legislative district committee of a major political party. There may be only one legislative district committee for each party in each legislative district.

(7) "Books of account" means:

(a) In the case of a campaign or political committee, a ledger or similar listing of contributions, expenditures, and debts, such as a campaign or committee is required to file regularly with the commission, current as of the most recent business day; or

(b) In the case of a commercial advertiser, details of political advertising or electioneering communications provided by the advertiser, including the names and addresses of persons from whom it accepted political advertising or electioneering communications, the exact nature and extent of the services rendered and the total cost and the manner of payment for the services.

(8) "Candidate" means any individual who seeks nomination for election or election to public office. An individual seeks nomination or election when the individual first:

(a) Receives contributions or makes expenditures or reserves space or facilities with intent to promote the individual's candidacy for office;

(b) Announces publicly or files for office;

(c) Purchases commercial advertising space or broadcast time to promote the individual's candidacy; or

(d) Gives consent to another person to take on behalf of the individual any of the actions in (a) or (c) of this subsection.

(9) "Caucus political committee" means a political committee organized and maintained by the members of a major political party in the state senate or state house of representatives.

(10) "Commercial advertiser" means any person that sells the service of communicating messages or producing material for broadcast or distribution to the general public or segments of the general public whether through brochures, fliers, newspapers, magazines, television, radio, billboards, direct mail advertising, printing, paid internet or digital communications, or any other means of mass communications used for the purpose of appealing, directly or indirectly, for votes or for financial or other support in any election campaign.

(11) "Commission" means the agency established under RCW 42.17A.100.

(12) "Committee" unless the context indicates otherwise, includes a political committee such as a candidate, ballot proposition, recall, political, or continuing political committee.

(13) "Compensation" unless the context requires a narrower meaning, includes payment in any form for real or personal property or services of any kind. For the purpose of compliance with RCW 42.17A.710, "compensation" does not include per diem allowances or other payments made by a governmental entity to reimburse a public official for expenses incurred while the official is engaged in the official business of the governmental entity.

(14) "Continuing political committee" means a political committee that is an organization of continuing existence not limited to participation in any particular election campaign or election cycle.

(15)(a) "Contribution" includes:

(i) A loan, gift, deposit, subscription, forgiveness of indebtedness, donation, advance, pledge, payment, transfer of funds, or anything of value, including personal and professional services for less than full consideration;

(ii) An expenditure made by a person in cooperation, consultation, or concert with, or at the request or suggestion of, a candidate, a political or incidental committee, the person or persons named on the candidate's or committee's registration form who direct expenditures on behalf of the candidate or committee, or their agents;

(iii) The financing by a person of the dissemination, distribution, or republication, in whole or in part, of broadcast, written, graphic, digital, or other form of political advertising or electioneering communication prepared by a candidate, a political or incidental committee, or its authorized agent;

(iv) Sums paid for tickets to fund-raising events such as dinners and parties, except for the actual cost of the consumables furnished at the event.

(b) "Contribution" does not include:

(i) Accrued interest on money deposited in a political or incidental committee's account;

(ii) Ordinary home hospitality;

(iii) A contribution received by a candidate or political or incidental committee that is returned to the contributor within ten business days of the date on which it is received by the candidate or political or incidental committee;

(iv) A news item, feature, commentary, or editorial in a regularly scheduled news medium that is of interest to the public, that is in a news medium controlled by a person whose business is that news medium, and that is not controlled by a candidate or a political or incidental committee;

(v) An internal political communication primarily limited to the members of or contributors to a political party organization or political or incidental committee, or to the officers, management staff, or stockholders of a corporation

or similar enterprise, or to the members of a labor organization or other membership organization;

(vi) The rendering of personal services of the sort commonly performed by volunteer campaign workers, or incidental expenses personally incurred by volunteer campaign workers not in excess of fifty dollars personally paid for by the worker. "Volunteer services," for the purposes of this subsection, means services or labor for which the individual is not compensated by any person;

(vii) Messages in the form of reader boards, banners, or yard or window signs displayed on a person's own property or property occupied by a person. However, a facility used for such political advertising for which a rental charge is normally made must be reported as an in-kind contribution and counts toward any applicable contribution limit of the person providing the facility;

(viii) Legal or accounting services rendered to or on behalf of:

(A) A political party or caucus political committee if the person paying for the services is the regular employer of the person rendering such services; or

(B) A candidate or an authorized committee if the person paying for the services is the regular employer of the individual rendering the services and if the services are solely for the purpose of ensuring compliance with state election or public disclosure laws; or

(ix) The performance of ministerial functions by a person on behalf of two or more candidates or political or incidental committees either as volunteer services defined in (b)(vi) of this subsection or for payment by the candidate or political or incidental committee for whom the services are performed as long as:

(A) The person performs solely ministerial functions;

(B) A person who is paid by two or more candidates or political or incidental committees is identified by the candidates and political committees on whose behalf services are performed as part of their respective statements of organization under RCW 42.17A.205; and

(C) The person does not disclose, except as required by law, any information regarding a candidate's or committee's plans, projects, activities, or needs, or regarding a candidate's or committee's contributions or expenditures that is not already publicly available from campaign reports filed with the commission, or otherwise engage in activity that constitutes a contribution under (a)(ii) of this subsection.

A person who performs ministerial functions under this subsection (15)(b)(ix) is not considered an agent of the candidate or committee as long as the person has no authority to authorize expenditures or make decisions on behalf of the candidate or committee.

(c) Contributions other than money or its equivalent are deemed to have a monetary value equivalent to the fair market value of the contribution. Services or property or rights furnished at less than their fair market value for the purpose of assisting any candidate or political committee are deemed a contribution. Such a contribution must be reported as an in-kind contribution at its fair market value and counts towards any applicable contribution limit of the provider.

(16) "Depository" means a bank, mutual savings bank, savings and loan association, or credit union doing business in this state.

(17) "Elected official" means any person elected at a general or special election to any public office, and any person appointed to fill a vacancy in any such office.

(18) "Election" includes any primary, general, or special election for public office and any election in which a ballot proposition is submitted to the voters. An election in which the qualifications for voting include other than those requirements set forth in Article VI, section 1 (Amendment 63) of the Constitution of the state of Washington shall not be considered an election for purposes of this chapter.

(19) "Election campaign" means any campaign in support of or in opposition to a candidate for election to public office and any campaign in support of, or in opposition to, a ballot proposition.

(20) "Election cycle" means the period beginning on the first day of January after the date of the last previous general election for the office that the candidate seeks and ending on December 31st after the next election for the office. In the case of a special election to fill a vacancy in an office, "election cycle" means the period beginning on the day the vacancy occurs and ending on December 31st after the special election.

(21)(a) "Electioneering communication" means any broadcast, cable, or satellite television, radio transmission, digital communication, United States postal service mailing, billboard, newspaper, or periodical that:

(i) Clearly identifies a candidate for a state, local, or judicial office either by specifically naming the candidate, or identifying the candidate without using the candidate's name;

(ii) Is broadcast, transmitted electronically or by other means, mailed, erected, distributed, or otherwise published within sixty days before any election for that office in the jurisdiction in which the candidate is seeking election; and

(iii) Either alone, or in combination with one or more communications identifying the candidate by the same sponsor during the sixty days before an election, has a fair market value or cost of one thousand dollars or more.

(b) "Electioneering communication" does not include:

(i) Usual and customary advertising of a business owned by a candidate, even if the candidate is mentioned in the advertising when the candidate has been regularly mentioned in that advertising appearing at least twelve months preceding the candidate becoming a candidate;

(ii) Advertising for candidate debates or forums when the advertising is paid for by or on behalf of the debate or forum sponsor, so long as two or more candidates for the same position have been invited to participate in the debate or forum;

(iii) A news item, feature, commentary, or editorial in a regularly scheduled news medium that is:

(A) Of interest to the public;

(B) In a news medium controlled by a person whose business is that news medium; and

(C) Not a medium controlled by a candidate or a political or incidental committee;

(iv) Slate cards and sample ballots;

(v) Advertising for books, films, dissertations, or similar works (A) written by a candidate when the candidate entered into a contract for such publications

or media at least twelve months before becoming a candidate, or (B) written about a candidate;

(vi) Public service announcements;

(vii) An internal political communication primarily limited to the members of or contributors to a political party organization or political or incidental committee, or to the officers, management staff, or stockholders of a corporation or similar enterprise, or to the members of a labor organization or other membership organization;

(viii) An expenditure by or contribution to the authorized committee of a candidate for state, local, or judicial office; or

(ix) Any other communication exempted by the commission through rule consistent with the intent of this chapter.

(22) "Expenditure" includes a payment, contribution, subscription, distribution, loan, advance, deposit, or gift of money or anything of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make an expenditure. "Expenditure" also includes a promise to pay, a payment, or a transfer of anything of value in exchange for goods, services, property, facilities, or anything of value for the purpose of assisting, benefiting, or honoring any public official or candidate, or assisting in furthering or opposing any election campaign. For the purposes of this chapter, agreements to make expenditures, contracts, and promises to pay may be reported as estimated obligations until actual payment is made. "Expenditure" shall not include the partial or complete repayment by a candidate or political or incidental committee of the principal of a loan, the receipt of which loan has been properly reported.

(23) "Final report" means the report described as a final report in RCW 42.17A.235(11)(a).

(24) "Foreign national" means:

(a) An individual who is not a citizen of the United States and is not lawfully admitted for permanent residence;

(b) A government, or subdivision, of a foreign country;

(c) A foreign political party; and

(d) Any entity, such as a partnership, association, corporation, organization, or other combination of persons, that is organized under the laws of or has its principal place of business in a foreign country.

(25) "General election" for the purposes of RCW 42.17A.405 means the election that results in the election of a person to a state or local office. It does not include a primary.

(26) "Gift" has the definition in RCW (~~(42.52.010)~~) 42.52.150.

(27) "Immediate family" includes the spouse or domestic partner, dependent children, and other dependent relatives, if living in the household. For the purposes of the definition of "intermediary" in this section, "immediate family" means an individual's spouse or domestic partner, and child, stepchild, grandchild, parent, stepparent, grandparent, brother, half brother, sister, or half sister of the individual and the spouse or the domestic partner of any such person and a child, stepchild, grandchild, parent, stepparent, grandparent, brother, half brother, sister, or half sister of the individual's spouse or domestic partner and the spouse or the domestic partner of any such person.

(28) "Incidental committee" means any nonprofit organization not otherwise defined as a political committee but that may incidentally make a contribution or

an expenditure in excess of the reporting thresholds in RCW 42.17A.235, directly or through a political committee. Any nonprofit organization is not an incidental committee if it is only remitting payments through the nonprofit organization in an aggregated form and the nonprofit organization is not required to report those payments in accordance with this chapter.

(29) "Incumbent" means a person who is in present possession of an elected office.

(30)(a) "Independent expenditure" means an expenditure that has each of the following elements:

(i) It is made in support of or in opposition to a candidate for office by a person who is not:

(A) A candidate for that office;

(B) An authorized committee of that candidate for that office; and

(C) A person who has received the candidate's encouragement or approval to make the expenditure, if the expenditure pays in whole or in part for political advertising supporting that candidate or promoting the defeat of any other candidate or candidates for that office;

(ii) It is made in support of or in opposition to a candidate for office by a person with whom the candidate has not collaborated for the purpose of making the expenditure, if the expenditure pays in whole or in part for political advertising supporting that candidate or promoting the defeat of any other candidate or candidates for that office;

(iii) The expenditure pays in whole or in part for political advertising that either specifically names the candidate supported or opposed, or clearly and beyond any doubt identifies the candidate without using the candidate's name; and

(iv) The expenditure, alone or in conjunction with another expenditure or other expenditures of the same person in support of or opposition to that candidate, has a value of one thousand dollars or more. A series of expenditures, each of which is under one thousand dollars, constitutes one independent expenditure if their cumulative value is one thousand dollars or more.

(b) "Independent expenditure" does not include: Ordinary home hospitality; communications with journalists or editorial staff designed to elicit a news item, feature, commentary, or editorial in a regularly scheduled news medium that is of primary interest to the general public, controlled by a person whose business is that news medium, and not controlled by a candidate or a political committee; participation in the creation of a publicly funded voters' pamphlet statement in written or video form; an internal political communication primarily limited to contributors to a political party organization or political action committee, the officers, management staff, and stockholders of a corporation or similar enterprise, or the members of a labor organization or other membership organization; or the rendering of personal services of the sort commonly performed by volunteer campaign workers or incidental expenses personally incurred by volunteer campaign workers not in excess of two hundred fifty dollars personally paid for by the worker.

(31)(a) "Intermediary" means an individual who transmits a contribution to a candidate or committee from another person unless the contribution is from the individual's employer, immediate family, or an association to which the individual belongs.

(b) A treasurer or a candidate is not an intermediary for purposes of the committee that the treasurer or candidate serves.

(c) A professional fund-raiser is not an intermediary if the fund-raiser is compensated for fund-raising services at the usual and customary rate.

(d) A volunteer hosting a fund-raising event at the individual's home is not an intermediary for purposes of that event.

(32) "Legislation" means bills, resolutions, motions, amendments, nominations, and other matters pending or proposed in either house of the state legislature, and includes any other matter that may be the subject of action by either house or any committee of the legislature and all bills and resolutions that, having passed both houses, are pending approval by the governor.

(33) "Legislative office" means the office of a member of the state house of representatives or the office of a member of the state senate.

(34) "Lobby" and "lobbying" each mean attempting to influence the passage or defeat of any legislation by the legislature of the state of Washington, or the adoption or rejection of any rule, standard, rate, or other legislative enactment of any state agency under the state administrative procedure act, chapter 34.05 RCW. Neither "lobby" nor "lobbying" includes an association's or other organization's act of communicating with the members of that association or organization.

(35) "Lobbyist" includes any person who lobbies either on the person's own or another's behalf.

(36) "Lobbyist's employer" means the person or persons by whom a lobbyist is employed and all persons by whom the lobbyist is compensated for acting as a lobbyist.

(37) "Ministerial functions" means an act or duty carried out as part of the duties of an administrative office without exercise of personal judgment or discretion.

(38) "Participate" means that, with respect to a particular election, an entity:

(a) Makes either a monetary or in-kind contribution to a candidate;

(b) Makes an independent expenditure or electioneering communication in support of or opposition to a candidate;

(c) Endorses a candidate before contributions are made by a subsidiary corporation or local unit with respect to that candidate or that candidate's opponent;

(d) Makes a recommendation regarding whether a candidate should be supported or opposed before a contribution is made by a subsidiary corporation or local unit with respect to that candidate or that candidate's opponent; or

(e) Directly or indirectly collaborates or consults with a subsidiary corporation or local unit on matters relating to the support of or opposition to a candidate, including, but not limited to, the amount of a contribution, when a contribution should be given, and what assistance, services or independent expenditures, or electioneering communications, if any, will be made or should be made in support of or opposition to a candidate.

(39) "Person" includes an individual, partnership, joint venture, public or private corporation, association, federal, state, or local governmental entity or agency however constituted, candidate, committee, political committee, political party, executive committee thereof, or any other organization or group of persons, however organized.

(40) "Political advertising" includes any advertising displays, newspaper ads, billboards, signs, brochures, articles, tabloids, flyers, letters, radio or television presentations, digital communication, or other means of mass communication, used for the purpose of appealing, directly or indirectly, for votes or for financial or other support or opposition in any election campaign.

(41) "Political committee" means any person (except a candidate or an individual dealing with the candidate's or individual's own funds or property) having the expectation of receiving contributions or making expenditures in support of, or opposition to, any candidate or any ballot proposition.

(42) "Primary" for the purposes of RCW 42.17A.405 means the procedure for nominating a candidate to state or local office under chapter 29A.52 RCW or any other primary for an election that uses, in large measure, the procedures established in chapter 29A.52 RCW.

(43) "Public office" means any federal, state, judicial, county, city, town, school district, port district, special district, or other state political subdivision elective office.

(44) "Public record" has the definition in RCW 42.56.010.

(45) "Recall campaign" means the period of time beginning on the date of the filing of recall charges under RCW 29A.56.120 and ending thirty days after the recall election.

(46) "Remediable violation" means any violation of this chapter that:

(a) Involved expenditures or contributions totaling no more than the contribution limits set out under RCW 42.17A.405(2) per election, or one thousand dollars if there is no statutory limit;

(b) Occurred:

(i) More than thirty days before an election, where the commission entered into an agreement to resolve the matter; or

(ii) At any time where the violation did not constitute a material violation because it was inadvertent and minor or otherwise has been cured and, after consideration of all the circumstances, further proceedings would not serve the purposes of this chapter;

(c) Does not materially harm the public interest, beyond the harm to the policy of this chapter inherent in any violation; and

(d) Involved:

(i) A person who:

(A) Took corrective action within five business days after the commission first notified the person of noncompliance, or where the commission did not provide notice and filed a required report within twenty-one days after the report was due to be filed; and

(B) Substantially met the filing deadline for all other required reports within the immediately preceding twelve-month period; or

(ii) A candidate who:

(A) Lost the election in question; and

(B) Did not receive contributions over one hundred times the contribution limit in aggregate per election during the campaign in question.

(47)(a) "Sponsor" for purposes of an electioneering communications, independent expenditures, or political advertising means the person paying for the electioneering communication, independent expenditure, or political

advertising. If a person acts as an agent for another or is reimbursed by another for the payment, the original source of the payment is the sponsor.

(b) "Sponsor," for purposes of a political or incidental committee, means any person, except an authorized committee, to whom any of the following applies:

(i) The committee receives eighty percent or more of its contributions either from the person or from the person's members, officers, employees, or shareholders;

(ii) The person collects contributions for the committee by use of payroll deductions or dues from its members, officers, or employees.

(48) "Sponsored committee" means a committee, other than an authorized committee, that has one or more sponsors.

(49) "State office" means state legislative office or the office of governor, lieutenant governor, secretary of state, attorney general, commissioner of public lands, insurance commissioner, superintendent of public instruction, state auditor, or state treasurer.

(50) "State official" means a person who holds a state office.

(51) "Surplus funds" mean, in the case of a political committee or candidate, the balance of contributions that remain in the possession or control of that committee or candidate subsequent to the election for which the contributions were received, and that are in excess of the amount necessary to pay remaining debts or expenses incurred by the committee or candidate with respect to that election. In the case of a continuing political committee, "surplus funds" mean those contributions remaining in the possession or control of the committee that are in excess of the amount necessary to pay all remaining debts or expenses when it makes its final report under RCW 42.17A.255.

(52) "Technical correction" means the correction of a minor or ministerial error in a required report that does not materially harm the public interest and needs to be corrected for the report to be in full compliance with the requirements of this chapter.

(53) "Treasurer" and "deputy treasurer" mean the individuals appointed by a candidate or political or incidental committee, pursuant to RCW 42.17A.210, to perform the duties specified in that section.

(54) "Violation" means a violation of this chapter that is not a remediable violation, minor violation, or an error classified by the commission as appropriate to address by a technical correction.

Sec. 22. RCW 29B.10.270 and 2024 c 164 s 227 are each amended to read as follows:

"Gift" has the definition in RCW (~~(42.52.010)~~) 42.52.150.

Sec. 23. RCW 42.17A.615 and 2019 c 428 s 32 are each amended to read as follows:

(1) Any lobbyist registered under RCW 42.17A.600 and any person who lobbies shall file electronically with the commission monthly reports of the lobbyist's or person's lobbying activities. The reports shall be made in the form and manner prescribed by the commission and must be signed by the lobbyist. The monthly report shall be filed within fifteen days after the last day of the calendar month covered by the report.

(2) The monthly report shall contain:

(a) The totals of all expenditures for lobbying activities made or incurred by the lobbyist or on behalf of the lobbyist by the lobbyist's employer during the period covered by the report. Expenditure totals for lobbying activities shall be segregated according to financial category, including compensation; food and refreshments; living accommodations; advertising; travel; contributions; and other expenses or services. Each individual expenditure of more than twenty-five dollars for entertainment shall be identified by date, place, amount, and the names of all persons taking part in the entertainment, along with the dollar amount attributable to each person, including the lobbyist's portion.

(b) In the case of a lobbyist employed by more than one employer, the proportionate amount of expenditures in each category incurred on behalf of each of the lobbyist's employers.

(c) An itemized listing of each contribution of money or of tangible or intangible personal property, whether contributed by the lobbyist personally or delivered or transmitted by the lobbyist, to any candidate, elected official, or officer or employee of any agency, or any political committee supporting or opposing any ballot proposition, or for or on behalf of any candidate, elected official, or officer or employee of any agency, or any political committee supporting or opposing any ballot proposition. All contributions made to, or for the benefit of, any candidate, elected official, or officer or employee of any agency, or any political committee supporting or opposing any ballot proposition shall be identified by date, amount, and the name of the candidate, elected official, or officer or employee of any agency, or any political committee supporting or opposing any ballot proposition receiving, or to be benefited by each such contribution.

(d) The subject matter of proposed legislation or other legislative activity or rule making under chapter 34.05 RCW, the state administrative procedure act, and the state agency considering the same, which the lobbyist has been engaged in supporting or opposing during the reporting period, unless exempt under RCW 42.17A.610(2).

(e) A listing of each payment for an item specified in RCW 42.52.150(~~((5))~~) (7) in excess of (~~((fifty dollars))~~) \$100 and each item specified in RCW (~~((42.52.010(9) (d) and (f)))~~) 42.52.150(1)(c) (iv) and (vi) made to a state elected official, state officer, or state employee. Each item shall be identified by recipient, date, and approximate value of the item.

(f) The total expenditures paid or incurred during the reporting period by the lobbyist for lobbying purposes, whether through or on behalf of a lobbyist or otherwise, for (i) political advertising as defined in RCW 42.17A.005; and (ii) public relations, telemarketing, polling, or similar activities if the activities, directly or indirectly, are intended, designed, or calculated to influence legislation or the adoption or rejection of a rule, standard, or rate by an agency under the administrative procedure act. The report shall specify the amount, the person to whom the amount was paid, and a brief description of the activity.

(3) Lobbyists are not required to report the following:

(a) Unreimbursed personal living and travel expenses not incurred directly for lobbying;

(b) Any expenses incurred for the lobbyist's own living accommodations;

(c) Any expenses incurred for the lobbyist's own travel to and from hearings of the legislature;

(d) Any expenses incurred for telephone, and any office expenses, including rent and salaries and wages paid for staff and secretarial assistance.

(4) The commission may adopt rules to vary the content of lobbyist reports to address specific circumstances, consistent with this section. Lobbyist reports are subject to audit by the commission.

Sec. 24. RCW 29B.50.050 and 2024 c 164 s 477 are each amended to read as follows:

(1) Any lobbyist registered under RCW 29B.50.010 and any person who lobbies shall file electronically with the commission monthly reports of the lobbyist's or person's lobbying activities. The reports shall be made in the form and manner prescribed by the commission and must be signed by the lobbyist. The monthly report shall be filed within 15 days after the last day of the calendar month covered by the report.

(2) The monthly report shall contain:

(a) The totals of all expenditures for lobbying activities made or incurred by the lobbyist or on behalf of the lobbyist by the lobbyist's employer during the period covered by the report. Expenditure totals for lobbying activities shall be segregated according to financial category, including compensation; food and refreshments; living accommodations; advertising; travel; contributions; and other expenses or services. Each individual expenditure of more than twenty-five dollars for entertainment shall be identified by date, place, amount, and the names of all persons taking part in the entertainment, along with the dollar amount attributable to each person, including the lobbyist's portion.

(b) In the case of a lobbyist employed by more than one employer, the proportionate amount of expenditures in each category incurred on behalf of each of the lobbyist's employers.

(c) An itemized listing of each contribution of money or of tangible or intangible personal property, whether contributed by the lobbyist personally or delivered or transmitted by the lobbyist, to any candidate, elected official, or officer or employee of any agency, or any political committee supporting or opposing any ballot proposition, or for or on behalf of any candidate, elected official, or officer or employee of any agency, or any political committee supporting or opposing any ballot proposition. All contributions made to, or for the benefit of, any candidate, elected official, or officer or employee of any agency, or any political committee supporting or opposing any ballot proposition shall be identified by date, amount, and the name of the candidate, elected official, or officer or employee of any agency, or any political committee supporting or opposing any ballot proposition receiving, or to be benefited by each such contribution.

(d) The subject matter of proposed legislation or other legislative activity or rule making under chapter 34.05 RCW, the state administrative procedure act, and the state agency considering the same, which the lobbyist has been engaged in supporting or opposing during the reporting period, unless exempt under RCW 29B.50.040(2).

(e) A listing of each payment for an item specified in RCW 42.52.150(~~((5))~~) (7) in excess of ((fifty dollars)) \$100 and each item specified in RCW ((42.52.010(9) (d) and (f))) 42.52.150(1)(c) (iv) and (vi) made to a state elected official, state officer, or state employee. Each item shall be identified by recipient, date, and approximate value of the item.

(f) The total expenditures paid or incurred during the reporting period by the lobbyist for lobbying purposes, whether through or on behalf of a lobbyist or otherwise, for (i) political advertising as defined in RCW 29B.10.410; and (ii) public relations, telemarketing, polling, or similar activities if the activities, directly or indirectly, are intended, designed, or calculated to influence legislation or the adoption or rejection of a rule, standard, or rate by an agency under the administrative procedure act. The report shall specify the amount, the person to whom the amount was paid, and a brief description of the activity.

(3) Lobbyists are not required to report the following:

(a) Unreimbursed personal living and travel expenses not incurred directly for lobbying;

(b) Any expenses incurred for the lobbyist's own living accommodations;

(c) Any expenses incurred for the lobbyist's own travel to and from hearings of the legislature;

(d) Any expenses incurred for telephone, and any office expenses, including rent and salaries and wages paid for staff and secretarial assistance.

(4) The commission may adopt rules to vary the content of lobbyist reports to address specific circumstances, consistent with this section. Lobbyist reports are subject to audit by the commission.

Sec. 25. RCW 42.17A.620 and 2010 c 204 s 805 are each amended to read as follows:

(1) When a listing or a report of contributions is made to the commission under RCW 42.17A.615(2)(c), a copy of the listing or report must be given to the candidate, elected official, professional (~~((staff member))~~) employee of the legislature, or officer or employee of an agency, or a political committee supporting or opposing a ballot proposition named in the listing or report.

(2) If a state elected official or a member of the official's immediate family is identified by a lobbyist in a lobbyist report as having received from the lobbyist an item specified in RCW 42.52.150(~~((5))~~) (7) or (~~((42.52.010(10)(d) or (4))~~) 42.52.150(1)(c) (iv) or (vi)), the lobbyist shall transmit to the official a copy of the completed form used to identify the item in the report at the same time the report is filed with the commission.

Sec. 26. RCW 29B.50.060 and 2024 c 164 s 478 are each amended to read as follows:

(1) When a listing or a report of contributions is made to the commission under RCW 29B.50.050(2)(c), a copy of the listing or report must be given to the candidate, elected official, professional (~~((staff member))~~) employee of the legislature, or officer or employee of an agency, or a political committee supporting or opposing a ballot proposition named in the listing or report.

(2) If a state elected official or a member of the official's immediate family is identified by a lobbyist in a lobbyist report as having received from the lobbyist an item specified in RCW 42.52.150(~~((5))~~) (7) or (~~((42.52.010(9)(d) or (4))~~) 42.52.150(1)(c) (iv) or (vi)), the lobbyist shall transmit to the official a copy of the completed form used to identify the item in the report at the same time the report is filed with the commission.

Sec. 27. RCW 42.17A.710 and 2023 c 462 s 502 are each amended to read as follows:

(1) The statement of financial affairs required by RCW 42.17A.700 shall disclose the following information for the reporting individual and each member of the reporting individual's immediate family:

(a) Occupation, name of employer, and business address;

(b) Each bank account, savings account, and insurance policy in which a direct financial interest was held that exceeds twenty thousand dollars at any time during the reporting period; each other item of intangible personal property in which a direct financial interest was held that exceeds two thousand dollars during the reporting period; the name, address, and nature of the entity; and the nature and highest value of each direct financial interest during the reporting period;

(c) The name and address of each creditor to whom the value of two thousand dollars or more was owed; the original amount of each debt to each creditor; the amount of each debt owed to each creditor as of the date of filing; the terms of repayment of each debt; and the security given, if any, for each such debt. Debts arising from a "retail installment transaction" as defined in chapter 63.14 RCW (retail installment sales act) need not be reported;

(d) Every public or private office, directorship, and position held as trustee; except that an elected official or executive state officer need not report the elected official's or executive state officer's service on a governmental board, commission, association, or functional equivalent, when such service is part of the elected official's or executive state officer's official duties;

(e) All persons for whom any legislation, rule, rate, or standard has been prepared, promoted, or opposed for current or deferred compensation. For the purposes of this subsection, "compensation" does not include payments made to the person reporting by the governmental entity for which the person serves as an elected official or state executive officer or professional staff member for the person's service in office; the description of such actual or proposed legislation, rules, rates, or standards; and the amount of current or deferred compensation paid or promised to be paid;

(f) The name and address of each governmental entity, corporation, partnership, joint venture, sole proprietorship, association, union, or other business or commercial entity from whom compensation has been received in any form of a total value of two thousand dollars or more; the value of the compensation; and the consideration given or performed in exchange for the compensation;

(g) The name of any corporation, partnership, joint venture, association, union, or other entity in which is held any office, directorship, or any general partnership interest, or an ownership interest of ten percent or more; the name or title of that office, directorship, or partnership; the nature of ownership interest; and: (i) With respect to a governmental unit in which the official seeks or holds any office or position, if the entity has received compensation in any form during the preceding twelve months from the governmental unit, the value of the compensation and the consideration given or performed in exchange for the compensation; and (ii) the name of each governmental unit, corporation, partnership, joint venture, sole proprietorship, association, union, or other business or commercial entity from which the entity has received compensation

in any form in the amount of ten thousand dollars or more during the preceding twelve months and the consideration given or performed in exchange for the compensation. As used in (g)(ii) of this subsection, "compensation" does not include payment for water and other utility services at rates approved by the Washington state utilities and transportation commission or the legislative authority of the public entity providing the service. With respect to any bank or commercial lending institution in which is held any office, directorship, partnership interest, or ownership interest, it shall only be necessary to report either the name, address, and occupation of every director and officer of the bank or commercial lending institution and the average monthly balance of each account held during the preceding twelve months by the bank or commercial lending institution from the governmental entity for which the individual is an official or candidate or professional staff member, or all interest paid by a borrower on loans from and all interest paid to a depositor by the bank or commercial lending institution if the interest exceeds two thousand four hundred dollars;

(h) A list, including legal or other sufficient descriptions as prescribed by the commission, of all real property in the state of Washington, the assessed valuation of which exceeds ten thousand dollars in which any direct financial interest was acquired during the preceding calendar year, and a statement of the amount and nature of the financial interest and of the consideration given in exchange for that interest;

(i) A list, including legal or other sufficient descriptions as prescribed by the commission, of all real property in the state of Washington, the assessed valuation of which exceeds ten thousand dollars in which any direct financial interest was divested during the preceding calendar year, and a statement of the amount and nature of the consideration received in exchange for that interest, and the name and address of the person furnishing the consideration;

(j) A list, including legal or other sufficient descriptions as prescribed by the commission, of all real property in the state of Washington, the assessed valuation of which exceeds ten thousand dollars in which a direct financial interest was held. If a description of the property has been included in a report previously filed, the property may be listed, for purposes of this subsection (1)(j), by reference to the previously filed report;

(k) A list, including legal or other sufficient descriptions as prescribed by the commission, of all real property in the state of Washington, the assessed valuation of which exceeds twenty thousand dollars, in which a corporation, partnership, firm, enterprise, or other entity had a direct financial interest, in which corporation, partnership, firm, or enterprise a ten percent or greater ownership interest was held;

(l) A list of each occasion, specifying date, donor, and amount, at which food and beverage in excess of (~~(fifty dollars)~~) \$100 was accepted under RCW 42.52.150(~~((5)))~~) (7);

(m) A list of each occasion, specifying date, donor, and amount, at which items specified in RCW (~~((42.52.010(9)(d) and (f)))~~) 42.52.150(1)(c)(iv) and (vi) were accepted; and

(n) Such other information as the commission may deem necessary in order to properly carry out the purposes and policies of this chapter, as the commission shall prescribe by rule.

(2)(a) When judges, prosecutors, sheriffs, participants in the address confidentiality program under RCW 40.24.030, or their immediate family members are required to disclose real property that is the personal residence of the judge, prosecutor, sheriff, or address confidentiality program participant, the requirements of subsection (1)(h) through (k) of this section may be satisfied for that property by substituting:

- (i) The city or town;
- (ii) The type of residence, such as a single-family or multifamily residence, and the nature of ownership; and
- (iii) Such other identifying information the commission prescribes by rule for the mailing address where the property is located.

(b) Nothing in this subsection relieves the judge, prosecutor, or sheriff of any other applicable obligations to disclose potential conflicts or to recuse oneself.

(3)(a) Where an amount is required to be reported under subsection (1)(a) through (m) of this section, it may be reported within a range as provided in (b) of this subsection.

(b)

Code A	Less than thirty thousand dollars;
Code B	At least thirty thousand dollars, but less than sixty thousand dollars;
Code C	At least sixty thousand dollars, but less than one hundred thousand dollars;
Code D	At least one hundred thousand dollars, but less than two hundred thousand dollars;
Code E	At least two hundred thousand dollars, but less than five hundred thousand dollars;
Code F	At least five hundred thousand dollars, but less than seven hundred and fifty thousand dollars;
Code G	At least seven hundred fifty thousand dollars, but less than one million dollars; or
Code H	One million dollars or more.

(c) An amount of stock may be reported by number of shares instead of by market value. No provision of this subsection may be interpreted to prevent any person from filing more information or more detailed information than required.

(4) Items of value given to an official's or employee's spouse, domestic partner, or family member are attributable to the official or employee, except the item is not attributable if an independent business, family, or social relationship exists between the donor and the spouse, domestic partner, or family member.

Sec. 28. RCW 29B.55.030 and 2024 c 164 s 488 are each amended to read as follows:

(1) The statement of financial affairs required by RCW 29B.55.010 shall disclose the following information for the reporting individual and each member of the reporting individual's immediate family:

(a) Occupation, name of employer, and business address;

(b) Each bank account, savings account, and insurance policy in which a direct financial interest was held that exceeds twenty thousand dollars at any time during the reporting period; each other item of intangible personal property in which a direct financial interest was held that exceeds two thousand dollars during the reporting period; the name, address, and nature of the entity; and the nature and highest value of each direct financial interest during the reporting period;

(c) The name and address of each creditor to whom the value of two thousand dollars or more was owed; the original amount of each debt to each creditor; the amount of each debt owed to each creditor as of the date of filing; the terms of repayment of each debt; and the security given, if any, for each such debt. Debts arising from a "retail installment transaction" as defined in chapter 63.14 RCW (retail installment sales act) need not be reported;

(d) Every public or private office, directorship, and position held as trustee; except that an elected official or executive state officer need not report the elected official's or executive state officer's service on a governmental board, commission, association, or functional equivalent, when such service is part of the elected official's or executive state officer's official duties;

(e) All persons for whom any legislation, rule, rate, or standard has been prepared, promoted, or opposed for current or deferred compensation. For the purposes of this subsection, "compensation" does not include payments made to the person reporting by the governmental entity for which the person serves as an elected official or state executive officer or professional staff member for the person's service in office; the description of such actual or proposed legislation, rules, rates, or standards; and the amount of current or deferred compensation paid or promised to be paid;

(f) The name and address of each governmental entity, corporation, partnership, joint venture, sole proprietorship, association, union, or other business or commercial entity from whom compensation has been received in any form of a total value of two thousand dollars or more; the value of the compensation; and the consideration given or performed in exchange for the compensation;

(g) The name of any corporation, partnership, joint venture, association, union, or other entity in which is held any office, directorship, or any general partnership interest, or an ownership interest of ten percent or more; the name or title of that office, directorship, or partnership; the nature of ownership interest; and: (i) With respect to a governmental unit in which the official seeks or holds any office or position, if the entity has received compensation in any form during the preceding twelve months from the governmental unit, the value of the compensation and the consideration given or performed in exchange for the compensation; and (ii) the name of each governmental unit, corporation, partnership, joint venture, sole proprietorship, association, union, or other business or commercial entity from which the entity has received compensation in any form in the amount of ten thousand dollars or more during the preceding twelve months and the consideration given or performed in exchange for the compensation. As used in (g)(ii) of this subsection, "compensation" does not include payment for water and other utility services at rates approved by the Washington state utilities and transportation commission or the legislative

authority of the public entity providing the service. With respect to any bank or commercial lending institution in which is held any office, directorship, partnership interest, or ownership interest, it shall only be necessary to report either the name, address, and occupation of every director and officer of the bank or commercial lending institution and the average monthly balance of each account held during the preceding twelve months by the bank or commercial lending institution from the governmental entity for which the individual is an official or candidate or professional staff member, or all interest paid by a borrower on loans from and all interest paid to a depositor by the bank or commercial lending institution if the interest exceeds two thousand four hundred dollars;

(h) A list, including legal or other sufficient descriptions as prescribed by the commission, of all real property in the state of Washington, the assessed valuation of which exceeds ten thousand dollars in which any direct financial interest was acquired during the preceding calendar year, and a statement of the amount and nature of the financial interest and of the consideration given in exchange for that interest;

(i) A list, including legal or other sufficient descriptions as prescribed by the commission, of all real property in the state of Washington, the assessed valuation of which exceeds ten thousand dollars in which any direct financial interest was divested during the preceding calendar year, and a statement of the amount and nature of the consideration received in exchange for that interest, and the name and address of the person furnishing the consideration;

(j) A list, including legal or other sufficient descriptions as prescribed by the commission, of all real property in the state of Washington, the assessed valuation of which exceeds ten thousand dollars in which a direct financial interest was held. If a description of the property has been included in a report previously filed, the property may be listed, for purposes of this subsection (1)(j), by reference to the previously filed report;

(k) A list, including legal or other sufficient descriptions as prescribed by the commission, of all real property in the state of Washington, the assessed valuation of which exceeds twenty thousand dollars, in which a corporation, partnership, firm, enterprise, or other entity had a direct financial interest, in which corporation, partnership, firm, or enterprise a ten percent or greater ownership interest was held;

(l) A list of each occasion, specifying date, donor, and amount, at which food and beverage in excess of (~~((fifty dollars))~~) \$100 was accepted under RCW 42.52.150(~~((5))~~) (7);

(m) A list of each occasion, specifying date, donor, and amount, at which items specified in RCW (~~(42.52.010(9)(d) and (f))~~) 42.52.150(1)(c) (iv) and (vi) were accepted; and

(n) Such other information as the commission may deem necessary in order to properly carry out the purposes and policies of this title, as the commission shall prescribe by rule.

(2)(a) When judges, prosecutors, sheriffs, participants in the address confidentiality program under RCW 40.24.030, or their immediate family members are required to disclose real property that is the personal residence of the judge, prosecutor, sheriff, or address confidentiality program participant, the

requirements of subsection (1)(h) through (k) of this section may be satisfied for that property by substituting:

- (i) The city or town;
- (ii) The type of residence, such as a single-family or multifamily residence, and the nature of ownership; and
- (iii) Such other identifying information the commission prescribes by rule for the mailing address where the property is located.

(b) Nothing in this subsection relieves the judge, prosecutor, or sheriff of any other applicable obligations to disclose potential conflicts or to recuse oneself.

(3)(a) Where an amount is required to be reported under subsection (1)(a) through (m) of this section, it may be reported within a range as provided in (b) of this subsection.

(b)

Code A	Less than thirty thousand dollars;
Code B	At least thirty thousand dollars, but less than sixty thousand dollars;
Code C	At least sixty thousand dollars, but less than one hundred thousand dollars;
Code D	At least one hundred thousand dollars, but less than two hundred thousand dollars;
Code E	At least two hundred thousand dollars, but less than five hundred thousand dollars;
Code F	At least five hundred thousand dollars, but less than seven hundred and fifty thousand dollars;
Code G	At least seven hundred fifty thousand dollars, but less than one million dollars; or
Code H	One million dollars or more.

(c) An amount of stock may be reported by number of shares instead of by market value. No provision of this subsection may be interpreted to prevent any person from filing more information or more detailed information than required.

(4) Items of value given to an official's or employee's spouse, domestic partner, or family member are attributable to the official or employee, except the item is not attributable if an independent business, family, or social relationship exists between the donor and the spouse, domestic partner, or family member.

NEW SECTION. Sec. 29. The following acts or parts of acts are each repealed:

- (1) RCW 42.52.140 (Gifts) and 1994 c 154 s 114;
- (2) RCW 42.52.340 (Transfer of jurisdiction) and 1994 c 154 s 204; and
- (3) RCW 42.52.801 (Exemption—Solicitation to promote tourism) and 2003 c 153 s 5.

NEW SECTION. Sec. 30. Sections 1, 9, 13, 21, 23, 25, and 27 of this act expire January 1, 2026.

NEW SECTION. Sec. 31. Sections 2, 10, 14, 22, 24, 26, and 28 of this act take effect January 1, 2026.

Passed by the Senate April 24, 2025.

Passed by the House April 23, 2025.

Approved by the Governor May 20, 2025.

Filed in Office of Secretary of State May 21, 2025.

CHAPTER 378

[Engrossed Senate Bill 5206]

CANNABIS RETAILERS—ADVERTISING

AN ACT Relating to cannabis retailer advertising; amending RCW 69.50.369; and providing an effective date.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. RCW 69.50.369 and 2022 c 16 s 75 are each amended to read as follows:

(1) No licensed cannabis producer, processor, researcher, or retailer may place or maintain, or cause to be placed or maintained, any sign or other advertisement for a cannabis business or cannabis product, including useable cannabis, cannabis concentrates, or cannabis-infused product, in any form or through any medium whatsoever within one thousand feet of the perimeter of a school grounds, playground, recreation center or facility, child care center, public park, or library, or any game arcade admission ~~((to which is not restricted to persons aged twenty-one years or older))~~ that allows admittance of persons under the age of 21.

(2)(a) Except for the use of trade name signs and billboards as authorized under this section, licensed cannabis retailers may not display any cannabis-related advertising signage ((outside of)) on the licensed premises, other than ((two signs identifying the retail outlet by the licensee's business or trade name, stating the location of the business, and identifying the nature of the business)) four signs affixed to the building of the licensed location on the side of the building with the main entrance.

(b) Each advertisement sign must be no larger than one thousand six hundred square inches and be ((permanently affixed to a building or other structure)):

(i) Affixed on the building of the licensed location on the side of the building with the main entrance; or

(ii) Hanging in the windows of the licensed location on the side of the building with the main entrance.

(c)(i) Any advertising signs that are visible to the public from the public right-of-way, whether on the building or through a window of the building, will be considered advertising for the purposes of this section.

(ii) Signs that are less than 512 square inches are not considered advertising for purposes of this section if the sign does not include any brand names, trade names, or images of any cannabis product and only indicates information including, but not limited to:

(A) Hours of operation;

(B) Business is open or closed;

(C) The presence of an ATM machine;

(D) The word "welcome";

(E) Required signs or notices; and

(F) Community notices.

(3)(a) In addition to the four signs described in subsection (2) of this section, licensed businesses may use up to two trade name signs.

(b) Trade name signs must be limited to two signs and comply with local authority regulations related to the size of signs for the city, town, or county in which the licensed cannabis retailer is located. The enforcement of the size of trade name signs and billboards is the responsibility of the city, town, or county in which the licensed cannabis retailer is located.

(c) Trade name signs may only reflect the trade name of the licensed business and may not contain cannabis products or product brand names.

(d) One of the two trade name signs may be a double-sided sign, such as a pylon sign or monolith sign, that contains identical content on each side. A double-sided sign that contains identical content on each side is considered to be one trade name sign for purposes of this section.

(4) All signage, advertising, and billboard content is prohibited if the content portrays:

(a) Alcohol or its use;

(b) Tobacco or nicotine or its use; or

(c) Any association with a motor vehicle or operation of a motor vehicle.

(5) Any cannabis-related advertising in any business licensed by the board under chapter 70.345, 82.24, or 82.26 RCW is prohibited.

(6) The location and content of the retail cannabis signs authorized under ((this)) subsection (2) of this section are subject to all other requirements and restrictions established in this section for indoor signs, outdoor signs, and other cannabis-related advertising methods.

(((3))) (7) Nothing in this section prohibits the use of other signage that does not represent cannabis or cannabis products, the business trade name, nature of the business, or contains only general information not related to the products or services of the cannabis business.

(8) A cannabis licensee may not utilize transit advertisements for the purpose of advertising its business or product line. ((“Transit advertisements” means advertising on or within private or public vehicles and all advertisements placed at, on, or within any bus stop, taxi stand, transportation waiting area, train station, airport, or any similar transit-related location.

((4))) (9) A cannabis licensee may not engage in advertising or other marketing practice that specifically targets persons residing outside of the state of Washington.

(((5) All signs, billboards, or other print advertising)) (10) Any advertisement for a cannabis ((businesses)) business or cannabis products, regardless of the form of medium used, must contain text ((stating that cannabis products may be purchased or possessed only by persons twenty-one)) indicating that only persons 21 years of age or older may purchase or possess cannabis products. The text must be of a reasonable size to be easily read by consumers. This subsection does not apply to trade name signs.

(((6))) (11) A cannabis licensee may not:

(a) Take any action, directly or indirectly, to target youth in the advertising, promotion, or marketing of cannabis and cannabis products, or take any action the primary purpose of which is to initiate, maintain, or increase the incidence of youth use of cannabis or cannabis products;

(b) Use objects such as toys or inflatables, movie or cartoon characters, or any other depiction or image likely to be appealing to ~~((youth))~~ persons under 21 years of age, where such objects, images, or depictions indicate an intent to cause youth to become interested in the purchase or consumption of cannabis products; ~~((or))~~

(c) Use or employ a commercial mascot outside of, and in proximity to, a licensed cannabis business ~~((A "commercial mascot" means live human being, animal, or mechanical device used for attracting the attention of motorists and passersby so as to make them aware of cannabis products or the presence of a cannabis business. Commercial mascots include, but are not limited to, inflatable tube displays, persons in costume, or wearing, holding, or spinning a sign with a cannabis-related commercial message or image, where the intent is to draw attention to a cannabis business or its products.~~

~~((7))~~; or

(d) Advertise, offer for sale, or sell cannabis at less than acquisition cost. This subsection does not apply to any sales made for a product designated for medical cannabis use by qualifying patients as defined in RCW 69.51A.010.

(12) A cannabis licensee that engages in outdoor advertising is subject to the advertising requirements and restrictions set forth in this subsection ~~((7))~~ and elsewhere in this chapter.

(a) All outdoor advertising signs, including billboards, are limited to text that identifies the retail outlet by the licensee's business or trade name, states the location of the business, and identifies the type or nature of the business. Such signs may not contain any depictions of cannabis plants, cannabis products, or images that might be appealing to children. The board is granted rule-making authority to regulate the text and images that are permissible on outdoor advertising. Such rule making must be consistent with other administrative rules generally applicable to the advertising of cannabis businesses and products.

(b) Outdoor advertising is prohibited:

(i) On signs and placards in arenas, stadiums, shopping malls, fairs that receive state allocations, farmers markets, and video game arcades, whether any of the foregoing are open air or enclosed, but not including any such sign or placard located in ~~((an adult-only facility))~~ an age-restricted area classified by the board as off-limits to persons under 21 years of age; and

(ii) Billboards that are visible from any street, road, highway, right-of-way, or public parking area are prohibited, except as provided in (c) of this subsection.

(c) Licensed retail outlets may use a billboard or outdoor sign solely for the purpose of identifying the name of the business, the nature of the business, and providing the public with directional information to the licensed retail outlet. Billboard advertising is subject to the same requirements and restrictions as set forth in (a) of this subsection.

(d) Advertising signs within the premises of a retail cannabis business outlet that are clearly visible to the public from outside the premises must meet the

signage regulations and requirements applicable to outdoor signs as set forth in this section.

(e) The restrictions and regulations applicable to outdoor advertising under this section are not applicable to:

(i) An advertisement inside a licensed retail establishment that sells cannabis products that is not placed on the inside surface of a window facing outward; or

(ii) An outdoor advertisement at the site of an event to be held ~~((at an adult only facility))~~ in an area classified by the board as off-limits to persons under 21 years of age that is placed at such site during the period the facility or enclosed area ~~((constitutes an adult only facility))~~ is classified as age-restricted by the board, but in no event more than fourteen days before the event, and that does not advertise any cannabis product other than by using a brand name to identify the event.

~~((8) Merchandising))~~ (13) Placement of products within a retail outlet is not advertising for the purposes of this section.

~~((9))~~ (14) This section does not apply to a noncommercial message.

(15) "Adopt-a-Highway" signs erected by the Washington state department of transportation under a current valid sponsorship with the department of transportation are not considered advertising for the purposes of this section.

~~((10))~~ (16)(a) The board must:

(i) Adopt rules implementing this section and specifically including provisions regulating the billboards and outdoor signs authorized under this section; and

(ii) Fine a licensee one thousand dollars for each violation of this section until the board adopts rules prescribing penalties for violations of this section. The rules must establish escalating penalties including fines and up to suspension or revocation of a cannabis license for subsequent violations.

(b) Fines collected under this subsection must be deposited into the dedicated cannabis account created under RCW 69.50.530.

~~((11))~~ (17) A city, town, or county may adopt rules of outdoor advertising by licensed cannabis retailers that are more restrictive than the advertising restrictions imposed under this chapter. Enforcement of restrictions to advertising by a city, town, or county is the responsibility of the city, town, or county.

(18) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Commercial mascot" means a live human being, animal, or mechanical device used for attracting the attention of motorists and passersby so as to make them aware of cannabis products or the presence of a cannabis business. Commercial mascots include, but are not limited to, inflatable tube displays, persons in costume, or wearing, holding, or spinning a sign with a cannabis-related commercial message or image, where the intent is to draw attention to a cannabis business or its products.

(b) "Trade name" means the name as it appears on the license issued to the licensee.

(c) "Transit advertisements" means advertising on or within private or public vehicles and all advertisements placed at, on, or within any bus stop, taxi

stand, transportation waiting area, train station, airport, or any similar transit-related location.

NEW SECTION. Sec. 2. This act takes effect January 1, 2026.

Passed by the Senate April 18, 2025.

Passed by the House April 16, 2025.

Approved by the Governor May 20, 2025.

Filed in Office of Secretary of State May 21, 2025.

CHAPTER 379

[Engrossed Second Substitute Senate Bill 5217]

PREGNANCY-RELATED ACCOMMODATIONS

AN ACT Relating to expanding pregnancy-related accommodations; amending RCW 2.36.100; adding a new chapter to Title 49 RCW; repealing RCW 43.10.005; prescribing penalties; and providing an effective date.

Be it enacted by the Legislature of the State of Washington:

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

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

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

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

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

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

(6) "Reasonable accommodation" means:

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

(b) Modifying a no food or drink policy;

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

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

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

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

(g) Scheduling flexibility for prenatal and postpartum visits;

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

employee to express milk, the employer shall work with the employee to identify a convenient location and work schedule to accommodate their needs; and

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

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

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

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

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

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

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

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

(3)(a) This chapter does not require an employer to create additional employment that the employer would not otherwise have created, unless the employer does so or would do so for other classes of employees who need accommodation.

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

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

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

NEW SECTION. Sec. 3. (1) The department shall investigate complaints and enforce this chapter. Prior to issuing any order under this subsection, the department must first contact the employer and attempt in good faith to reach agreement on reasonable accommodation or interim accommodation. If the

department and the employer are unable to reach agreement, the department may issue a temporary order immediately restraining any such condition, practice, method, process, or means in the workplace that violates any provision of this chapter. This temporary order may be in effect no longer than 90 calendar days. To extend the order beyond 90 calendar days, the department must seek a restraining order, or other such relief as appears appropriate under the circumstances, in the superior court of the county wherein such condition of employment or practice exists.

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

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

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

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

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

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

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

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

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

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

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

(b) A person who is breastfeeding or expressing breast milk for an infant under 24 months old may request to delay or be excused from jury service if the person attests that the person is unable to serve for this reason. An attestation form must be developed by the court and may not include a requirement that a doctor's note be provided. This request must be granted by the court.

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

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

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

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

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

Passed by the Senate April 18, 2025.

Passed by the House April 14, 2025.

Approved by the Governor May 20, 2025.

Filed in Office of Secretary of State May 21, 2025.

CHAPTER 380

[Engrossed Substitute Senate Bill 5291]

LONG-TERM SERVICES AND SUPPORTS TRUST PROGRAM—VARIOUS PROVISIONS

AN ACT Relating to strengthening the WACares program by implementing the recommendations of the long-term services and supports trust commission; amending RCW 50B.04.180, 50B.04.010, 50B.04.020, 50B.04.030, 50B.04.050, 50B.04.055, 50B.04.060, 50B.04.070, 50B.04.085, 50B.04.100, 50B.04.140, 74.39.007, 70.127.040, 48.85.010, and 48.85.030; reenacting and amending RCW 50B.04.080; adding new sections to chapter 50B.04 RCW; adding a new section to chapter 48.83 RCW; adding a new chapter to Title 48 RCW; creating a new section; repealing RCW 50B.04.040; providing effective dates; and providing an expiration date.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. RCW 50B.04.180 and 2024 c 120 s 2 are each amended to read as follows:

(1) Beginning July 1, 2026, an employee or self-employed person, who has elected coverage under RCW 50B.04.090, who relocates outside of Washington may elect to continue participation in the program if:

(a) The employee or self-employed person has been assessed premiums by the employment security department for at least three years in which the employee or self-employed person has worked at least 500 hours in each of those years in Washington; and

(b) The employee or self-employed person notifies the employment security department within one year of establishing a primary residence outside of Washington that the employee or self-employed person is no longer a resident of Washington and elects to continue participation in the program.

(2) Out-of-state participants under subsection (1) of this section must report their wages or self-employment earnings to the employment security department according to standards for manner and timing of reporting and documentation submission, as adopted by rule by the employment security department. An out-of-state participant must submit documentation to the employment security department whether or not the out-of-state participant earned wages or self-employment earnings, as applicable, during the applicable reporting period. When an out-of-state participant reaches the age of 67, the participant is no longer required to provide the documentation of their wages or self-employment earnings, but if the participant earns wages or self-employment earnings, the participant must submit reports of those wages or self-employment earnings and remit the required premiums.

(3) Out-of-state participants under subsection (1) of this section must provide documentation of wages and self-employment earnings earned at the time that they report their wages or self-employment earnings to the employment security department.

(4) An out-of-state participant who has elected to continue participation in the program under subsection (1) of this section may not withdraw from coverage under the program. The employment security department ~~((may))~~ shall cancel out-of-state elective coverage if the out-of-state participant fails to make required payments or submit reports. ~~((The employment security department may collect due and unpaid premiums and may levy an additional premium for the remainder of the period of coverage.))~~ The cancellation must be effective no later than 30 days from the date of the notice in writing advising the out-of-state participant of the cancellation.

(5) The employment security department shall:

(a) Adopt standards by rule for the manner and timing of reporting and documentation submission for out-of-state participants. The employment security department must consider user experience with the wage and self-employment earnings reporting process and the document submission process and regularly update the standards to minimize the procedural burden on out-of-state participants and support the accurate reporting of wages and self-employment earnings at the time of the payment of premiums;

(b) Collect premiums from out-of-state participants as provided in RCW 50B.04.080 and 50B.04.090, as relevant to out-of-state participants; and

(c) Verify the wages or self-employment earnings as reported by an out-of-state participant.

(6) For the purposes of this section, "wages" includes remuneration for services performed within or without or both within and without this state.

(7) Entities providing services to an eligible beneficiary outside Washington are subject to RCW 50B.04.200 and may not discriminate based upon race, gender, age, or preexisting condition.

~~(8) ((An employee or self-employed person who has elected coverage under RCW 50B.04.090 who relocates outside of Washington may elect to opt out of coverage by no longer reporting wages to the department, rather than become an out of state participant in the program.~~

~~(9)))~~ By extending the premium base to out-of-state participants under subsection (1) of this section, chapter 120, Laws of 2024 will increase the state's investment in long-term care services.

Sec. 2. RCW 50B.04.010 and 2024 c 120 s 3 are each amended to read as follows:

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

(1) "Account" means the long-term services and supports trust account created in RCW 50B.04.100.

(2) "Approved service" means long-term services and supports including, but not limited to:

- (a) Adult day services;
- (b) Care transition coordination;
- (c) Memory care;
- (d) Adaptive equipment and technology;
- (e) Environmental modification;
- (f) Personal emergency response system;
- (g) Home safety evaluation;
- (h) Respite for family caregivers;
- (i) Home delivered meals;
- (j) Transportation;
- (k) Dementia supports;
- (l) Education and consultation;
- (m) Eligible relative care;
- (n) Professional services;

(o) Services that assist paid and unpaid family members caring for eligible individuals, including training for individuals providing care who are not otherwise employed as long-term care workers under RCW 74.39A.074;

- (p) In-home personal care;
- (q) Assisted living services;
- (r) Adult family home services; and

(s) ~~((Nursing home services))~~ Long-term services and supports provided in nursing homes.

(3) "Benefit unit" means up to \$100 paid by the department of social and health services to a long-term services and supports provider as reimbursement for approved services provided to an eligible beneficiary on a specific date. The benefit unit must be adjusted annually ~~((at a rate no greater than the Washington state consumer price index, as determined solely by the council. Any changes adopted by the council shall be subject to revision by the legislature))~~ for inflation by the consumer price index. The adjusted benefit unit must be calculated to the nearest cent/dollar using the consumer price index for the Seattle, Washington area for urban wage earners and clerical workers, all items, CPI-W, or a successor index, for the 12 months before each September 1st compiled by the United States department of labor's bureau of labor statistics. Each adjusted benefit unit calculated under this subsection takes effect on the following January 1st.

(4) "Commission" means the long-term services and supports trust commission established in RCW 50B.04.030.

(5) ~~((“Council” means the long-term services and supports trust council established in RCW 50B.04.040.~~

~~(6))~~ (6)) "Eligible beneficiary" means a qualified individual who is age 18 or older, resides in the state of Washington or has elected to keep coverage when they relocate out-of-state under RCW 50B.04.180, has been determined to meet the minimum level of assistance with activities of daily living necessary to receive benefits through the trust program, as ((established in this chapter)) provided in RCW 50B.04.060, and has not exhausted the lifetime limit of benefit units.

~~((7))~~ (6) "Employee" has the meaning provided in RCW 50A.05.010.

~~((8))~~ (7) "Employer" has the meaning provided in RCW 50A.05.010.

~~((9))~~ (8) "Employment" has the meaning provided in RCW 50A.05.010.

~~((10))~~ (9) "Exempt employee" means a person who has been granted a premium assessment exemption by the employment security department.

~~((11))~~ (10) "Long-term services and supports provider" means:

(a) For entities providing services to an eligible beneficiary in Washington, an entity that meets the qualifications applicable in law to the approved service they provide, including a qualified or certified home care aide, licensed assisted living facility, licensed adult family home, licensed nursing home, licensed in-home services agency, adult day services program, vendor, instructor, qualified family member, or other entities as registered by the department of social and health services; and

(b) For entities providing services to an eligible beneficiary outside Washington, an entity that meets minimum standards for care provision and program administration, as established by the department of social and health services, and that is appropriately credentialed in the jurisdiction in which the services are being provided as established by the department of social and health services.

~~((12))~~ (11) "Premium" or "premiums" means the payments required by RCW 50B.04.080 and paid to the employment security department for deposit in the account created in RCW 50B.04.100.

~~((13))~~ (12) "Program" means the long-term services and supports trust program established in this chapter.

~~((14))~~ (13) "Qualified family member" means a relative of an eligible beneficiary qualified to meet requirements established ~~((in state law))~~ by the department of social and health services for the approved service they provide ~~((that would be required of any other long-term services and supports provider to receive payments from the state))~~.

~~((15))~~ (14) "Qualified individual" means an individual who meets the duration of payment requirements, as established in this chapter.

~~((16))~~ (15) "State actuary" means the office of the state actuary created in RCW 44.44.010.

~~((17))~~ (16) "Wage or wages" means all remuneration paid by an employer to an employee. Remuneration has the meaning provided in RCW 50A.05.010. All wages are subject to a premium assessment and not limited by the commissioner of the employment security department, as provided under RCW 50A.10.030(4).

Sec. 3. RCW 50B.04.020 and 2024 c 120 s 4 are each amended to read as follows:

(1) The health care authority, the department of social and health services, the office of the state actuary, and the employment security department each have distinct responsibilities in the implementation and administration of the program. In the performance of their activities, they shall actively collaborate to realize program efficiencies and provide persons served by the program with a well-coordinated experience.

(2) The health care authority shall:

(a) Track the use of lifetime benefit units to verify the individual's status as an eligible beneficiary as determined by the department of social and health services;

(b) Ensure approved services are provided through audits or service verification processes within the service provider payment system for registered long-term services and supports providers and recoup any inappropriate payments;

(c) Establish criteria for the payment of benefits to ~~((registered))~~ long-term services and supports providers under RCW 50B.04.070;

(d) Establish rules and procedures for benefit coordination when the eligible beneficiary is also funded for medicaid and other long-term services and supports, including medicare, coverage through the department of labor and industries, and private long-term care coverage; ~~((and))~~

(e) Assist the department of social and health services with the leveraging of existing payment systems for the provision of approved services to beneficiaries under RCW 50B.04.070; and

(f) Adopt rules and procedures necessary to implement and administer the activities specified in this section related to the program.

(3) The department of social and health services shall:

(a) Make determinations regarding an individual's status as an eligible beneficiary under RCW 50B.04.060;

(b) Approve long-term services and supports eligible for payment as approved services under the program, as informed by the commission;

(c) Register long-term services and supports providers that meet minimum qualifications;

(d) Discontinue the registration of long-term services and supports providers that: (i) Fail to meet the minimum qualifications applicable in law to the approved service that they provide; or (ii) violate the operational standards of the program;

(e) Disburse payments of benefits to registered long-term services and supports providers, utilizing and leveraging existing payment systems for the provision of approved services to eligible beneficiaries under RCW 50B.04.070;

(f) Prepare and distribute written or electronic materials to qualified individuals, eligible beneficiaries, and the public as deemed necessary by the commission to inform them of program design and updates;

(g) Provide customer service and address questions and complaints, including referring individuals to other appropriate agencies;

(h) Provide administrative and operational support to the commission;

(i) Track data useful in monitoring and informing the program, as identified by the commission;

(j) Develop criteria to deem a family member as qualified when providing approved services outside of Washington; ~~((and))~~

(k) Adopt rules and procedures necessary to implement and administer the activities specified in this section related to the program; and

(l) Establish, by rule, the scope of the long-term services and supports identified in RCW 50B.04.010(2) that may be an approved service and identify the types of goods and services that are and are not covered under each approved service in order to maximize usage of all available public and private benefits for eligible beneficiaries.

(4) The employment security department shall:

(a) Collect and assess employee premiums as provided in RCW 50B.04.080, 50B.04.090, and 50B.04.180;

(b) Assist the commission(~~((council))~~) and state actuary in monitoring the solvency and financial status of the program;

(c) Perform investigations to determine the compliance of premium payments in RCW 50B.04.080, 50B.04.090, and 50B.04.180 in coordination with the same activities conducted under the family and medical leave act, Title 50A RCW, to the extent possible;

(d) Make determinations regarding an individual's status as a qualified individual under RCW 50B.04.050, including criteria to determine the status of persons receiving partial benefit units under RCW 50B.04.050(2) and out-of-state participants under RCW 50B.04.180; and

(e) Adopt rules and procedures necessary to implement and administer the activities specified in this section related to the program.

(5) The office of the state actuary shall:

(a) Beginning July 1, 2025, and biennially thereafter, perform an actuarial audit and valuation of the long-term services and supports trust fund. Additional or more frequent actuarial audits and valuations may be performed at the request of the ~~((council))~~ commission;

(b) Make recommendations to the (~~council~~) commission and the legislature on actions necessary to maintain trust solvency. The recommendations must include options to redesign or reduce benefit units, approved services, or both, to prevent or eliminate any unfunded actuarially accrued liability in the trust or to maintain solvency; and

(c) Select and contract for such actuarial, research, technical, and other consultants as the actuary deems necessary to perform its duties under chapter 363, Laws of 2019.

(6) By October 1, 2021, the employment security department and the department of social and health services shall jointly conduct outreach to provide employers with educational materials to ensure employees are aware of the program and that the premium assessments will begin on July 1, 2023. In conducting the outreach, the employment security department and the department of social and health services shall provide on a public website information that explains the program and premium assessment in an easy to understand format. Outreach information must be available in English and other primary languages as defined in RCW 74.04.025.

Sec. 4. RCW 50B.04.030 and 2022 c 1 s 2 are each amended to read as follows:

(1) The long-term services and supports trust commission is established. The commission's recommendations and decisions must be guided by the joint goals of maintaining benefit adequacy and maintaining fund solvency and sustainability.

(2) The commission includes:

(a) Two members from each of the two largest caucuses of the house of representatives, appointed by the speaker of the house of representatives;

(b) Two members from each of the two largest caucuses of the senate, appointed by the president of the senate;

(c) The commissioner of the employment security department, or the commissioner's designee;

(d) The secretary of the department of social and health services, or the secretary's designee;

(e) The director of the health care authority, or the director's designee, who shall serve as a nonvoting member;

(f) One representative of the organization representing the area agencies on aging;

(g) One representative of a home care association that represents caregivers who provide services to private pay and medicaid clients;

(h) One representative of a union representing long-term care workers;

(i) One representative of an organization representing retired persons;

(j) One representative of an association representing skilled nursing facilities and assisted living providers;

(k) One representative of an association representing adult family home providers;

(l) Two individuals receiving long-term services and supports, or their designees, or representatives of consumers receiving long-term services and supports under the program;

(m) One member who is a worker who is, or will likely be, paying the premium established in RCW 50B.04.080 and who is not employed by a long-term services and supports provider; and

(n) One representative of an organization of employers whose members collect, or will likely be collecting, the premium established in RCW 50B.04.080.

(3)(a) Other than the legislators and agency heads identified in subsection (2) of this section, members of the commission are appointed by the governor for terms of two years, except that the governor shall appoint the initial members identified in subsection (2)(f) through (n) of this section to staggered terms not to exceed four years.

(b) The secretary of the department of social and health services, or the secretary's designee, shall serve as chair of the commission. Meetings of the commission are at the call of the chair. A majority of the voting members of the commission shall constitute a quorum for any votes of the commission. Approval of ~~((sixty))~~ 60 percent of those voting members of the commission who are in attendance is required for the passage of any vote.

(c) Members of the commission and the subcommittee established in subsection (6) of this section must be compensated in accordance with RCW 43.03.250 and must be reimbursed for their travel expenses while on official business in accordance with RCW 43.03.050 and 43.03.060.

(4) Beginning January 1, 2021, the commission shall propose recommendations to the appropriate executive agency or the legislature regarding:

(a) The establishment of criteria for determining that an individual has met the requirements to be a qualified individual as established in RCW 50B.04.050 or an eligible beneficiary as established in RCW 50B.04.060;

(b) The establishment of criteria for minimum qualifications for the registration of long-term services and supports providers who provide approved services to eligible beneficiaries;

(c) The establishment of payment maximums for approved services consistent with actuarial soundness which shall not be lower than medicaid payments for comparable services. A service or supply may be limited by dollar amount, duration, or number of visits. The commission shall engage affected stakeholders to develop this recommendation;

(d) Changes to rules or policies to improve the operation of the program;

~~(e) ((Providing a recommendation to the council for the annual adjustment of the benefit unit in accordance with RCW 50B.04.010 and 50B.04.040;~~

~~((f)))~~ A refund of premiums for a deceased qualified individual with a dependent who is an individual with a developmental disability who is dependent for support from a qualified individual. The qualified individual must not have been determined to be an eligible beneficiary by the department of social and health services. The refund shall be deposited into an individual trust account within the developmental disabilities endowment trust fund for the benefit of the dependent with a developmental disability. The commission shall consider:

(i) The value of the refund to be ~~((one hundred))~~ 100 percent of the current value of the qualified individual's lifetime premium payments at the time that

certification of death of the qualified individual is submitted, less any administrative process fees; and

(ii) The criteria for determining whether the individual is developmentally disabled. The determination shall not be based on whether or not the individual with a developmental disability is receiving services under Title 71A RCW, or another state or local program; and

~~((g))~~ (f) Assisting the state actuary with the preparation of regular actuarial reports on the solvency and financial status of the program and advising the legislature on actions necessary to maintain trust solvency. The commission shall provide the office of the state actuary with all actuarial reports for review. The office of the state actuary shall provide any recommendations to the commission and the legislature on actions necessary to maintain trust solvency(~~(g)~~

~~(h) For the January 1, 2021, report only, recommendations on whether and how to extend coverage to individuals who became disabled before the age of eighteen, including the impact on the financial status and solvency of the trust. The commission shall engage affected stakeholders to develop this recommendation; and~~

~~(i) For the January 1, 2021, report only, the commission shall consult with the office of the state actuary on the development of an actuarial report of the projected solvency and financial status of the program. The office of the state actuary shall provide any recommendations to the commission and the legislature on actions necessary to achieve trust solvency)).~~

(5) The commission shall monitor agency administrative expenses over time. Beginning November 15, 2020, the commission must annually report to the governor and the fiscal committees of the legislature on agency spending for administrative expenses and anticipated administrative expenses as the program shifts into different phases of implementation and operation. The November 15, 2027, report must include recommendations for a method of calculating future agency administrative expenses to limit administrative expenses while providing sufficient funds to adequately operate the program. The agency heads identified in subsection (2) of this section may advise the commission on the reports prepared under this subsection, but must recuse themselves from the commission's process for review, approval, and submission to the legislature.

(6) The commission shall establish an investment strategy subcommittee consisting of the members identified in subsection (2)(a) through (d) of this section as voting members of the subcommittee. In addition, four members appointed by the governor who are considered experienced and qualified in the field of investment shall serve as nonvoting members. The subcommittee shall provide guidance and advice to the state investment board on investment strategies for the account, including seeking counsel and advice on the types of investments that are constitutionally permitted.

(7) The commission shall work with insurers to develop long-term care insurance products that supplement the program's benefit.

Sec. 5. RCW 50B.04.050 and 2024 c 120 s 5 are each amended to read as follows:

(1) Except as provided in subsection (2) of this section, the employment security department shall deem a person to be a qualified individual as provided in this chapter if the person has paid the long-term services and supports premiums required by RCW 50B.04.080 for the equivalent of either:

(a) A total of ten years (~~((without interruption of five or more consecutive years))~~); or

(b) Three years within the last six years from the date of application for benefits.

(2) A person born before January 1, 1968, who has not met the duration requirements under subsection (1)(a) of this section may become a qualified individual with fewer than the number of years identified in subsection (1)(a) of this section if the person has paid the long-term services and supports premiums required by RCW 50B.04.080 for at least one year. A person becoming a qualified individual pursuant to this subsection (2) may receive one-tenth of the maximum number of benefit units available under RCW 50B.04.060(3)(b) for each year of premium payments. In accordance with RCW 50B.04.060, benefits for eligible beneficiaries in Washington will not be available until July 1, 2026, and benefits for out-of-state participants who become eligible beneficiaries will not be available until July 1, 2030, and nothing in this section requires the department of social and health services to accept applications for determining an individual's status as an eligible beneficiary prior to July 1, 2026. Nothing in this subsection (2) prohibits a person born before January 1, 1968, who meets the conditions of subsection (1)(b) of this section from receiving the maximum number of benefit units available under RCW 50B.04.060(3)(b).

(3) When deeming a person to be a qualified individual, the employment security department shall require that the person have worked at least 500 hours during each of the ten years in subsection (1)(a) of this section, each of the three years in subsection (1)(b) of this section, or each of the years identified in subsection (2) of this section.

(4) An exempt employee may never be deemed to be a qualified individual, unless the employee's exemption was discontinued under RCW 50B.04.055 or rescinded under RCW 50B.04.085.

(5) An out-of-state resident whose elective coverage has been canceled by the employment security department under RCW 50B.04.180 may not be deemed to be a qualified individual.

NEW SECTION. Sec. 6. A new section is added to chapter 50B.04 RCW to read as follows:

(1) An employee who holds a nonimmigrant visa for temporary workers, as recognized by federal law, is not subject to the rights and responsibilities of this chapter, unless the employee notifies the employee's employer that the employee would like to participate.

(2) If an employee who holds a nonimmigrant visa for temporary workers becomes a permanent resident or citizen employed in Washington, the employee becomes subject to the rights and responsibilities of this chapter.

(3) The employment security department may adopt rules necessary to implement this section.

Sec. 7. RCW 50B.04.055 and 2022 c 2 s 2 are each amended to read as follows:

(1) (~~(Beginning January 1, 2023, the)~~) The employment security department shall accept and approve applications for voluntary exemptions from the premium assessment under RCW 50B.04.080 for any employee who meets

criteria established by the employment security department for an exemption based on the employee's status as:

(a) A veteran of the United States military who has been rated by the United States department of veterans affairs as having a service-connected disability of 70 percent or greater;

(b) A spouse or registered domestic partner of an active duty service member in the United States armed forces whether or not deployed or stationed within or outside of Washington;

~~(c) ((An employee who holds a nonimmigrant visa for temporary workers, as recognized by federal law, and is employed by an employer in Washington; or~~

~~((d))) An employee who is employed by an employer in Washington, but maintains a permanent address outside of Washington as the employee's primary location of residence; or~~

(d) An active duty service member in the United States armed forces, whether or not deployed or stationed within or outside of Washington, who is concurrently engaged in off-duty civilian employment as an employee of an employer.

(2) The employment security department shall adopt criteria, procedures, and rules for verifying the information submitted by the applicant for an exemption under subsection (1) of this section.

(3) An employee who receives an exemption under subsection (1) of this section may not become a qualified individual or eligible beneficiary and is permanently ineligible for coverage under this title, unless the exemption has been discontinued as provided in subsection (4)((~~5~~)) or (5)((~~6~~)) of this section.

(4)(a) An exemption granted in accordance with the conditions under subsection (1)(b) of this section must be discontinued within 90 days of:

(i) The discharge or separation from military service of the employee's spouse or registered domestic partner; or

(ii) The dissolution of the employee's marriage or registered domestic partnership with the active duty service member.

(b) An exemption granted in accordance with the conditions under subsection (1)(c) of this section must be discontinued within 90 days of establishing a permanent address within Washington as the employee's primary location of residence.

(c) An exemption granted in accordance with the conditions under subsection (1)(d) of this section must be discontinued within 90 days of the discharge or separation from military service.

(5)(a) Within 90 days of the occurrence of ((either of)) the events described in ((a) of this) subsection (4) of this section, an employee who has received an exemption under subsection (1) of this section shall:

(i) Notify the employment security department that the exemption must be discontinued because of the occurrence of ((either of)) the events described in ((a) of this) subsection (4) of this section; and

(ii) Notify the employee's employer that the employee is no longer exempt and that the employer must begin collecting premiums from the employee in accordance with RCW 50B.04.080.

((e)) (b) Upon notification to the employment security department and the employer, premium assessments established under RCW 50B.04.080 must begin

and the employee may become a qualified individual or eligible beneficiary upon meeting the requirements established in this chapter.

~~((d))~~ (c) Failure to begin paying the premium established under RCW 50B.04.080 within 90 days of the occurrence of ~~((either of))~~ the events described in ((a) of this) subsection (4) of this section shall result in the payment of any unpaid premiums from the employee, with interest at the rate of one percent per month or fraction thereof, by the employee to the employment security department from the date on which the payment should have begun.

~~((5)(a))~~ An exemption granted in accordance with the conditions under subsection (1)(c) of this section must be discontinued within 90 days of an employee changing the employee's nonimmigrant visa for temporary workers status to become a permanent resident or citizen employed in Washington.

(b) Within 90 days of the employee changing the employee's nonimmigrant visa for temporary workers status to become a permanent resident or citizen employed in Washington, the employee who has received an exemption under subsection (1)(c) of this section shall:

(i) Notify the employment security department that the employee no longer holds a nonimmigrant visa for temporary workers and is a permanent resident or citizen employed in Washington and the exemption must be discontinued; and

(ii) Notify the employee's employer that the employee no longer holds a nonimmigrant visa for temporary workers and is a permanent resident or citizen employed in Washington, and that the employer must begin collecting premiums from the employee in accordance with RCW 50B.04.080.

~~(e)~~ Upon notification to the employment security department and the employer, premium assessments established under RCW 50B.04.080 must begin and the employee may become a qualified individual or eligible beneficiary upon meeting the requirements established in this chapter.

~~(d)~~ Failure to begin paying the premium established under RCW 50B.04.080 within 90 days of an employee no longer holding a nonimmigrant visa for temporary workers and becoming a permanent resident or citizen employed in Washington shall result in the payment of any unpaid premiums from the employee, with interest at the rate of one percent per month or fraction thereof, by the employee to the employment security department from the date on which the payment should have begun.

~~(6)(a))~~ An exemption granted in accordance with the conditions under subsection (1)(d) of this section must be discontinued within 90 days of an employee establishing a permanent address within Washington as the employee's primary location of residence.

(b) Within 90 days of the employee establishing a permanent address within Washington as the employee's primary location of residence, the employee who has received an exemption under subsection (1)(d) of this section shall:

(i) Notify the employment security department that the employee is residing in Washington and the exemption must be discontinued; and

(ii) Notify the employee's employer that the employee is no longer exempt and that the employer must begin collecting premiums from the employee in accordance with RCW 50B.04.080.

~~(e)~~ Upon notification to the employment security department and the employer, premium assessments established under RCW 50B.04.080 must begin

~~and the employee may become a qualified individual or eligible beneficiary upon meeting the requirements established in this chapter.~~

~~(d) Failure to begin paying the premium established under RCW 50B.04.080 within 90 days of an employee establishing a permanent address within Washington as the employee's primary location of residence shall result in the payment of any unpaid premiums from the employee, with interest at the rate of one percent per month or fraction thereof, by the employee to the employment security department from the date on which the payment should have begun.~~

~~(7))~~ (6) Exempt employees are not entitled to a refund of any premium deductions made before the effective date of an approved exemption, except for premiums collected prior to the effective date of the premium assessment under RCW 50B.04.080.

~~((8))~~ (7) An employee who has received an exemption pursuant to this section shall provide written notification to all current and future employers of an approved exemption.

~~((9))~~ (8) If an exempt employee fails to notify an employer of an exemption, the exempt employee is not entitled to a refund of any premium deductions made before notification is provided, except for premiums collected prior to the effective date of the premium assessment under RCW 50B.04.080.

~~((10))~~ (9) Employers may not deduct premiums after being notified by an employee of an approved exemption issued under this section.

(a) Employers shall retain written notifications of exemptions received from employees.

(b) An employer who deducts premiums after being notified by the employee of an exemption is solely responsible for refunding to the employee any premiums deducted after the notification.

(c) The employer is not entitled to a refund from the employment security department for any premiums remitted to the employment security department that were deducted from exempt employees.

~~((11))~~ (10) The provisions of RCW 50B.04.085 do not apply to the exemptions issued pursuant to this section.

~~((12))~~ (11) The employment security department shall adopt rules necessary to implement and administer the activities specified in this section related to the program, including rules on the submission and processing of applications under this section.

Sec. 8. RCW 50B.04.060 and 2024 c 120 s 6 are each amended to read as follows:

(1) Beginning July 1, 2026, approved services must be available and benefits payable to a ~~((registered))~~ long-term services and supports provider on behalf of an eligible beneficiary under this section.

(2)(a)(i) Except for qualified individuals residing outside of Washington as provided in (a)(ii) of this subsection, beginning July 1, 2026, a qualified individual may become an eligible beneficiary by filing an application with the department of social and health services and undergoing an eligibility determination which includes an evaluation that the individual requires assistance with at least three activities of daily living, as defined by the department of social and health services for long-term services and supports programs, which is expected to last for at least 90 days.

(ii) For a qualified individual residing outside of Washington, beginning ~~((January))~~ July 1, 2030, the out-of-state qualified individual may become an eligible beneficiary by filing an application with the department of social and health services and undergoing an eligibility determination. The eligibility determination must include an evaluation that the individual either (A) is unable to perform, without substantial assistance from another individual, at least two of the following activities of daily living for a period of at least 90 days due to a loss of functional capacity: Eating, toileting, transferring, bathing, dressing, or continence, or (B) requires substantial supervision to protect such individual from threats to health and safety due to severe cognitive impairments.

(b) The department of social and health services must engage sufficient qualified assessor capacity, including via contract, so that the determination may be made within 45 days from receipt of a request by a beneficiary to use a benefit.

(3)(a) An eligible beneficiary may receive approved services and benefits through the program in the form of a benefit unit payable to a ~~((registered))~~ long-term services and supports provider.

(b) Except as limited in RCW 50B.04.050(2), an eligible beneficiary may not receive more than the dollar equivalent of 365 benefit units over the course of the eligible beneficiary's lifetime.

(i) If the department of social and health services reimburses a long-term services and supports provider for approved services provided to an eligible beneficiary and the payment is less than the benefit unit, only the portion of the benefit unit that is used shall be taken into consideration when calculating the person's remaining lifetime limit on receipt of benefits.

(ii) Eligible beneficiaries may combine benefit units to receive more approved services per day as long as the total number of lifetime benefit units has not been exceeded.

Sec. 9. RCW 50B.04.070 and 2024 c 120 s 7 are each amended to read as follows:

(1)(a) Benefits provided under this chapter shall be paid periodically and promptly to long-term services and supports providers who provide approved services to:

~~((a))~~ (i) Eligible beneficiaries in Washington if the long-term services and supports provider is registered with the department of social and health services; and

~~((b))~~ (ii) Eligible beneficiaries outside Washington if the long-term services and supports providers meet minimum standards established by the department.

~~((2))~~ (b) The department of social and health services may contract with a third party to administer payments to long-term services and supports providers providing services to eligible beneficiaries whether inside or outside of Washington.

(c) Qualified family members may be paid for approved personal care services in the same way as individual providers, through a licensed home care agency, or through a third option ~~((#))~~ as recommended by the commission ~~((and))~~ if adopted by the department of social and health services.

(2) The department of social and health services shall establish payment methods and procedures that are most appropriate and efficient for the different

categories of service providers identified in subsection (1) of this section, including collaboration with other agencies and contracting with third parties, as necessary.

Sec. 10. RCW 50B.04.080 and 2022 c 2 s 1 and 2022 c 1 s 5 are each reenacted and amended to read as follows:

(1) Unless otherwise exempted pursuant to this chapter, beginning July 1, 2023, the employment security department shall assess for each individual in employment with an employer a premium based on the amount of the individual's wages. The initial premium rate is .58 percent of the individual's wages. Beginning January 1, 2026, and biennially thereafter, the premium rate shall be set by the pension funding council at a rate no greater than .58 percent. In addition, the pension funding council must set the premium rate at the lowest amount necessary to maintain the actuarial solvency of the long-term services and supports trust account created in RCW 50B.04.100 in accordance with recognized insurance principles and designed to attempt to limit fluctuations in the premium rate. To facilitate the premium rate setting the office of the state actuary must perform a biennial actuarial audit and valuation of the fund and make recommendations to the pension funding council.

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

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

~~(3) ((Nothing in this chapter requires any party to a collective bargaining agreement in existence on October 19, 2017, to reopen negotiations of the agreement or to apply any of the responsibilities under this chapter unless and until the existing agreement is reopened or renegotiated by the parties or expires.~~

~~(4))~~(a) Premiums shall be collected in the manner and at such intervals as provided in this chapter and directed by the employment security department.

(b) To the extent feasible, the employment security department shall use the premium assessment, collection, and reporting procedures in Title 50A RCW.

~~((5))~~ (4) The employment security department shall deposit all premiums collected in this section in the long-term services and supports trust account created in RCW 50B.04.100.

~~((6))~~ (5) Premiums collected in this section are placed in the trust account for the individuals who become eligible for the program.

~~((7))~~ (6) If the premiums established in this section are increased, the legislature shall notify each qualified individual by mail that the person's premiums have been increased, describe the reason for increasing the premiums, and describe the plan for restoring the funds so that premiums are returned to .58 percent of the individual's wages.

Sec. 11. RCW 50B.04.085 and 2021 c 113 s 5 are each amended to read as follows:

(1) An employee who attests that the employee has long-term care insurance purchased before November 1, 2021, may apply for an exemption from the premium assessment under RCW 50B.04.080. ~~((An exempt employee may not~~

~~become a qualified individual or eligible beneficiary and is permanently ineligible for coverage under this title.))~~

(2)(a) The employment security department must accept applications for exemptions only from October 1, 2021, through December 31, 2022.

(b) Only employees who are eighteen years of age or older may apply for an exemption.

(3) The employment security department is not required to verify the attestation of an employee that the employee has long-term care insurance.

(4) Approved exemptions will take effect on the first day of the quarter immediately following the approval of the exemption.

(5) Exempt employees are not entitled to a refund of any premium deductions made before the effective date of an approved exemption.

(6) An exempt employee must provide written notification to all current and future employers of an approved exemption.

(7) If an exempt employee fails to notify an employer of an exemption, the exempt employee is not entitled to a refund of any premium deductions made before notification is provided.

(8) Employers must not deduct premiums after being notified by an employee of an approved exemption.

(a) Employers must retain written notifications of exemptions received from employees.

(b) An employer who deducts premiums after being notified by the employee of an exemption is solely responsible for refunding to the employee any premiums deducted after the notification.

(c) The employer is not entitled to a refund from the employment security department for any premiums remitted to the employment security department that were deducted from exempt employees.

(9)(a) Except as provided in (b) of this subsection, an exempt employee may not become a qualified individual or eligible beneficiary and is permanently ineligible for coverage under this title.

(b) Prior to July 1, 2028, an employee who has received an approved exemption pursuant to this section may rescind the exemption and participate in the program. The employee must notify the employment security department of the rescission according to procedures established by the employment security department. The employee will be subject to premium assessments under RCW 50B.04.080 or 50B.04.090 upon notification to the employment security department of the rescission. The employee is not responsible for any premiums that would have been assessed prior to the rescission. When deeming a person to be a qualified individual under RCW 50B.04.050, the employment security department may not consider any years in which the rescinding employee had been in exempt status unless the employee had been assessed the premium for a part of the year and the number of hours worked while being assessed met the minimum hour requirement.

(10) The employment security department must adopt rules necessary to implement and administer the activities specified in this section related to the program, including rules on the submission and processing of applications and the rescission of an exemption under this section.

Sec. 12. RCW 50B.04.100 and 2024 c 120 s 8 are each amended to read as follows:

(1) The long-term services and supports trust account is created in the custody of the state treasurer. All receipts from employers under RCW 50B.04.080 and from out-of-state participants under RCW 50B.04.180, 50B.04.090, and 50B.04.095, delinquent premiums, penalties, and interest received pursuant to sections 13 and 14 of this act, and any funds attributable to savings derived through a waiver with the federal centers for medicare and medicaid services pursuant to RCW 50B.04.130 must be deposited in the account. Expenditures from the account may be used for the administrative activities of the department of social and health services, the health care authority, and the employment security department. Benefits associated with the program must be disbursed from the account by the department of social and health services. Only the secretary of the department of social and health services or the secretary's designee may authorize disbursements from the account. The account is subject to the allotment procedures under chapter 43.88 RCW. An appropriation is required for administrative expenses, but not for benefit payments. The account must provide reimbursement of any amounts from other sources that may have been used for the initial establishment of the program.

(2) The revenue generated pursuant to this chapter shall be utilized to expand long-term care in the state. These funds may not be used either in whole or in part to supplant existing state or county funds for programs that meet the definition of approved services.

(3) The moneys deposited in the account must remain in the account until expended in accordance with the requirements of this chapter. If moneys are appropriated for any purpose other than supporting the long-term services and supports program, the legislature shall notify each qualified individual by mail that the person's premiums have been appropriated for an alternate use, describe the alternate use, and state its plan for restoring the funds so that premiums are not increased and benefits are not reduced.

NEW SECTION. Sec. 13. A new section is added to chapter 50B.04 RCW to read as follows:

(1) In the form and at the times specified in this chapter and by the commissioner of the employment security department, an employer shall make reports, furnish information, and collect and remit premiums as required by this chapter to the employment security department. If the employer is a temporary help company that provides employees on a temporary basis to its customers, the temporary help company is considered the employer for purposes of this section.

(2)(a) An employer must keep at the employer's place of business a record of employment, for a period of six years, from which the information needed by the employment security department for purposes of this chapter may be obtained. This record shall at all times be open to the inspection of the commissioner of the employment security department.

(b) Information obtained under this chapter from employer records is confidential and not open to public inspection, other than to public employees in the performance of their official duties. An interested party, however, shall be supplied with information from employer records to the extent necessary for the proper presentation of the case in question. An employer may authorize inspection of the employer's records by written consent.

(3) The requirements relating to the collection of long-term services and supports trust program premiums are as provided in this chapter. Before issuing a warning letter or collecting penalties, the employment security department shall enforce the collection of premiums through conference and conciliation. These requirements apply to:

(a) An employer that fails under this chapter to make the required reports, or fails to remit the full amount of the premiums when due;

(b) An employer that willfully makes a false statement or misrepresentation regarding a material fact, or willfully fails to report a material fact, to avoid making the required reports or remitting the full amount of the premiums when due under this chapter;

(c) A successor in the manner specified in employment security department rules; and

(d) An officer, member, or owner having control or supervision of payment or reporting of long-term services and supports trust program premiums, or who is charged with the responsibility for the filing of returns, in the manner specified in subsection (4) of this section.

(4)(a) An employer who willfully fails to make the required reports is subject to penalties as follows: (i) For the second occurrence, the penalty is \$75; (ii) for the third occurrence, the penalty is \$150; and (iii) for the fourth occurrence and for each occurrence thereafter, the penalty is \$250.

(b) An employer who willfully fails to remit the full amount of the premiums when due is liable, in addition to the full amount of premiums due and amounts assessed as interest under section 14(3) of this act, to a penalty equal to the premiums and interest.

(c) Any penalties under this section shall be deposited into the account.

(d) For the purposes of this subsection, "willful" means a knowing and intentional action that is neither accidental nor the result of a bona fide dispute.

(e) The employment security department shall enforce the collection of penalties through conference and conciliation.

(5) Appeals of actions under this section are governed by RCW 50B.04.120.

NEW SECTION. Sec. 14. A new section is added to chapter 50B.04 RCW to read as follows:

(1) At any time after the commissioner of the employment security department finds that any premiums, interest, or penalties have become delinquent, the commissioner of the employment security department may issue an order and notice of assessment specifying the amount due. The order and notice of assessment shall be served upon the delinquent employer in the manner prescribed for the service of a summons in a civil action, or using a method by which the mailing can be tracked or the delivery can be confirmed. Failure of the employer to receive the notice or order, whether served or mailed, shall not release the employer from any tax, or any interest or penalties.

(2) If the commissioner of the employment security department has reason to believe that an employer is insolvent or if any reason exists why the collection of any premiums accrued will be jeopardized by delaying collection, the commissioner of the employment security department may make an immediate assessment of the premiums and may proceed to enforce collection immediately, but interest and penalties shall not begin to accrue upon any premiums until the date when such premiums would normally have become delinquent.

(3) If premiums are not paid on the date on which they are due and payable as prescribed by the commissioner of the employment security department, the whole or part thereof remaining unpaid shall bear interest at the rate of one percent per month or fraction thereof from and after such date until payment plus accrued interest is received by the commissioner of the employment security department. The date as of which payment of premiums, if mailed, is deemed to have been received may be determined by such regulations as the commissioner of the employment security department may prescribe. Interest collected pursuant to this section shall be paid into the account. Interest shall not accrue on premiums from any estate in the hands of a receiver, executor, administrator, trustee in bankruptcy, common law assignee, or other liquidating officer subsequent to the date when such receiver, executor, administrator, trustee in bankruptcy, common law assignee, or other liquidating officer qualifies as such, but premiums accruing with respect to employment of persons by any receiver, executor, administrator, trustee in bankruptcy, common law assignee, or other liquidating officer shall become due and shall draw interest in the same manner as premiums due from other employers. Where adequate information has been furnished to the employment security department and the employment security department has failed to act or has advised the employer of no liability or inability to decide the issue, interest may be waived.

(4)(a) If the amount of premiums, interest, or penalties assessed by the commissioner of the employment security department by order and notice of assessment provided in this chapter is not paid within 10 days after the service or mailing of the order and notice of assessment, the commissioner of the employment security department or a duly authorized representative may collect the amount stated in the assessment by the distraint, seizure, and sale of the property, goods, chattels, and effects of the delinquent employer. Goods and property that are exempt from execution under the laws of this state are exempt from distraint and sale under this section.

(b) The commissioner of the employment security department, upon making a distraint, shall seize the property and shall make an inventory of the distrained property, a copy of which shall be mailed to the owner of the property or personally delivered to the owner, and shall specify the time and place when the property shall be sold. A notice specifying the property to be sold and the time and place of sale shall be posted in at least two public places in the county in which the seizure has been made. The time of sale shall be not less than 10 nor more than 20 days from the date of posting of the notices. The sale may be adjourned from time to time at the discretion of the commissioner of the employment security department, but not for a time to exceed a total of 60 days. The sale shall be conducted by the commissioner of the employment security department or a representative who shall proceed to sell the property by parcel or by lot at a public auction, and who may set a minimum price to include the expenses of making a levy and of advertising the sale, and if the amount bid for such property at the sale is not equal to the minimum price so fixed, the commissioner of the employment security department or a representative may declare the property to be purchased by the employment security department for the minimum price. In such event the delinquent account shall be credited with the amount for which the property has been sold. Property acquired by the employment security department as prescribed in this subsection (4) may be sold

by the commissioner of the employment security department or a representative at public or private sale, and the amount realized shall be placed in the account. In all cases of sale under this subsection (4), the commissioner of the employment security department shall issue a bill of sale or a deed to the purchaser and the bill of sale or deed shall be prima facie evidence of the right of the commissioner of the employment security department to make the sale and conclusive evidence of the regularity of the commissioner of the employment security department proceeding in making the sale, and shall transfer to the purchaser all right, title, and interest of the delinquent employer in the property. The proceeds of any sale under this subsection (4), except in those cases in which the property has been acquired by the employment security department, shall be first applied by the commissioner of the employment security department in satisfaction of the delinquent account, and out of any sum received in excess of the amount of delinquent premiums, interest, and penalties the account shall be reimbursed for the costs of distraint and sale. Any excess amounts held by the commissioner of the employment security department shall be refunded to the delinquent employer. Amounts held by the commissioner of the employment security department that are refundable to a delinquent employer may be subject to seizure or distraint by any other taxing authority of the state or its political subdivisions.

(5) The commissioner of the employment security department may issue to any person, firm, corporation, political subdivision, or department of the state, a notice and order to withhold and deliver property of any kind when the commissioner of the employment security department has reason to believe that there is in the possession of such person, firm, corporation, political subdivision, or department, property which is due, owing, or belonging to any person, firm, or corporation upon whom the employment security department has served a notice and order of assessment for premiums, interest, or penalties. The effect of a notice to withhold and deliver shall be continuous from the date the notice and order to withhold and deliver is first made until the liability is satisfied or becomes unenforceable because of a lapse of time. The notice and order to withhold and deliver shall be served by the sheriff or the sheriff's deputy of the county in which the service is made, using a method by which the mailing can be tracked or the delivery can be confirmed, or by any duly authorized representative of the commissioner of the employment security department. Any person, firm, corporation, political subdivision, or department upon whom service has been made must answer the notice within 20 days exclusive of the day of service, under oath and in writing, and must truthfully answer the matters inquired of in the notice. In the event there is in the possession of any such person, firm, corporation, political subdivision, or department, any property which may be subject to the claim of the employment security department of the state, the property must be delivered immediately to the commissioner of the employment security department or a representative upon demand to be held in trust by the commissioner of the employment security department for application on the indebtedness involved or for return, without interest, in accordance with final determination of liability or nonliability, or in the alternative, a good and sufficient bond satisfactory to the commissioner of the employment security department must be provided conditioned upon final determination of liability. If any person, firm, or corporation fails to answer an order to withhold and deliver

within the time prescribed in this subsection (5), it shall be lawful for the court, after the time to answer the order has expired, to render judgment by default against such person, firm, or corporation for the full amount claimed by the commissioner in the notice to withhold and deliver, together with costs.

(6) Whenever any order and notice of assessment or jeopardy assessment has become final in accordance with the provisions of this chapter the commissioner of the employment security department may file with the clerk of any county within the state a warrant in the amount of the notice of assessment plus interest, penalties, and a filing fee under RCW 36.18.012(10). The clerk of the county in which the warrant is filed shall immediately designate a superior court cause number for the warrant, and the clerk shall cause to be entered in the judgment docket under the superior court cause number assigned to the warrant, the name of the employer mentioned in the warrant, the amount of the tax, interest, penalties, and filing fee and the date when such warrant was filed. The aggregate amount of the warrant as docketed shall become a lien upon the title to, and interest in all real and personal property of the employer against whom the warrant is issued, the same as a judgment in a civil case duly docketed in the office of such clerk. The warrant so docketed shall be sufficient to support the issuance of writs of execution and writs of garnishment in favor of the state in the manner provided by law in the case of civil judgment, wholly or partially unsatisfied. The clerk of the court shall be entitled to a filing fee under RCW 36.18.012(10), which shall be added to the amount of the warrant, and charged by the commissioner of the employment security department to the employer. A copy of the warrant shall be mailed to the employer using a method by which the mailing can be tracked or the delivery can be confirmed within five days of filing with the clerk.

(7) The claim of the employment security department for any premiums, interest, or penalties not paid when due, shall be a lien prior to all other liens or claims and on a parity with prior tax liens against all property and rights to property, whether real or personal, belonging to the employer. In order to avail itself of the lien hereby created, the employment security department shall file with any county auditor where property of the employer is located a statement and claim of lien specifying the amount of delinquent premiums, interest, and penalties claimed by the employment security department. From the time of filing for record, the amount required to be paid shall constitute a lien upon all property and rights to property, whether real or personal, in the county, owned by the employer or acquired by the employer. The lien shall not be valid against any purchaser, holder of a security interest, mechanic's lien, or judgment lien creditor until notice thereof has been filed with the county auditor. This lien shall be separate and apart from, and in addition to, any other lien or claim created by, or provided for in, this chapter. When any such notice of lien has been so filed, the commissioner of the employment security department may release the lien by filing a certificate of release when it appears that the amount of delinquent premiums, interest, and penalties have been paid, or when the assurance of payment shall be made as the commissioner of the employment security department may deem to be adequate. Fees for filing and releasing the lien provided herein may be charged to the employer and may be collected from the employer utilizing the remedies provided in this chapter for the collection of premiums.

(8) In the event of any distribution of an employer's assets pursuant to an order of any court, including any receivership, probate, legal dissolution, or similar proceeding, or in case of any assignment for the benefit of creditors, composition, or similar proceeding, premiums, interest, or penalties due shall be a lien upon all the assets of such employer. The lien is prior to all other liens or claims except prior tax liens, other liens provided by this chapter, and claims for remuneration for services of not more than \$250 to each claimant earned within six months of the commencement of the proceeding. The mere existence of a condition of insolvency or the institution of any judicial proceeding for legal dissolution or of any proceeding for distribution of assets shall cause such a lien to attach without action on behalf of the commissioner of the employment security department or the state. In the event of an employer's adjudication in bankruptcy, judicially confirmed extension proposal, or composition, under the federal bankruptcy act of 1898, as amended, premiums, interest, or penalties due shall be entitled to such priority as provided in that act, as amended.

(9)(a) If after due notice, any employer defaults in any payment of premiums, interest, or penalties, the amount due may be collected by civil action in the name of the state, and the employer adjudged in default shall pay the cost of such action. Any lien created by this chapter may be foreclosed by decree of the court in any such action. Civil actions brought under this chapter to collect premiums, interest, or penalties from an employer shall be heard by the court at the earliest possible date and shall be entitled to preference upon the calendar of the court over all other civil actions except petitions for judicial review under this chapter, cases arising under the unemployment compensation laws of this state, and cases arising under the industrial insurance laws of this state.

(b) Any employer that is not a resident of this state and that exercises the privilege of having one or more individuals perform service for it within this state, and any resident employer that exercises that privilege and thereafter removes from this state, shall be deemed thereby to appoint the secretary of state as its agent and attorney for the acceptance of process in any action under this chapter. In instituting such an action against any such employer the commissioner of the employment security department shall cause process or notice to be filed with the secretary of state and the service shall be sufficient service upon the employer, and shall be of the same force and validity as if served upon it personally within this state: PROVIDED, That the commissioner of the employment security department shall immediately send notice of the service of the process or notice, together with a copy thereof, by registered mail, return receipt requested, to such employer at its last known address and the return receipt, the commissioner's affidavit of compliance with the provisions of this section, and a copy of the notice of service shall be appended to the original of the process filed in the court in which such action is pending.

(10) Any employer who is delinquent in the payment of premiums, interest, or penalties may be enjoined upon the suit of the state of Washington from continuing in business in this state or employing persons herein until the delinquent premiums, interest, and penalties have been paid, or until the employer has furnished a good and sufficient bond in a sum equal to double the amount of premiums, interest, and penalties already delinquent, plus further sums as the court deems adequate to protect the employment security department in the collection of premiums, interest, and penalties which will become due

from the employer during the next ensuing calendar year, the bond to be conditioned upon payment of all premiums, interest, and penalties due and owing within thirty days after the expiration of the next ensuing calendar year or at an earlier date as the court may fix. Action under this section may be instituted in the superior court of any county of the state in which the employer resides, has its principal place of business, or where it has anyone performing services for it, whether or not those services constitute employment.

(11) The commissioner of the employment security department may compromise any claim for premiums, interest, or penalties due and owing from an employer in any case in which collection of the full amount due and owing, whether reduced to judgment or otherwise, would be against equity and good conscience. Whenever a compromise is made by the commissioner of the employment security department in the case of a claim for premiums, interest, or penalties, whether reduced to judgment or otherwise, the employment security department shall file a statement of the amount of premiums, interest, and penalties imposed by law and claimed due, attorneys' fees and costs, if any, a complete record of the compromise agreement, and the amount actually paid in accordance with the terms of the compromise agreement. If any such compromise is accepted by the commissioner of the employment security department, within the time stated in the compromise or agreed to, that compromise shall be final and conclusive and except upon showing of fraud or malfeasance or misrepresentation of a material fact the case shall not be reopened as to the agreed upon matters. In any suit, action, or proceeding, such agreement or any determination, collection, payment, adjustment, refund, or credit made in accordance therewith shall not be annulled, modified, set aside, or disregarded.

(12) The commissioner of the employment security department may charge off as uncollectible and no longer an asset of the account, any delinquent premiums, interest, penalties, or credits, if the commissioner of the employment security department is satisfied that there are no cost-effective means of collecting the premiums, interest, penalties, or credits.

NEW SECTION. Sec. 15. A new section is added to chapter 50B.04 RCW to read as follows:

(1) When a qualified individual applies for benefits as provided in RCW 50B.04.060, the department of social and health services must: (a) Ask whether the qualified individual has supplemental long-term care insurance as provided in chapter 48.--- RCW (the new chapter created in section 41 of this act); and (b) request written consent and the policy issuer's contact information from the qualified individual to share information with the policy issuer for any potential care coordination.

(2) If the individual provides written consent and the policy issuer's contact information, the department of social and health services must notify the policy issuer that the qualified individual has applied for benefits under this chapter and may share information for any potential care coordination.

(3) Only basic demographic information that would allow a person to be identified in the program may be shared if the qualified individual consents to sharing information. No health information or data on claims may be shared.

NEW SECTION. Sec. 16. (1) The department of social and health services, the employment security department, and the health care authority may design and conduct a pilot project to assess the administrative processes and system capabilities for managing eligibility determinations for qualified individuals and distributing payments to long-term services and supports providers. The pilot project may identify persons who are eligible to be qualified individuals and offer them access to benefit units under the program in return for their participation in the pilot project. The pilot project may only be conducted between January 1, 2026, and June 30, 2026. The pilot project may not have more than 500 participants.

(2) When designing and implementing the pilot project, the agencies identified in subsection (1) of this section must provide regular updates to and consider recommendations from the long-term services and supports trust commission. Upon completion of the pilot project, the agencies must provide a summary of the pilot project, including key operational challenges, to the commission. The commission may include any outstanding concerns identified by the pilot project that require a legislative response in the commission's 2027 report.

(3) The employment security department, the department of social and health services, and the health care authority may adopt rules necessary to implement this section.

(4) This section expires July 1, 2027.

NEW SECTION. Sec. 17. The intent of this chapter is to promote the public interest, support the availability of supplemental long-term care coverage, establish standards for supplemental long-term care coverage, facilitate public understanding and comparison of supplemental long-term care contract benefits, protect persons insured under supplemental long-term care insurance policies and certificates, protect applicants for supplemental long-term care policies from unfair or deceptive sales or enrollment practices, and provide for flexibility and innovation in the development of supplemental long-term care insurance coverage.

NEW SECTION. Sec. 18. (1) This chapter applies to all supplemental long-term care insurance policies, contracts, or riders delivered or issued for delivery in this state on or after May 1, 2026. This chapter does not supersede the obligations of entities subject to this chapter to comply with other applicable laws to the extent that they do not conflict with this chapter, except that laws and regulations designed and intended to apply to medicare supplement insurance policies shall not be applied to supplemental long-term care insurance.

(2) Coverage advertised, marketed, or offered as supplemental long-term care insurance must comply with this chapter. Any coverage, policy, or rider advertised, marketed, or offered as supplemental long-term care or nursing home insurance shall comply with this chapter.

(3) This chapter is not intended to prohibit approval of supplemental long-term care funded through life insurance policies, contracts, or riders, provided the policy meets the definition of supplemental long-term care insurance and provides all required benefits of this chapter.

NEW SECTION. Sec. 19. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Applicant" means: (a) In the case of an individual supplemental long-term care insurance policy, the person who seeks to contract for benefits; and (b) in the case of a group supplemental long-term care insurance policy, the proposed certificate holder.

(2) "Certificate" includes any certificate issued under a group supplemental long-term care insurance policy that has been delivered or issued for delivery in this state.

(3) "Commissioner" means the insurance commissioner of Washington state.

(4) "Issuer" includes insurance companies, fraternal benefit societies, health care service contractors, health maintenance organizations, or other entity delivering or issuing for delivery any supplemental long-term care insurance policy, contract, or rider.

(5) "Group supplemental long-term care insurance" means a supplemental long-term care insurance policy or contract that is delivered or issued for delivery in this state and is issued to:

(a) One or more employers; one or more labor organizations; or a trust or the trustees of a fund established by one or more employers or labor organizations for current or former employees, current or former members of the labor organizations, or a combination of current and former employees or members, or a combination of such employers, labor organizations, trusts, or trustees; or

(b) A professional, trade, or occupational association for its members or former or retired members, if the association:

(i) Is composed of persons who are or were all actively engaged in the same profession, trade, or occupation; and

(ii) Has been maintained in good faith for purposes other than obtaining insurance; or

(c)(i) An association, trust, or the trustees of a fund established, created, or maintained for the benefit of members of one or more associations. Before advertising, marketing, or offering supplemental long-term care coverage in this state, the association or associations, or the insurer of the association or associations, must file evidence with the commissioner that the association or associations have at the time of such filing at least 100 persons who are members and that the association or associations have been organized and maintained in good faith for purposes other than that of obtaining insurance; have been in active existence for at least one year; and have a constitution and bylaws that provide that:

(A) The association or associations hold regular meetings at least annually to further the purposes of the members;

(B) Except for credit unions, the association or associations collect dues or solicit contributions from members; and

(C) The members have voting privileges and representation on the governing board and committees of the association.

(ii) Thirty days after filing the evidence in accordance with this section, the association or associations will be deemed to have satisfied the organizational requirements, unless the commissioner makes a finding that the association or associations do not satisfy those organizational requirements; or

(d) A group other than as described in (a), (b), or (c) of this subsection subject to a finding by the commissioner that:

(i) The issuance of the group policy is not contrary to the best interest of the public;

(ii) The issuance of the group policy would result in economies of acquisition or administration; and

(iii) The benefits are reasonable in relation to the premiums charged.

(6) "Policy" includes a document such as an insurance policy, contract, subscriber agreement, rider, or endorsement delivered or issued for delivery in this state by an insurer, fraternal benefit society, health care service contractor, health maintenance organization, or any similar entity authorized by the insurance commissioner to transact the business of supplemental long-term care insurance.

(7) "Qualified supplemental long-term care insurance contract" or "federally tax-qualified supplemental long-term care insurance contract" means:

(a) An individual or group insurance contract that meets the requirements of section 7702B(b) of the internal revenue code of 1986, as amended; or

(b) The portion of a life insurance contract that provides supplemental long-term care insurance coverage by rider or as part of the contract and that satisfies the requirements of sections 7702B(b) and (e) of the internal revenue code of 1986, as amended.

(8) "Supplemental long-term care insurance" means an insurance policy, contract, or rider that is advertised, marketed, offered, or designed to provide coverage for at least 12 consecutive months for a covered person after benefits provided under chapter 50B.04 RCW have been exhausted. Supplemental long-term care insurance may be on an expense incurred, indemnity, prepaid, or other basis, for one or more necessary or medically necessary diagnostic, preventive, therapeutic, rehabilitative, maintenance, or personal care services, provided in a setting other than an acute care unit of a hospital. Supplemental long-term care insurance includes any policy, contract, or rider that provides for payment of benefits based upon cognitive impairment or the loss of functional capacity that supplements benefits provided in chapter 50B.04 RCW.

(a) Supplemental long-term care insurance includes group and individual life insurance policies or riders that provide directly or supplement long-term care insurance and that supplements benefits provided in chapter 50B.04 RCW. However, supplemental long-term care insurance does not include life insurance policies that: (i) Accelerate the death benefit specifically for one or more of the qualifying events of terminal illness, medical conditions requiring extraordinary medical intervention, or permanent institutional confinement; (ii) provide the option of a lump sum payment for those benefits; and (iii) do not condition the benefits or the eligibility for the benefits upon the receipt of long-term care.

(b) Supplemental long-term care insurance also includes qualified supplemental long-term care insurance contracts.

(c) Supplemental long-term care insurance does not include any insurance policy, contract, or rider that is offered primarily to provide coverage for basic medicare supplement, basic hospital expense, basic medical-surgical expense, hospital confinement indemnity, major medical expense, disability income, related income, asset protection, accident only, specified disease, specified accident, or limited benefit health. These may not be marketed to consumers as

providing coverage that is supplemental to the long-term care benefits provided in chapter 50B.04 RCW.

NEW SECTION. Sec. 20. (1) A supplemental long-term care insurance policy, contract, rider, or certificate form or application form shall not be issued, delivered, or used unless it has been filed with and approved by the commissioner.

(2) Rates, or modification of rates, for supplemental long-term care policies or certificates shall not be used until filed with and approved by the commissioner.

(3) A form or rate shall not knowingly be issued, delivered, or used if the commissioner's approval does not then exist.

NEW SECTION. Sec. 21. A group supplemental long-term care insurance policy may not be offered to a resident of this state under a group policy issued in another state to a group described in section 19(5)(d) of this act, unless this state or another state having statutory and regulatory supplemental long-term care insurance requirements substantially similar to those adopted in this state has made a determination that such requirements have been met.

NEW SECTION. Sec. 22. (1) A supplemental long-term care insurance policy or certificate may not define "preexisting condition" more restrictively than as a condition for which medical advice or treatment was recommended by or received from a provider of health care services, within six months preceding the effective date of coverage of an insured person, unless the policy or certificate applies to group supplemental long-term care insurance under section 19(5) (a), (b), or (c) of this act.

(2) A supplemental long-term care insurance policy or certificate may not exclude coverage for a loss or confinement that is the result of a preexisting condition unless the loss or confinement begins within six months following the effective date of coverage of an insured person, unless the policy or certificate applies to a group as defined in section 19(5)(a) of this act.

(3) The commissioner may extend the limitation periods for specific age group categories in specific policy forms upon finding that the extension is in the best interest of the public.

(4) An issuer may use an application form designed to elicit the complete health history of an applicant and underwrite in accordance with that issuer's established underwriting standards, based on the answers on that application. Unless otherwise provided in the policy or certificate and regardless of whether it is disclosed on the application, a preexisting condition need not be covered until the waiting period expires.

(5) A supplemental long-term care insurance policy or certificate may not exclude or use waivers or riders to exclude, limit, or reduce coverage or benefits for specifically named or described preexisting diseases or physical conditions beyond the waiting period.

NEW SECTION. Sec. 23. (1) No supplemental long-term care insurance policy may:

(a) Be canceled, nonrenewed, or otherwise terminated on the grounds of the age or the deterioration of the mental or physical health of the insured individual or certificate holder;

(b) Contain a provision establishing a new waiting period in the event existing coverage is converted to or replaced by a new or other form within the same company, except with respect to an increase in benefits voluntarily selected by the insured individual or group policyholder;

(c) Provide coverage for skilled nursing care only or provide significantly more coverage for skilled care in a facility than coverage for lower levels of care;

(d) Condition eligibility for any benefits on a prior hospitalization requirement;

(e) Condition eligibility for benefits provided in an institutional care setting on the receipt of a higher level of institutional care;

(f) Condition eligibility for any benefits other than waiver of premium, postconfinement, postacute care, or recuperative benefits on a prior institutionalization requirement;

(g) Include a postconfinement, postacute care, or recuperative benefit unless:

(i) Such requirement is clearly labeled in a separate paragraph of the policy or certificate entitled "Limitations or Conditions on Eligibility for Benefits"; and

(ii) Such limitations or conditions specify any required number of days of preconfinement or postconfinement;

(h) Condition eligibility for noninstitutional benefits on the prior receipt of institutional care;

(i)(i) Provide for a deductible that is greater than the maximum dollar equivalent provided in RCW 50B.04.060(3)(b), including inflation adjustments provided in RCW 50B.04.010(3), without the limitation provided in RCW 50B.04.050(2). The issuer may provide for a deductible that is less than the maximum dollar equivalent provided in RCW 50B.04.060(3)(b), especially for a policyholder born before 1968;

(ii) The issuer must accept notice from the department of social and health services that the policyholder has exhausted the benefits provided under chapter 50B.04 RCW as evidence of satisfying the deductible. However, for a policyholder born before 1968, the department must provide the amount of benefits paid under chapter 50B.04 RCW as evidence of payment toward the deductible;

(j) Include an elimination period of greater than 12 months. Any period of time the policyholder is considered an eligible beneficiary as defined in RCW 50B.04.010 must count toward any elimination period in a supplemental long-term care insurance policy. If the policy includes a deductible and an elimination period, the policy may provide that the elimination period is satisfied after the later of when the deductible or the elimination period has been met; and

(k) Require a policyholder to undergo a functional assessment to satisfy a benefit trigger to determine that the elimination period has begun or ended. However, the issuer may require the policyholder to undergo a functional assessment and apply a benefit trigger for purposes of approving a claim and authorizing benefits.

(2) A supplemental long-term care insurance policy or certificate may be field-issued if the compensation to the field issuer is not based on the number of policies or certificates issued. For purposes of this section, "field-issued" means a policy or certificate issued by a producer or a third-party administrator of the

policy pursuant to the underwriting authority by an issuer and using the issuer's underwriting guidelines.

NEW SECTION. Sec. 24. (1) Supplemental long-term care insurance applicants may return a policy or certificate for any reason within 30 days after its delivery and to have the premium refunded.

(2) All supplemental long-term care insurance policies and certificates must have a notice prominently printed on or attached to the first page of the policy stating that the applicant may return the policy or certificate within 30 days after its delivery and to have the premium refunded.

(3) Refunds or denials of applications must be made within 30 days of the return or denial.

(4) This section does not apply to certificates issued pursuant to a policy issued to a group defined in section 19(5)(a) of this act.

NEW SECTION. Sec. 25. (1) An outline of coverage must be delivered to a prospective applicant for supplemental long-term care insurance at the time of initial solicitation through means that prominently direct the attention of the recipient to the document and its purpose.

(a) The commissioner must prescribe a standard format, including style, arrangement, overall appearance, and the content of an outline of coverage. The outline of coverage must also include a disclosure:

(i) Of how the supplemental long-term care insurance interacts with benefits provided in chapter 50B.04 RCW and any potential gaps in coverage or discontinuities of care between benefits provided under chapter 50B.04 RCW and the policy;

(ii) That the premiums may increase over time and an explanation of the conditions that may result in an increase in premiums;

(iii) If the policyholder's circumstances change or premiums increase and the policyholder is unable or unwilling to pay the increased premiums, the options available to the consumer, including a reduction in benefits and nonforfeiture of premiums;

(iv) That premiums continue after retirement;

(v) When premium payments are no longer required under the policy, known as a waiver of premiums; and

(vi) That the purchase of the policy does not qualify the policyholder to apply to be exempt from premium assessments under RCW 50B.04.085.

(b) When an insurance producer makes a solicitation in person, the insurance producer must deliver an outline of coverage before presenting an application or enrollment form.

(c) In a direct response solicitation, the outline of coverage must be presented with an application or enrollment form. The disclosures required under (a) of this subsection are required in any marketing materials.

(d) If a policy is issued to a group as defined in section 19(5)(a) of this act, an outline of coverage is not required to be delivered, if the information that the commissioner requires to be included in the outline of coverage is in other materials relating to enrollment. Upon request, any such materials must be made available to the commissioner.

(2) If an issuer approves an application for a supplemental long-term care insurance contract or certificate, the issuer must deliver the contract or certificate

of insurance to the applicant within 30 days after the date of approval. A policy summary must be delivered with an individual life insurance policy that provides supplemental long-term care benefits within the policy or by rider. In a direct response solicitation, the issuer must deliver the policy summary, upon request, before delivery of the policy, if the applicant requests a summary.

(a) The policy summary must include:

(i) An explanation of how the supplemental long-term care benefit interacts with other components of the policy, including deductions from any applicable death benefits;

(ii) An illustration of the amount of benefits, the length of benefits, and the guaranteed lifetime benefits if any, for each covered person;

(iii) Any exclusions, reductions, and limitations on benefits of supplemental long-term care;

(iv) A statement that any supplemental long-term care inflation protection option required by section 31 of this act is not available under this policy; and

(v) If applicable to the policy type, the summary must also include:

(A) A disclosure of the effects of exercising other rights under the policy;

(B) A disclosure of guarantees related to long-term care costs of insurance charges; and

(C) Current and projected maximum lifetime benefits.

(b) The provisions of the policy summary may be incorporated into a basic illustration required under chapter 48.23A RCW, or into the policy summary which is required under rules adopted by the commissioner.

NEW SECTION. Sec. 26. A supplemental long-term care insurance policy, contract, or rider must:

(1) Allow the policyholder options for reduction of benefits or nonforfeiture of premiums as provided in section 32 of this act if the premiums increase or the policyholder's circumstances change and the policyholder is unable or unwilling to pay the increased premiums;

(2) Allow for continuity of coverage of care settings and providers, including family providers, that the policyholder was receiving as benefits under the program provided in chapter 50B.04 RCW unless there is substantial clinical or other information showing that the current care setting or provider cannot meet the care and safety needs of the policyholder. If the issuer makes a determination that the care setting or providers are not suited to meeting the care and safety needs of the policyholder, the issuer may require a change of care setting or provider under the policy, effective 90 days after the transition from the benefits provided under chapter 50B.04 RCW. The policyholder may appeal the determination through an independent third-party review as tracked by the commissioner. The issuer may audit for fraudulent claims where the care being claimed is not being provided; and

(3) Cover family providers, provided they are suited to meet the care and safety needs of the policyholder.

NEW SECTION. Sec. 27. (1) When a policyholder purchases a supplemental long-term care insurance policy, the issuer must request written consent from the policyholder to share information with the department of social and health services. If the policyholder provides written consent, the issuer must inform the department of social and health services that the policyholder has

purchased a supplemental long-term care insurance policy and share any information with the department for the purposes of any potential care coordination.

(2) Only basic demographic information that would allow a person to be identified in the program provided in chapter 50B.04 RCW may be shared if the individual consents to sharing information. No health care information as defined in RCW 70.02.010 or data on claims may be shared.

NEW SECTION. Sec. 28. If a supplemental long-term care benefit funded through a life insurance policy by the acceleration of the death benefit is in benefit payment status, a monthly report must be provided to the policyholder. The report must include:

(1) A record of all supplemental long-term care benefits paid out during the month;

(2) An explanation of any changes in the policy resulting from paying the supplemental long-term care benefits, such as a change in the death benefit or cash values; and

(3) The amount of supplemental long-term care benefits that remain to be paid.

NEW SECTION. Sec. 29. Within 30 business days after receipt of all the requested additional information, an insurer must pay a claim for benefits under a supplemental long-term care insurance policy or certificate if it is a clean claim, or send a written notice that the insurer is declining to pay all or part of the claim and the specific reason or reasons for denial.

NEW SECTION. Sec. 30. (1) An issuer may rescind a supplemental long-term care insurance policy or certificate or deny an otherwise valid supplemental long-term care insurance claim if:

(a) A policy or certificate has been in force for less than six months and upon a showing of misrepresentation that is material to the acceptance for coverage; or

(b) A policy or certificate has been in force for at least six months but less than two years, upon a showing of misrepresentation that is both material to the acceptance for coverage and that pertains to the condition for which benefits are sought.

(2) After a policy or certificate has been in force for two years it is not contestable upon the grounds of misrepresentation alone. Such a policy or certificate may be contested only upon a showing that the insured knowingly and intentionally misrepresented relevant facts relating to the insured's health.

(3) An issuer's payments for benefits under a supplemental long-term care insurance policy or certificate may not be recovered by the issuer if the policy or certificate is rescinded.

(4) This section does not apply to the remaining death benefit of a life insurance policy that accelerates benefits for supplemental long-term care that are governed by RCW 48.23.050 the state's life insurance incontestability clause. In all other situations, this section applies to life insurance policies that accelerate benefits for supplemental long-term care.

NEW SECTION. Sec. 31. (1) The commissioner must establish minimum standards for inflation protection features.

(2) An issuer must comply with the rules adopted by the commissioner that establish minimum standards for inflation protection features.

NEW SECTION. Sec. 32. (1) Except as provided by this section, a supplemental long-term care insurance policy may not be delivered or issued for delivery in this state unless the policyholder or certificate holder has been offered the option of purchasing a policy or certificate that includes a nonforfeiture benefit. The offer of a nonforfeiture benefit may be in the form of a rider that is attached to the policy. If a policyholder or certificate holder declines the nonforfeiture benefit, the issuer must provide a contingent benefit upon lapse that is available for a specified period of time following a substantial increase in premium rates.

(2) If a group supplemental long-term care insurance policy is issued, the offer required in subsection (1) of this section must be made to the group policyholder. However, if the policy is issued as group supplemental long-term care insurance as defined in section 19(5)(d) of this act other than to a continuing care retirement community or other similar entity, the offering must be made to each proposed certificate holder.

(3) The commissioner must adopt rules specifying the type or types of nonforfeiture benefits to be offered as part of supplemental long-term care insurance policies and certificates, the standards for nonforfeiture benefits, and the rules regarding contingent benefit upon lapse, including a determination of the specified period of time during which a contingent benefit upon lapse will be available and the substantial premium rate increase that triggers a contingent benefit upon lapse.

NEW SECTION. Sec. 33. (1) A person may not sell, solicit, or negotiate supplemental long-term care insurance unless the person is appropriately licensed as an insurance producer and has successfully completed supplemental long-term care coverage education that meets the requirements of this section and:

(a) Has successfully completed long-term care coverage education that meets the requirements of RCW 48.83.130; and

(b) Has completed an approved one-hour course on supplemental long-term care insurance that includes education on:

(i) The provisions of chapter 50B.04 RCW and any rules adopted to implement the long-term services and supports trust program;

(ii) The relationship between benefits offered under chapter 50B.04 RCW, qualified state long-term care insurance partnership programs, and other public and private coverage of long-term care services, including medicaid; and

(iii) This chapter.

(2) The insurance producer education required by this section may not include training that is issuer or company product-specific or that includes any sales or marketing information, materials, or training, other than those required by state or federal law.

(3) Issuers must obtain verification that an insurance producer receives training required by this section before that producer is permitted to sell, solicit, or otherwise negotiate the issuer's supplemental long-term care insurance products.

(4) Issuers must maintain records subject to the state's record retention requirements and make evidence of that verification available to the commissioner upon request.

(5)(a) Issuers must maintain records with respect to the training of its producers concerning the distribution of its long-term care partnership policies that will allow the commissioner to provide assurance to the state department of social and health services, medicaid division, that insurance producers engaged in the sale of supplemental long-term care insurance contracts have received the training required by this section and any rules adopted by the commissioner, and that producers have demonstrated an understanding of the partnership policies and their relationship to benefits offered under chapter 50B.04 RCW and public and private coverage of long-term care, including medicaid, in this state.

(b) These records must be maintained in accordance with the state's record retention requirements and be made available to the commissioner upon request.

NEW SECTION. Sec. 34. (1) Issuers and their agents, if any, must determine whether issuing supplemental long-term care insurance coverage to a particular person is appropriate, except in the case of a life insurance policy that accelerates benefits for supplemental long-term care.

(2) An issuer must:

(a) Develop and use suitability standards to determine whether the purchase or replacement of supplemental long-term care coverage is appropriate for the needs of the applicant or insured, using a best interest standard. The issuers and their agents must act in the best interests of the applicant or policyholder under the circumstances known at the time the recommendation is made, without putting the issuer or agent's financial interests ahead of the interests of the applicant or policyholder;

(b) Train its agents in the use of the issuer's suitability standards; and

(c) Maintain a copy of its suitability standards and make the standards available for inspection, upon request.

(3) The following must be considered when determining whether the applicant meets the issuer's suitability standards:

(a) The ability of the applicant to pay for the proposed coverage and any other relevant financial information related to the purchase of or payment for coverage;

(b) The applicant's goals and needs with respect to supplemental long-term care and the advantages and disadvantages of supplemental long-term care coverage to meet those goals or needs; and

(c) The values, benefits, and costs of the applicant's existing health or long-term care coverage, if any, when compared to the values, benefits, and costs of the recommended purchase or replacement.

(4) The sale or transfer of any suitability information provided to the issuer or agent by the applicant to any other person or business entity is prohibited.

(5)(a) The commissioner must adopt rules on forms of consumer-friendly personal worksheets that issuers and their agents must use for applications for supplemental long-term care coverage.

(b) The commissioner may require each issuer to file its current forms of suitability standards and personal worksheets with the commissioner.

NEW SECTION. Sec. 35. A person engaged in the issuance or solicitation of supplemental long-term care coverage may not engage in unfair methods of competition or unfair or deceptive acts or practices, as such methods, acts, or practices are defined in chapter 48.30 RCW, or as defined by the commissioner.

NEW SECTION. Sec. 36. An issuer or an insurance producer who violates a law or rule relating to the regulation of supplemental long-term care insurance or its marketing is subject to a fine of up to three times the amount of the commission paid for each policy involved in the violation or \$10,000, whichever is greater.

NEW SECTION. Sec. 37. (1) The commissioner must adopt rules that include standards for full and fair disclosure setting forth the manner, content, and required disclosures for the sale of supplemental long-term care insurance policies, terms of renewability, initial and subsequent conditions of eligibility, nonduplication of coverage provisions, coverage of dependents, preexisting conditions, termination of insurance, continuation or conversion, probationary periods, limitations, exceptions, reductions, elimination periods, requirements for replacement, recurrent conditions, and definitions of terms. The commissioner must adopt rules establishing loss ratio standards for supplemental long-term care insurance policies. The commissioner must adopt rules to promote premium adequacy and to protect policyholders in the event of proposed substantial rate increases, and to establish minimum standards for producer education, marketing practices, producer compensation, producer testing, penalties, and reporting practices for supplemental long-term care insurance.

(2) The commissioner must adopt rules establishing standards protecting patient privacy rights, rights to receive confidential health care services, and standards for an issuer's timely review of a claim denial upon request of a covered person.

(3) The commissioner must adopt by rule prompt payment requirements for supplemental long-term care insurance. The rules must include a definition of a "claim" and a definition of "clean claim." In adopting the rules, the commissioner must consider the prompt payment requirements in long-term care insurance model acts developed by the national association of insurance commissioners.

(4) The commissioner may adopt reasonable rules to carry out this chapter.

NEW SECTION. Sec. 38. (1) The commissioner must:

(a) Develop a consumer education guide designed to educate consumers and help them make informed decisions as to the purchase of supplemental long-term care insurance policies provided under this chapter; and

(b) Expand programs to educate consumers as to the supplemental long-term care insurance policies provided under this chapter, with a focus on the middle-income market. If allowable under federal law, the commissioner must expand the statewide health insurance benefits advisor program to provide the consumer education.

(2) The guide and programs should:

(a) Provide additional information and counseling for consumers born before 1968. This information and counseling should educate these consumers as to potential out-of-pocket costs they may be subject to before supplemental

long-term care insurance will begin paying claims and strategies for managing the gap between benefits payable under chapter 50B.04 RCW and coverage under supplemental long-term care insurance.

(b) Support consumers in assessing the tradeoffs between various elimination period options and premium rates.

(c) Educate consumers on budgeting any benefits available under chapter 50B.04 RCW carefully to reduce the likelihood and size of any potential gap between those benefits and the supplemental long-term care insurance.

NEW SECTION. Sec. 39. A new section is added to chapter 48.83 RCW to read as follows:

This chapter does not apply to supplemental long-term care insurance as defined in section 19 of this act.

NEW SECTION. Sec. 40. RCW 50B.04.040 (Long-term services and supports council—Benefit unit adjustment) and 2019 c 363 s 5 are each repealed.

NEW SECTION. Sec. 41. Sections 17 through 38 of this act constitute a new chapter in Title 48 RCW.

NEW SECTION. Sec. 42. 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.

Sec. 43. RCW 50B.04.140 and 2022 c 1 s 7 are each amended to read as follows:

Beginning December 1, 2028, and annually thereafter, and in compliance with RCW 43.01.036, the commission must report to the legislature on the program, including:

- (1) Projected and actual program participation;
- (2) Adequacy of premium rates;
- (3) Fund balances;
- (4) Benefits paid;
- (5) Demographic information on program participants, including age, gender, race, ethnicity, geographic distribution by county, and legislative district(~~(, and employment sector)~~); and
- (6) The extent to which the operation of the program has resulted in savings to the medicaid program by avoiding costs that would have otherwise been the responsibility of the state.

NEW SECTION. Sec. 44. A new section is added to chapter 50B.04 RCW to read as follows:

If Washington is successful in obtaining a waiver from the federal centers for medicare and medicaid services that results in shared savings because of long-term services and supports spending, the amount of shared savings shall be deposited into the long-term services and supports trust account created in RCW 50B.04.100.

Sec. 45. RCW 74.39.007 and 2022 c 86 s 1 are each amended to read as follows:

The definitions in this section apply throughout this section, RCW (~~(74.39.007,)~~) 74.39.050, 74.39.070, 43.190.060, and section 1, chapter 336, Laws of 1999 unless the context clearly requires otherwise.

(1) "Self-directed care" means the process in which an adult person, who is prevented by a functional disability from performing a manual function related to health care that an individual would otherwise perform for himself or herself, chooses to direct and supervise a paid personal aide to perform those tasks.

(2) "Personal aide" means an individual, working privately ((or)), as an individual provider as defined in RCW 74.39A.240, or as a qualified family member paid through the long-term services and supports trust as described in RCW 50B.04.010, who acts at the direction of an adult person with a functional disability living in his or her own home to assist with the physical performance of a health care task, as described in RCW 74.39.050, that persons without a functional disability can perform themselves.

Sec. 46. RCW 70.127.040 and 2024 c 259 s 4 are each amended to read as follows:

The following are not subject to regulation for the purposes of this chapter:

(1) A family member providing home health, hospice, or home care services;

(2) A person who provides only meal services in an individual's permanent or temporary residence;

(3) An individual providing home care through a direct agreement with a recipient of care in an individual's permanent or temporary residence;

(4) A person furnishing or delivering home medical supplies or equipment that does not involve the provision of services beyond those necessary to deliver, set up, and monitor the proper functioning of the equipment and educate the user on its proper use;

(5) A person who provides services through a contract with a licensed agency;

(6) An employee or volunteer of a licensed agency who provides services only as an employee or volunteer;

(7) Facilities and institutions, including but not limited to nursing homes under chapter 18.51 RCW, hospitals under chapter 70.41 RCW, adult family homes under chapter 70.128 RCW, assisted living facilities under chapter 18.20 RCW, developmental disability residential programs under chapter 71A.12 RCW, other entities licensed under chapter 71.12 RCW, or other licensed facilities and institutions, only when providing services to persons residing within the facility or institution;

(8) Local and combined city-county health departments providing services under chapters 70.05 and 70.08 RCW;

(9) An individual providing care to ill individuals, individuals with disabilities, or vulnerable individuals through a contract with the department of social and health services;

(10) Nursing homes, hospitals, or other institutions, agencies, organizations, or persons that contract with licensed home health, hospice, or home care agencies for the delivery of services;

(11) In-home assessments of an ill individual, an individual with a disability, or a vulnerable individual that does not result in regular ongoing care at home;

(12) Services conducted by and for the adherents of a church or religious denomination that rely upon spiritual means alone through prayer for healing in accordance with the tenets and practices of such church or religious

denomination and the bona fide religious beliefs genuinely held by such adherents;

(13) A medicare-approved dialysis center operating a medicare-approved home dialysis program;

(14) A person providing case management services. For the purposes of this subsection, "case management" means the assessment, coordination, authorization, planning, training, and monitoring of home health, hospice, and home care, and does not include the direct provision of care to an individual;

(15) Pharmacies licensed under RCW 18.64.043 that deliver prescription drugs and durable medical equipment that does not involve the use of professional services beyond those authorized to be performed by licensed pharmacists pursuant to chapter 18.64 RCW and those necessary to set up and monitor the proper functioning of the equipment and educate the person on its proper use;

(16) A volunteer hospice complying with the requirements of RCW 70.127.050;

(17) A person who provides home care services without compensation;

(18) Nursing homes that provide telephone or web-based transitional care management services;

(19) A rural health clinic providing health services in a home health shortage area as declared by the department pursuant to 42 C.F.R. Sec. 405.2416; ~~((and))~~

(20) Hospital at-home services provided by a hospital pursuant to RCW 70.41.550;

(21) A consumer directed employer as described in RCW 74.39A.500; and

(22) An entity contracted with the department of social and health services as a financial services agency and who only serves clients of in-home long-term care workers who are qualified family members as described in RCW 50B.04.010.

Sec. 47. RCW 48.85.010 and 2012 c 211 s 9 are each amended to read as follows:

The department of social and health services shall, in conjunction with the office of the insurance commissioner, coordinate a long-term care insurance program entitled the Washington long-term care partnership, whereby private insurance and medicaid funds shall be used to finance long-term care. For individuals purchasing a long-term care insurance policy or contract governed by chapter 48.84 ~~((or))~~, 48.83, or 48.--- (the new chapter created in section 41 of this act) RCW and meeting the criteria prescribed in this chapter, and any other terms as specified by the office of the insurance commissioner and the department of social and health services, this program shall allow for the exclusion of some or all of the individual's assets in determination of medicaid eligibility as approved by the centers for medicare and medicaid services.

Sec. 48. RCW 48.85.030 and 2011 c 47 s 12 are each amended to read as follows:

(1) The insurance commissioner shall adopt rules defining the criteria that qualified long-term care partnership insurance policies must meet to satisfy the requirements of this chapter. The rules shall incorporate any requirements set forth by chapters 48.83 and 48.--- (the new chapter created in section 41 of this

act) RCW and the deficit reduction act of 2005 for qualified long-term care partnership insurance policies purchased for the purposes of this chapter.

(2) Insurers offering long-term care policies for the purposes of this chapter shall demonstrate to the satisfaction of the insurance commissioner that they:

(a) Have procedures to provide notice to each purchaser of the long-term care consumer education program;

(b) Have procedures that provide for the keeping of individual policy records and procedures for the explanation of coverage and benefits identifying those payments or services available under the policy that meet the purposes of this chapter;

(c) Agree to provide the insurance commissioner any required annual report containing information derived from the long-term care partnership long-term care insurance uniform data set as specified by the office of the insurance commissioner.

NEW SECTION. Sec. 49. Sections 17 through 39, 47, and 48 of this act take effect May 1, 2026.

NEW SECTION. Sec. 50. Sections 12 through 14 of this act take effect January 1, 2027.

NEW SECTION. Sec. 51. Sections 1 through 11, 15, 16, and 40 through 46 of this act take effect January 1, 2026.

Passed by the Senate April 22, 2025.

Passed by the House April 11, 2025.

Approved by the Governor May 20, 2025.

Filed in Office of Secretary of State May 21, 2025.

CHAPTER 381

[Engrossed Substitute Senate Bill 5357]

PUBLIC PENSION SYSTEMS—ACTUARIAL FUNDING

AN ACT Relating to actuarial funding of pension systems; amending RCW 41.45.010, 41.45.035, 41.45.060, 41.45.070, and 41.45.150; adding a new section to chapter 41.45 RCW; providing an effective date; and declaring an emergency.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. RCW 41.45.010 and 2009 c 561 s 1 are each amended to read as follows:

It is the intent of the legislature to provide a dependable and systematic process for funding the benefits provided to members and retirees of the public employees' retirement system, chapter 41.40 RCW; the teachers' retirement system, chapter 41.32 RCW; the law enforcement officers' and firefighters' retirement systems, chapter 41.26 RCW; the school employees' retirement system, chapter 41.35 RCW; the public safety employees' retirement system, chapter 41.37 RCW; and the Washington state patrol retirement system, chapter 43.43 RCW.

The funding process established by this chapter is intended to achieve the following goals:

(1) To fully fund the public employees' retirement system plans 2 and 3, the teachers' retirement system plans 2 and 3, the school employees' retirement

system plans 2 and 3, the public safety employees' retirement system plan 2, and the law enforcement officers' and firefighters' retirement system plan 2 as provided by law;

(2) To fully amortize the total costs of the law enforcement officers' and firefighters' retirement system plan 1, not later than June 30, 2024;

(3) To fully amortize the unfunded actuarial accrued liability in the public employees' retirement system plan 1 and the teachers' retirement system plan 1 within a rolling ten-year period, using methods and assumptions that balance needs for increased benefit security, decreased contribution rate volatility, and affordability of pension contribution rates, while suspending those rates during the 2025-2027 and 2027-2029 fiscal biennia;

(4) To amortize the costs of benefit improvements in the public employees' retirement system plan 1 and the teachers' retirement system plan 1 over a fixed 15-year period;

(5) To establish long-term employer contribution rates which will remain a relatively predictable proportion of the future state budgets; and

~~((5))~~ (6) To fund, to the extent feasible, all benefits for plan 2 and 3 members over the working lives of those members so that the cost of those benefits are paid by the taxpayers who receive the benefit of those members' service.

Sec. 2. RCW 41.45.035 and 2016 sp.s. c 36 s 922 are each amended to read as follows:

(1) Beginning July 1, ~~((2001))~~ 2025, the following long-term economic assumptions shall be used by the state actuary for the purposes of RCW 41.45.030 and 44.44.040(4):

(a) The growth in inflation assumption shall be ~~((3.5))~~ 2.75 percent;

(b) The growth in salaries assumption, exclusive of merit or longevity increases, shall be ~~((4.5))~~ 3.25 percent;

(c) The investment rate of return assumption shall be ~~((8))~~ 7.25 percent; and

(d) The growth in system membership assumption shall be ~~((1.25))~~ 1.00 percent for the public employees' retirement system, the public safety employees' retirement system, the school employees' retirement system, the teachers' retirement system, and the law enforcement officers' and firefighters' retirement system. ~~((The assumption shall be .90 percent for the teachers' retirement system; and~~

~~(e) From July 1, 2016, until July 1, 2017, the growth in system membership for the teachers' retirement system shall be 1.25 percent. It is the intent of the legislature to continue this growth rate assumption in the 2017-2019 fiscal biennium.))~~

(2) Beginning July 1, 2009, the growth in salaries assumption for the public employees' retirement system, the public safety employees' retirement system, the teachers' retirement system, the school employees' retirement system, plan 1 of the law enforcement officers' and firefighters' retirement system, and the Washington state patrol retirement system, exclusive of merit or longevity increases, shall be the sum of:

(a) The growth in inflation assumption in subsection (1)(a) of this section; and

(b) The productivity growth assumption of 0.5 percent.

~~(3) ((The following investment rate of return assumptions for the public employees' retirement system, the public safety employees' retirement system, the teachers' retirement system, the school employees' retirement system, plan 1 of the law enforcement officers' and firefighters' retirement system, and the Washington state patrol retirement system, shall be used by the state actuary for the purposes of RCW 41.45.030:~~

~~(a) Beginning July 1, 2013, the investment rate of return assumption shall be 7.9 percent.~~

~~(b) Beginning July 1, 2015, the investment rate of return assumption shall be 7.8 percent.~~

~~(c) Beginning July 1, 2017, the investment rate of return assumption shall be 7.7 percent.~~

~~((d)) For valuation purposes, the state actuary shall only use the assumptions in ((a) through (c) of this)) subsection (1) of this section after the effective date in ((a) through (c) of this)) subsection (1) of this section.~~

~~((e) By June 1, 2017, the state actuary shall submit to the council information regarding the experience and financial condition of each state retirement system, and make recommendations regarding the long term investment rate of return assumptions set forth in this subsection. The council shall review this and such other information as it may require.))~~

(4)(a) Beginning with actuarial studies done after July 1, 2003, changes to plan asset values that vary from the long-term investment rate of return assumption shall be recognized in the actuarial value of assets over a period that varies up to eight years depending on the magnitude of the deviation of each year's investment rate of return relative to the long-term rate of return assumption. Beginning with actuarial studies performed after July 1, 2004, the actuarial value of assets shall not be greater than one hundred thirty percent of the market value of assets as of the valuation date or less than seventy percent of the market value of assets as of the valuation date. Beginning April 1, 2004, the council, by affirmative vote of four councilmembers, may adopt changes to this asset value smoothing technique. Any changes adopted by the council shall be subject to revision by the legislature.

(b) The state actuary shall periodically review the appropriateness of the asset smoothing method in this section and recommend changes to the council as necessary. Any changes adopted by the council shall be subject to revision by the legislature.

Sec. 3. RCW 41.45.060 and 2020 c 103 s 4 are each amended to read as follows:

(1) The state actuary shall provide preliminary actuarial valuation results based on the economic assumptions and asset value smoothing technique included in RCW 41.45.035 or adopted under RCW 41.45.030 or 41.45.035.

(2) Not later than July 31, 2008, and every two years thereafter, consistent with the economic assumptions and asset value smoothing technique included in RCW 41.45.035 or adopted under RCW 41.45.030 or 41.45.035, the council shall adopt and may make changes to:

(a) A basic state contribution rate for the law enforcement officers' and firefighters' retirement system plan 1;

(b) Basic employer contribution rates for the public employees' retirement system, the teachers' retirement system, and the Washington state patrol retirement system; and

(c) Basic employer contribution rates for the school employees' retirement system and the public safety employees' retirement system for funding both those systems and the public employees' retirement system plan 1.

The council may adopt annual rate changes for any plan for any rate-setting period. The contribution rates adopted by the council shall be subject to revision by the legislature.

(3) The employer and state contribution rates adopted by the council shall be the level percentages of pay that are needed:

(a) To fully amortize the total costs of the law enforcement officers' and firefighters' retirement system plan 1 not later than June 30, 2024;

(b) To fully fund the public employees' retirement system plans 2 and 3, the teachers' retirement system plans 2 and 3, the public safety employees' retirement system plan 2, and the school employees' retirement system plans 2 and 3 in accordance with RCW 41.45.061, 41.45.067, and this section; and

(c) To fully fund the public employees' retirement system plan 1 and the teachers' retirement system plan 1 in accordance with RCW 41.45.070, 41.45.150, and this section.

(4) The aggregate actuarial cost method shall be used to calculate a combined plan 2 and 3 normal cost, a Washington state patrol retirement system normal cost, and a public safety employees' retirement system normal cost.

(5) A modified entry age normal cost method, as set forth in this chapter, shall be used to calculate employer contributions to the public employees' retirement system plan 1 and the teachers' retirement system plan 1.

(6) The employer contribution rate for the public employees' retirement system and the school employees' retirement system shall equal the sum of:

(a) The amount required to pay the combined plan 2 and plan 3 normal cost for the system, subject to any minimum rates applied pursuant to RCW 41.45.155; plus

(b) The amount required to amortize the unfunded actuarial accrued liability in plan 1 of the public employees' retirement system over a rolling ten-year period using projected future salary growth and growth in system membership, and subject to any minimum or maximum rates applied pursuant to RCW 41.45.150; plus

(c) ~~((The))~~ Except as described in (d) of this subsection, the amounts required to amortize the costs of any benefit improvements in plan 1 of the public employees' retirement system that become effective after June 30, 2009. The cost of each benefit improvement shall be amortized over a fixed ~~((ten-year))~~ 15-year period using projected future salary growth and growth in system membership. The amounts required under this subsection are not subject to, and are collected in addition to, any minimum or maximum rates applied pursuant to RCW 41.45.150; plus

(d) The amounts required to fully amortize the remaining costs of benefit improvements in the public employees' retirement system plan 1 effective from July 1, 2018, through June 30, 2025, over a fixed 15-year period with the rate between July 1, 2025, and June 30, 2029, being zero. The amounts required

under this subsection are not subject to, and are collected in addition to, any minimum or maximum rates applied pursuant to RCW 41.45.150.

(7) The employer contribution rate for the public safety employees' retirement system shall equal the sum of:

(a) The amount required to pay the normal cost for the system, subject to any minimum rates applied pursuant to RCW 41.45.155; plus

(b) The amount required to amortize the unfunded actuarial accrued liability in plan 1 of the public employees' retirement system over a rolling ten-year period using projected future salary growth and growth in system membership, and subject to any minimum or maximum rates applied pursuant to RCW 41.45.150; plus

(c) ~~((The))~~ Except as described in (d) of this subsection, the amounts required to amortize the costs of any benefit improvements in plan 1 of the public employees' retirement system that become effective after June 30, 2009. The cost of each benefit improvement shall be amortized over a fixed ~~((ten-year))~~ 15-year period using projected future salary growth and growth in system membership. The amounts required under this subsection are not subject to, and are collected in addition to, any minimum or maximum rates applied pursuant to RCW 41.45.150; plus

(d) The amounts required to fully amortize the remaining costs of benefit improvements in the public employees' retirement system plan 1 effective from July 1, 2018, through June 30, 2025, over a fixed 15-year period with the rate between July 1, 2025, and June 30, 2029, being zero. The amounts required under this subsection are not subject to, and are collected in addition to, any minimum or maximum rates applied pursuant to RCW 41.45.150.

(8) The employer contribution rate for the teachers' retirement system shall equal the sum of:

(a) The amount required to pay the combined plan 2 and plan 3 normal cost for the system, subject to any minimum rates applied pursuant to RCW 41.45.155; plus

(b) The amount required to amortize the unfunded actuarial accrued liability in plan 1 of the teachers' retirement system over a rolling ten-year period using projected future salary growth and growth in system membership, and subject to any minimum or maximum rates applied pursuant to RCW 41.45.150; plus

(c) ~~((The))~~ Except as described in (d) of this subsection, the amounts required to amortize the costs of any benefit improvements in plan 1 of the teachers' retirement system that become effective after June 30, 2009. The cost of each benefit improvement shall be amortized over a fixed ~~((ten-year))~~ 15-year period using projected future salary growth and growth in system membership. The amounts required under this subsection are not subject to, and are collected in addition to, any minimum or maximum rates applied pursuant to RCW 41.45.150; plus

(d) The amounts required to fully amortize the remaining costs of benefit improvements in the teachers' retirement system plan 1 effective from July 1, 2018, through June 30, 2025, over a fixed 15-year period with the rate between July 1, 2025, and June 30, 2029, being zero. The amounts required under this subsection are not subject to, and are collected in addition to, any minimum or maximum rates applied pursuant to RCW 41.45.150.

(9) The employer contribution rate for each of the institutions of higher education for the higher education supplemental retirement benefits must be sufficient to fund, as a level percentage of pay, a portion of the projected cost of the supplemental retirement benefits for the institution beginning in 2035, with the other portion supported on a pay-as-you-go basis, either as direct payments by each institution to retirees, or as contributions to the higher education retirement plan supplemental benefit fund. Contributions must continue until the council determines that the institution for higher education supplemental retirement benefit liabilities are satisfied.

(10) The council shall immediately notify the directors of the office of financial management and department of retirement systems of the state and employer contribution rates adopted. The rates shall be effective for the ensuing biennial period, subject to any legislative modifications.

(11) The director shall collect those rates adopted by the council. The rates established in RCW 41.45.062, or by the council, shall be subject to revision by the legislature.

(12) The state actuary shall prepare final actuarial valuation results based on the economic assumptions, asset value smoothing technique, and contribution rates included in or adopted under RCW 41.45.030, 41.45.035, and this section.

Sec. 4. RCW 41.45.070 and 2009 c 561 s 4 are each amended to read as follows:

(1) In addition to the basic employer contribution rate established in RCW 41.45.060 or 41.45.054, the department shall also charge employers of public employees' retirement system, teachers' retirement system, school employees' retirement system, public safety employees' retirement system, or Washington state patrol retirement system members an additional supplemental rate to pay for the cost of additional benefits, if any, granted to members of those systems. Except as provided in subsections (6), (7), and (9) of this section, the supplemental contribution rates required by this section shall be calculated by the state actuary and shall be charged regardless of language to the contrary contained in the statute which authorizes additional benefits.

(2) In addition to the basic member, employer, and state contribution rate established in RCW 41.45.0604 for the law enforcement officers' and firefighters' retirement system plan 2, the department shall also establish supplemental rates to pay for the cost of additional benefits, if any, granted to members of the law enforcement officers' and firefighters' retirement system plan 2. Except as provided in subsection (6) of this section, these supplemental rates shall be calculated by the actuary retained by the law enforcement officers' and firefighters' board and the state actuary through the process provided in RCW 41.26.720(1)(a) and the state treasurer shall transfer the additional required contributions regardless of language to the contrary contained in the statute which authorizes the additional benefits.

(3) ~~((Beginning July 1, 2009, the))~~ The supplemental rate charged under this section to fund benefit increases provided to active members of the public employees' retirement system plan 1 and the teachers' retirement system plan 1 shall be calculated as the level percentage of all system pay needed to fund the cost of the benefit over a fixed ~~((ten-year))~~ 15-year period, using projected future salary growth and growth in system membership. The supplemental rate to fund benefit increases provided to active members of the public employees'

retirement system plan 1 shall be charged to all system employers in the public employees' retirement system, the school employees' retirement system, and the public safety employees' retirement system. The supplemental rate to fund benefit increases provided to active members of the teachers' retirement system plan 1 shall be charged to all system employers in the teachers' retirement system.

(4) The supplemental rate charged under this section to fund benefit increases provided to active and retired members of the public employees' retirement system plan 2 and plan 3, the teachers' retirement system plan 2 and plan 3, the public safety employees' retirement system plan 2, the school employees' retirement system plan 2 and plan 3, or the Washington state patrol retirement system shall be calculated as the level percentage of all members' pay needed to fund the cost of the benefit, as calculated under RCW 41.45.060, 41.45.061, 41.45.0631, or 41.45.067.

(5) The supplemental rate charged under this section to fund postretirement adjustments which are provided on a nonautomatic basis to current retirees shall be calculated as the percentage of pay needed to fund the adjustments as they are paid to the retirees. (~~Beginning July 1, 2009, the~~) The supplemental rate charged under this section to fund increases in the automatic postretirement adjustments for active or retired members of the public employees' retirement system plan 1 and the teachers' retirement system plan 1 shall be calculated as the level percentage of pay needed to fund the cost of the automatic adjustments over a fixed (~~ten-year~~) 15-year period, using projected future salary growth and growth in system membership. The supplemental rate to fund increases in the automatic postretirement adjustments for active members or retired members of the public employees' retirement system plan 1 shall be charged to all system employers in the public employees' retirement system, the school employees' retirement system, and the public safety employees' retirement system. The supplemental rate to fund increases in automatic postretirement adjustments for active members or retired members of the teachers' retirement system plan 1 shall be charged to all system employers in the teachers' retirement system.

(6) A supplemental rate shall not be charged to pay for the cost of additional benefits granted to members pursuant to chapter 340, Laws of 1998.

(7) A supplemental rate shall not be charged to pay for the cost of additional benefits granted to members pursuant to chapter 41.31A RCW; section 309, chapter 341, Laws of 1998; or section 701, chapter 341, Laws of 1998.

(8) A supplemental rate shall not be charged to pay for the cost of additional benefits granted to members and survivors pursuant to chapter 94, Laws of 2006.

(9) A supplemental rate shall not be charged to pay for the cost of the additional benefits granted to members of the teachers' retirement system and the school employees' retirement system plans 2 and 3 in sections 2, 4, 6, and 8, chapter 491, Laws of 2007 until September 1, 2008. A supplemental rate shall not be charged to pay for the cost of the additional benefits granted to members of the public employees' retirement system plans 2 and 3 under sections 9 and 10, chapter 491, Laws of 2007 until July 1, 2008.

Sec. 5. RCW 41.45.150 and 2023 c 396 s 1 are each amended to read as follows:

(1) Beginning July 1, 2015, and ending June 30, 2023, a minimum 3.50 percent contribution is established as part of the basic employer contribution rate for the public employees' retirement system and the public safety employees' retirement system, to be used for the sole purpose of amortizing that portion of the unfunded actuarial accrued liability in the public employees' retirement system plan 1 that excludes any amounts required to amortize plan 1 benefit improvements effective after June 30, 2009.

(2) Beginning September 1, 2015, and ending August 31, 2023(~~((2027))~~), a minimum 3.50 percent contribution is established as part of the basic employer contribution rate for the school employees' retirement system, to be used for the sole purpose of amortizing that portion of the unfunded actuarial accrued liability in the public employees' retirement system plan 1 that excludes any amounts required to amortize plan 1 benefit improvements effective after June 30, 2009.

(3) Beginning September 1, 2015, and ending August 31, 2023, a minimum 5.75 percent contribution is established as part of the basic employer contribution rate for the teachers' retirement system, to be used for the sole purpose of amortizing that portion of the unfunded actuarial accrued liability in the teachers' retirement system plan 1 that excludes any amounts required to amortize plan 1 benefit improvements effective after June 30, 2009.

(4)(a) Beginning July 1, 2023, and ending June 30, (~~(2027))~~ 2029, the following employer contribution rates shall be in effect for the public employees' retirement system and the public safety employees' retirement system that is used for the sole purpose of amortizing that portion of the unfunded actuarial accrued liability in the public employees' retirement system plan 1 that excludes any amounts required to amortize plan 1 benefit improvements effective after June 30, 2009.

Fiscal Year ending:

2024	2025	2026	2027	<u>2028</u>	<u>2029</u>
2.50%	2.00%	((1.50%	((0.50%	<u>0.00%</u>	<u>0.00%</u>
))))		
		<u>0.00%</u>	<u>0.00%</u>		

(b) Beginning July 1, (~~(2027))~~ 2029, a minimum 0.50 percent contribution is established as part of the basic employer contribution rate for the public employees' retirement system and the public safety employees' retirement system, to be used for the sole purpose of amortizing any portion of an unfunded actuarial accrued liability in the public employees' retirement system plan 1 that excludes any amounts required to amortize plan 1 benefit improvements effective after June 30, 2009. This minimum contribution rate shall be in effect when the actuarial value of assets in plan 1 of the public employees' retirement system is less than 100 percent of the actuarial accrued liability.

(5)(a) Beginning September 1, 2023, and ending August 31, (~~(2027))~~ 2029, the following employer contribution rates shall be in effect for the school employees' retirement system that is used for the sole purpose of amortizing that portion of the unfunded actuarial accrued liability in the public employees'

retirement system plan 1 that excludes any amounts required to amortize plan 1 benefit improvements effective after June 30, 2009.

Fiscal Year ending:					
2024	2025	2026	2027	<u>2028</u>	<u>2029</u>
2.50%	2.00%	((1.50%	((0.50%	<u>0.00%</u>	<u>0.00%</u>
))		
		<u>0.00%</u>	<u>0.00%</u>		

(b) Beginning September 1, (~~2027~~) 2029, a minimum 0.50 percent contribution is established as part of the basic employer contribution rate for the school employees' retirement system, to be used for the sole purpose of amortizing any portion of an unfunded actuarial accrued liability in the public employees' retirement system plan 1 that excludes any amounts required to amortize plan 1 benefit improvements effective after June 30, 2009. This minimum contribution rate shall be in effect when the actuarial value of assets in plan 1 of the public employees' retirement system is less than 100 percent of the actuarial accrued liability.

(6)(a) Beginning September 1, 2023, and ending August 31, (~~2027~~) 2029, the following employer contribution rates shall be in effect for the teachers' retirement system that is used for the sole purpose of amortizing that portion of the unfunded actuarial accrued liability in the teachers' retirement system plan 1 that excludes any amounts required to amortize plan 1 benefit improvements effective after June 30, 2009.

Fiscal Year ending:					
2024	2025	2026	2027	<u>2028</u>	<u>2029</u>
0.50%	0.50%	0.00%	0.00%	<u>0.00%</u>	<u>0.00%</u>

(b) Beginning September 1, (~~2027~~) 2029, a minimum 0.50 percent contribution is established as part of the basic employer contribution rate for the teachers' retirement system, to be used for the sole purpose of amortizing any portion of an unfunded actuarial accrued liability in the teachers' retirement system plan 1 that excludes any amounts required to amortize plan 1 benefit improvements effective after June 30, 2009. This minimum contribution rate shall be in effect when the actuarial value of assets in plan 1 of the teachers' retirement system is less than 100 percent of the actuarial accrued liability.

(7) Upon completion of each biennial actuarial valuation, the state actuary shall review the appropriateness of the minimum contribution rates and recommend to the council any adjustments as may be needed due to material changes in benefits or actuarial assumptions, methods, or experience. Any changes adopted by the council shall be subject to revision by the legislature.

NEW SECTION. Sec. 6. A new section is added to chapter 41.45 RCW to read as follows, but because of its temporary nature is not codified:

The legislature hereby revises the contribution rates adopted by the council at its July 17, 2024, meeting to reflect the funding policy changes in this act, while completing the council's phase-in of the impact of the 2021 changes in actuarial assumptions on the long-term rate of return:

(1) Beginning July 1, 2025, and ending June 30, 2027, the required total employer contribution rate for the public employees' retirement system shall be 5.38 percent.

(2) Beginning July 1, 2025, and ending June 30, 2027, the required total employer contribution rate for the public safety employees' retirement system shall be 6.91 percent.

(3) Beginning September 1, 2025, and ending August 31, 2027, the required total employer contribution rate for the teachers' retirement system shall be 7.54 percent.

(4) Beginning September 1, 2025, and ending August 31, 2027, the required total employer contribution rate for the school employees' retirement system shall be 6.87 percent.

(5) Beginning July 1, 2025, and ending June 30, 2027, the required total employer contribution rate for the Washington state patrol retirement system shall be 15.85 percent.

(6) Beginning July 1, 2025, and ending June 30, 2027, the required member contribution rate for the public employees' retirement system plan 2 shall be 5.38 percent.

(7) Beginning July 1, 2025, and ending June 30, 2027, the required member contribution rate for the public safety employees' retirement system plan 2 shall be 6.91 percent.

(8) Beginning September 1, 2025, and ending August 31, 2027, the required member contribution rate for the teachers' retirement system plan 2 shall be 7.54 percent.

(9) Beginning September 1, 2025, and ending August 31, 2027, the required member contribution rate for the school employees' retirement system plan 2 shall be 6.87 percent.

(10) Beginning July 1, 2025, and ending June 30, 2027, the required member contribution rate for the Washington state patrol retirement system shall be 8.75 percent.

NEW SECTION. Sec. 7. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect July 1, 2025.

Passed by the Senate April 24, 2025.

Passed by the House April 23, 2025.

Approved by the Governor May 20, 2025.

Filed in Office of Secretary of State May 21, 2025.

CHAPTER 382

[Substitute Senate Bill 5388]

DEPARTMENT OF CORRECTIONS—BEHAVIORAL HEALTH SERVICES—CERTIFICATION

AN ACT Relating to department of corrections behavioral health certification; amending RCW 9.94A.662; adding a new section to chapter 72.09 RCW; and creating new sections.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Sec. 1. The legislature finds that in 2020, the governor signed Second Substitute Senate Bill No. 6211 into law, which made various changes to the drug offender sentencing alternative statutes. As part of that

legislation, revisions were made to RCW 9.94A.662 to state that substance use disorder treatment services provided in prisons be licensed by the department of health.

As a result, under RCW 71.24.037, the department of health is also required to license mental health services provided in prisons.

The legislature finds that prior to the passing of Second Substitute Senate Bill No. 6211 in 2020, the department of social and health services created the department of corrections substance use disorder treatment services in collaboration with the department of corrections.

It is the intent of the legislature to require the department of health to monitor the provision of behavioral health services to individuals in correctional facilities based on standards jointly established by the department of health and the department of corrections. Monitoring shall be done in lieu of licensure by the department of health.

Sec. 2. RCW 9.94A.662 and 2021 c 215 s 103 are each amended to read as follows:

(1) The court may only order a prison-based special drug offender sentencing alternative if the high end of the standard sentence range for the current offense is greater than one year.

(2) A sentence for a prison-based special drug offender sentencing alternative shall include:

(a) A period of total confinement in a state facility for one-half the midpoint of the standard sentence range or ~~((twelve))~~ 12 months, whichever is greater;

(b) One-half the midpoint of the standard sentence range as a term of community custody, which must include appropriate substance use disorder treatment in a program that has been approved by the department of health, and for co-occurring drug and domestic violence cases, must also include an appropriate domestic violence treatment program by a state-certified domestic violence treatment provider pursuant to RCW 43.20A.735;

(c) Crime-related prohibitions, including a condition not to use illegal controlled substances;

(d) A requirement to submit to urinalysis or other testing to monitor that status; and

(e) A term of community custody pursuant to RCW 9.94A.701 to be imposed upon the failure to complete or administrative termination from the special drug offender sentencing alternative program.

(3)(a) During incarceration in the state facility, ~~((offenders))~~ individuals sentenced under this section shall undergo a comprehensive substance use disorder assessment and receive, within available resources, treatment services appropriate for the ~~((offender))~~ individual. The substance use disorder treatment services shall be ~~((licensed by the department of health))~~ provided by individuals licensed by the state of Washington.

(b) When applicable for cases involving domestic violence, domestic violence treatment must be provided by a state-certified domestic violence treatment provider pursuant to RCW 43.20A.735 during the term of community custody.

(4) If the department finds that conditions of community custody have been willfully violated, the ~~((offender))~~ individual may be reclassified to serve the remaining balance of the original sentence. An ~~((offender))~~ individual who fails

to complete the program or who is administratively terminated from the program shall be reclassified to serve the unexpired term of his or her sentence as ordered by the sentencing court.

(5) If an ((offender)) individual sentenced to the prison-based alternative under this section is found by the United States attorney general to be subject to a deportation order, a hearing shall be held by the department unless waived by the ((offender)) individual, and, if the department finds that the ((offender)) individual is subject to a valid deportation order, the department may administratively terminate the ((offender)) individual from the program and reclassify the ((offender)) individual to serve the remaining balance of the original sentence.

NEW SECTION. Sec. 3. A new section is added to chapter 72.09 RCW to read as follows:

(1) By July 1, 2026, the department and the department of health shall jointly establish and adopt standards for the provision of behavioral health services to individuals in correctional facilities.

(2) Beginning July 1, 2027, the department shall fully implement the standards adopted under this section when providing behavioral health services to individuals in correctional facilities.

(3) Beginning July 1, 2027, the department of health shall conduct annual inspections to determine compliance by the department with the standards adopted under this section. The department of health shall issue a report documenting any instances of noncompliance to the department. The department shall submit a corrective plan of action to the department of health within 45 days of the presentation of the report for feedback from the department of health on how the department proposes to resolve the noncompliance. The department of health may provide technical assistance to the department with complying with the standards adopted under this section.

(4) By July 1, 2027, the department and the department of health shall enter into an agreement, to be renewed biennially, that shall include, but not be limited to, the following provisions:

(a) The process for the department of health to conduct the annual inspections required under this section; and

(b) Reimbursement to the department of health by the department for costs related to providing technical assistance and conducting the annual inspections required under this section.

(5) By July 20, 2030, and every four years thereafter, the department and the department of health shall jointly review and update the standards adopted under this section as necessary.

(6) The department shall reimburse the department of health for costs related to providing technical assistance and conducting the annual inspections required under this section.

(7) For purposes of this section, "behavioral health services" has the same meaning as provided in RCW 71.24.025.

NEW SECTION. Sec. 4. If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2025, in the omnibus appropriations act, this act is null and void.

Passed by the Senate April 18, 2025.

Passed by the House April 11, 2025.

Approved by the Governor May 20, 2025.

Filed in Office of Secretary of State May 21, 2025.

CHAPTER 383

[Substitute Senate Bill 5408]

EMPLOYER WAGE AND SALARY DISCLOSURES—CORRECTIONS

AN ACT Relating to allowing for corrections to wage and salary disclosures; amending RCW 49.58.110; and prescribing penalties.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. RCW 49.58.110 and 2022 c 242 s 1 are each amended to read as follows:

(1) Required disclosures in postings.

(a) The employer must disclose in each posting for each job opening ((the)); (i) The wage scale or salary range, except where the employer is offering only a fixed wage amount for the opening, the employer must disclose the fixed wage amount rather than a scale or range; and (ii) a general description of all of the benefits and other compensation to be offered to the hired applicant. For the purposes of this section, "posting" means any solicitation intended to recruit job applicants for a specific available position, including recruitment done directly by an employer or indirectly through a third party, and includes any postings done electronically, or with a printed hard copy, that includes qualifications for desired applicants. "Posting" does not include a solicitation for recruiting job applicants that is digitally replicated and published without an employer's consent.

(b) For any postings from the effective date of this section through July 27, 2027, an employer must be afforded an opportunity to correct a violation of this subsection (1) before a job applicant may seek remedies under subsection (4) or (5) of this section. Any person may provide written notice to an employer alleging that the employer's posting does not comply with this subsection (1). If an employer receives notice from any person as to a particular posting, this constitutes adequate notice for the duration of that posting for any job applicant seeking remedies under subsection (4) or (5) of this section. If the employer corrects the posting within five business days of receiving the written notice and, where applicable, contacts any applicable third-party posting entity with a demand to correct the posting, then neither the department nor the court may assess or award penalties, damages, or other relief under this section for the violation. This subsection (1)(b) does not apply after July 27, 2027.

(2) Required disclosures for internal transfers and promotions.

Upon request of an employee offered an internal transfer to a new position or promotion, the employer must provide the wage scale or salary range for the employee's new position, except where the employer is offering only a fixed wage amount for the new position or promotion, the employer must disclose the fixed wage amount rather than a scale or range.

(3) Application.

This section only applies to employers with 15 or more employees.

(4) ~~((A job applicant or an employee is entitled to the remedies in RCW 49.58.060 and 49.58.070 for violations of this section. Recovery of any wages and interest must be calculated from the first date wages were owed to the employee.))~~ Administrative remedies.

(a) The director shall investigate if a job applicant or employee files a complaint with the department alleging a violation of this section. If the director determines that a violation occurred, the director shall attempt to resolve the violation by conference and conciliation. If no agreement is reached to resolve the violation, the director may issue a citation and notice of assessment and may order the employer to pay each affected job applicant or employee statutory damages of no less than \$100 and no more than \$5,000 per violation. If ordering statutory damages, the department shall consider the following when determining the amount of those damages: Whether the violation was committed willfully or the violation is a repeat violation; the size of the employer; the amount necessary to deter future noncompliance; the purposes of this chapter; and any other factor deemed appropriate by the department. In addition to statutory damages, the director may:

(i) Order payment of the department's costs of investigation and enforcement to the department;

(ii) Assess a civil penalty of up to \$500 for a first violation or up to \$1,000 for a repeat violation; and

(iii) Order actual damages, reinstatement, injunctive relief, or other appropriate relief for an employee injured by a violation of subsection (2) of this section.

(b) An appeal from the director's finding or determination may be made in accordance with chapter 34.05 RCW. An employee or job applicant who prevails is entitled to costs and reasonable attorneys' fees.

(c) The department shall deposit civil penalties paid under this section in the supplemental pension fund established under RCW 51.44.033.

(5) Private civil action.

(a) A job applicant or employee may bring a civil action against an employer for a violation of this section. A prevailing job applicant or employee is entitled to statutory damages of no less than \$100 and no more than \$5,000 per violation, plus reasonable attorneys' fees and costs. In determining the amount of statutory damages, the court shall consider the following: Whether the violation was committed willfully or the violation is a repeat violation; the size of the employer; the amount necessary to deter future noncompliance; the purposes of this chapter; and any other factor deemed appropriate by the court. The court may also order actual damages, reinstatement, injunctive relief, and other appropriate remedies for an employee injured by a violation of subsection (2) of this section.

(b) The job applicant or employee shall bring a civil action within three years of the date of the alleged violation of this section regardless of whether the job applicant or employee pursued an administrative complaint. Filing a civil action under this subsection terminates the director's processing of the complaint under subsection (4) of this section. A job applicant or employee may be awarded damages by the department under subsection (4) of this section or the court under subsection (5) of this section, but not both.

(6) Exclusive remedies.

The administrative remedies and private right of action under this section constitute the exclusive remedies for violations of this section. The remedies under RCW 49.58.060 and 49.58.070 are not available for violations of this section.

(7) Rules.

The department may adopt rules for purposes of implementing and enforcing this section.

Passed by the Senate April 22, 2025.

Passed by the House April 15, 2025.

Approved by the Governor May 20, 2025.

Filed in Office of Secretary of State May 21, 2025.

CHAPTER 384

[Substitute Senate Bill 5412]

SCHOOL DISTRICTS—TEMPORARY INTERFUND LOANS

AN ACT Relating to temporary interfund loans for school districts in binding conditions or under enhanced financial oversight; amending RCW 28A.505.130, 28A.315.221, 28A.335.130, and 28A.335.120; reenacting and amending RCW 28A.320.330; and adding new sections to chapter 28A.320 RCW.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Sec. 1. A new section is added to chapter 28A.320 RCW under the subchapter heading "deposit, investment, and use of proceeds" to read as follows:

(1) A school district that is in binding conditions pursuant to RCW 28A.505.110 or under enhanced financial oversight pursuant to RCW 28A.315.221 may take a temporary interfund loan from its capital projects fund, subject to the following conditions:

(a) The borrowing fund must repay the full loan amount to the loaning capital projects fund within one calendar year;

(b) The loaning capital projects fund may not charge interest on the amounts loaned;

(c) The loan may not be made to the detriment of any function or project for which the loaning capital projects fund was established;

(d) The school district's financial reports, including monthly financial reports provided to the board of directors of the district, must specify all outstanding interfund loan balances.

(2)(a) The board of directors of a qualifying school district must adopt a resolution to approve a temporary interfund loan transaction. The resolution must contain the exact amount of the loan, the funds involved, the specific source of funds for repayment, and the schedule for repayment.

(b) If a school district is under enhanced financial oversight pursuant to RCW 28A.315.221, the temporary interfund loan transaction must additionally be approved by the special administrator appointed to oversee and carry out financial conditions imposed on the district as recommended by the financial oversight committee.

(3) The office of the superintendent of public instruction shall adopt rules as necessary to implement this section.

NEW SECTION. Sec. 2. A new section is added to chapter 28A.320 RCW to read as follows:

(1) To provide an additional tool for maintaining financial solvency, the board of directors of a school district that is in binding conditions pursuant to RCW 28A.505.110 may request from the superintendent of public instruction authorization to sell real property of the district. The superintendent of public instruction, subject to the following conditions, may only grant the authorization if the school district demonstrates to the satisfaction of the superintendent of public instruction that:

(a) The sale is necessary to restore financial stability and prevent adverse impacts to student learning; and

(b) The proceeds from the sale will be used only for:

(i) Alleviating or concluding the financial burdens that caused or significantly contributed to the imposition of binding conditions on the school district; or

(ii) A temporary interfund loan authorized under section 1 of this act.

(2) The office of the superintendent of public instruction shall adopt rules to implement this section that include provisions to ensure transparency and accountability, and to verify that the school district's use of the proceeds from any sale of real property aligns with the terms of the authorization. The rules required by this section must also prohibit a school district from receiving an authorization provided under this section more than once during a 10-year period.

(3) Nothing in this section exempts or shall be construed as exempting school districts from complying with the applicable requirements of section 1, chapter . . . , Laws of 2025 (Engrossed Substitute Senate Bill 5142) when selling real property acquired through condemnation under chapter 8.16 RCW.

Sec. 3. RCW 28A.320.330 and 2023 c 474 s 8022 and 2023 c 402 s 1 are each reenacted and amended to read as follows:

School districts shall establish the following funds in addition to those provided elsewhere by law:

(1)(a) A general fund for the school district to account for all financial operations of the school district except those required to be accounted for in another fund.

(b) By the 2018-19 school year, a local revenue subfund of its general fund to account for the financial operations of a school district that are paid from local revenues. The local revenues that must be deposited in the local revenue subfund are enrichment levies and transportation vehicle levies collected under RCW 84.52.053, local effort assistance funding received under chapter 28A.500 RCW, and other school district local revenues including, but not limited to, grants, donations, and state and federal payments in lieu of taxes, but do not include other federal revenues, or local revenues that operate as an offset to the district's basic education allocation under RCW 28A.150.250. School districts must track expenditures from this subfund separately to account for the expenditure of each of these streams of revenue by source, and must provide the supplemental expenditure schedule under (c) of this subsection, and any other supplemental expenditure schedules required by the superintendent of public instruction or state auditor, for purposes of RCW 43.09.2856.

(c) Beginning in the 2019-20 school year, the superintendent of public instruction must require school districts to provide a supplemental expenditure schedule by revenue source that identifies the amount expended by object for each of the following supplementary enrichment activities beyond the state funded amount:

(i) Minimum instructional offerings under RCW 28A.150.220 or 28A.150.260 not otherwise included on other lines;

(ii) Staffing ratios or program components under RCW 28A.150.260, including providing additional staff for class size reduction beyond class sizes allocated in the prototypical school model and additional staff beyond the staffing ratios allocated in the prototypical school formula;

(iii) Program components under RCW 28A.150.200, 28A.150.220, or 28A.150.260, not otherwise included on other lines;

(iv) Program components to support students in the program of special education;

(v) Program components of professional learning, as defined by RCW 28A.415.430, beyond that allocated under RCW 28A.150.415;

(vi) Extracurricular activities;

(vii) Extended school days or an extended school year;

(viii) Additional course offerings beyond the minimum instructional program established in the state's statutory program of basic education;

(ix) Activities associated with early learning programs;

(x) Activities associated with providing the student transportation program;

(xi) Any additional salary costs attributable to the provision or administration of the enrichment activities allowed under RCW 28A.150.276;

(xii) Additional activities or enhancements that the office of the superintendent of public instruction determines to be a documented and demonstrated enrichment of the state's statutory program of basic education under RCW 28A.150.276; and

(xiii) All other costs not otherwise identified in other line items.

(d) For any salary and related benefit costs identified in (c)(xi), (xii), and (xiii) of this subsection, the school district shall maintain a record describing how these expenditures are documented and demonstrated enrichment of the state's statutory program of basic education. School districts shall maintain these records until the state auditor has completed the audit under RCW 43.09.2856.

(e) For school districts of the second class as defined ~~((by [in]))~~ in RCW 28A.300.065, a depreciation subfund for the school district to reserve funds for future facility and equipment needs. Up to two percent of a second class school district's general fund may be deposited each fiscal year into the depreciation subfund for the purpose of preventative maintenance or emergency facility needs. The preventative maintenance must be necessary to realize the originally anticipated useful life of a building or facility and include: Exterior painting of facilities; replacement or renovation of roofing, exterior walls, windows, heating, air conditioning and ventilation systems, floor coverings in classrooms and common areas, and electrical and plumbing systems; and renovation of playfields, athletic facilities, and other district real property. School districts of the second class, subject to applicable public works bid limits, may use school district employees to perform preventative maintenance with moneys from the

depreciation subfund, but moneys from the depreciation subfund may not be used for employee compensation that is unrelated to this subsection (1)(e).

(2) A capital projects fund shall be established for major capital purposes. All statutory references to a "building fund" shall mean the capital projects fund so established. Money to be deposited into the capital projects fund shall include, but not be limited to, bond proceeds, proceeds from excess levies authorized by RCW 84.52.053, state apportionment proceeds as authorized by RCW 28A.150.270, earnings from capital projects fund investments as authorized by RCW 28A.320.310 and 28A.320.320, and state forest revenues transferred pursuant to subsection (3) of this section.

Money derived from the sale of bonds, including interest earnings thereof, may only be used for those purposes described in RCW 28A.530.010, except that accrued interest paid for bonds shall be deposited in the debt service fund.

Money to be deposited into the capital projects fund shall include but not be limited to rental and lease proceeds as authorized by RCW 28A.335.060, and proceeds from the sale of real property as authorized by RCW 28A.335.130.

Money legally deposited into the capital projects fund from other sources may be used for the purposes described in RCW 28A.530.010, and for the purposes of:

(a) Major renovation and replacement of facilities and systems where periodical repairs are no longer economical or extend the useful life of the facility or system beyond its original planned useful life. Such renovation and replacement shall include, but shall not be limited to, major repairs, exterior painting of facilities, replacement and refurbishment of roofing, exterior walls, windows, heating and ventilating systems, floor covering in classrooms and public or common areas, and electrical and plumbing systems.

(b) Renovation and rehabilitation of playfields, athletic fields, and other district real property.

(c) The conduct of preliminary energy audits and energy audits of school district buildings. For the purpose of this section:

(i) "Preliminary energy audits" means a determination of the energy consumption characteristics of a building, including the size, type, rate of energy consumption, and major energy using systems of the building.

(ii) "Energy audit" means a survey of a building or complex which identifies the type, size, energy use level, and major energy using systems; which determines appropriate energy conservation maintenance or operating procedures and assesses any need for the acquisition and installation of energy conservation measures, including solar energy and renewable resource measures.

(iii) "Energy capital improvement" means the installation, or modification of the installation, of energy conservation measures in a building which measures are primarily intended to reduce energy consumption or allow the use of an alternative energy source.

(d) Those energy capital improvements which are identified as being cost-effective in the audits authorized by this section.

(e) Purchase or installation of additional major items of equipment and furniture: PROVIDED, That vehicles shall not be purchased with capital projects fund money.

(f)(i) Costs associated with implementing technology systems, facilities, and projects, including acquiring hardware, licensing software, and online applications and training related to the installation of the foregoing. However, the software or applications must be an integral part of the district's technology systems, facilities, or projects.

(ii) Costs associated with the application and modernization of technology systems for operations and instruction including, but not limited to, the ongoing fees for online applications, subscriptions, or software licenses, including upgrades and incidental services, and ongoing training related to the installation and integration of these products and services. However, to the extent the funds are used for the purpose under this subsection (2)(f)(ii), the school district shall transfer to the district's general fund the portion of the capital projects fund used for this purpose. The office of the superintendent of public instruction shall develop accounting guidelines for these transfers in accordance with internal revenue service regulations.

(g) Major equipment repair, painting of facilities, and other major preventative maintenance purposes. However, to the extent the funds are used for the purpose under this subsection (2)(g), the school district shall transfer to the district's general fund the portion of the capital projects fund used for this purpose. The office of the superintendent of public instruction shall develop accounting guidelines for these transfers in accordance with internal revenue service regulations. Based on the district's most recent two-year history of general fund maintenance expenditures, funds used for this purpose may not replace routine annual preventive maintenance expenditures made from the district's general fund.

~~(h) ((During the 2021-2023 fiscal biennium, renovation and replacement of facilities and systems, purchase or installation of items of equipment and furniture, including maintenance vehicles and machinery, and other preventative maintenance or infrastructure improvement purposes.))~~ Temporary interfund loans as authorized under section 1 of this act.

(i) During the 2023-2025 fiscal biennium, for moneys in the capital projects fund not attributable to capital levies, moving of equipment and furniture between buildings and warehouses for storage, moving of the content of teachers' classrooms between buildings, and furniture purchases, when these costs are due to the following activities: Construction, remodeling, replacement, temporary placement, consolidation, or directed transfer.

(3) A debt service fund to provide for tax proceeds, other revenues, and disbursements as authorized in chapter 39.44 RCW. State forestland revenues that are deposited in a school district's debt service fund pursuant to RCW 79.64.110 and to the extent not necessary for payment of debt service on school district bonds may be transferred by the school district into the district's capital projects fund.

(4) An associated student body fund as authorized by RCW 28A.325.030.

(5) Advance refunding bond funds and refunded bond funds to provide for the proceeds and disbursements as authorized in chapter 39.53 RCW.

Sec. 4. RCW 28A.505.130 and 2023 c 435 s 11 are each amended to read as follows:

(1) For each fund contained in the school district budget the estimated expenditures for the budgeted fiscal year must not be greater than the total of the

estimated revenues for the budgeted fiscal year, the estimated fund balance at the beginning of the budgeted fiscal year less the estimated reserve fund balance at the end of the budgeted fiscal year, and the projected revenue from receivables collectible on future years as approved by the superintendent of public instruction for inclusion in the budget.

(2) The proceeds of any interfund loan must not be used to balance the budget of the borrowing fund, except in the following circumstances:

(a) In fiscal year 2024 when such loans may be used to address budget destabilization in the aftermath of the COVID-19 pandemic. Interfund loans in fiscal year 2024 may be for a duration of two years; and

(b) As authorized under section 1 of this act.

Sec. 5. RCW 28A.315.221 and 2012 c 186 s 8 are each amended to read as follows:

(1) The superintendent of public instruction shall convene a financial oversight committee:

(a) At the request of the board of directors of a financially insolvent district;

(b) When the superintendent of public instruction determines a district is financially insolvent, after first consulting with the educational service district where the district is located and notifying the district the committee will be convened; or

(c) When a district has been on binding conditions pursuant to RCW 28A.505.110 for two consecutive years and does not have a satisfactory financial plan.

(2) The financial oversight committee comprises two representatives from the office of the superintendent of public instruction, one representative from an educational service district where a financially insolvent school district is not located, and one nonvoting representative from the educational service district where the financially insolvent school district is located.

(3) The financial oversight committee shall review the financial condition of a financially insolvent school district. In conducting its review, the committee shall hold a public hearing in the financially insolvent school district or educational service district in order to receive public comment on any proposed financial plans. If the financial oversight committee feels that dissolution of the financially insolvent school district is a valid option, it shall receive input at the public hearing on options for dissolving said school district.

(4) After holding a public hearing as provided in subsection (3) of this section, the financial oversight committee must make a recommendation to the superintendent of public instruction to either dissolve a financially insolvent school district or to place a district under enhanced financial monitoring to reduce the risk of dissolution due to insolvency. The superintendent of public instruction must implement financial oversight committee recommendations via enhanced financial oversight, which will be monitored by the educational service district.

(5) Enhanced financial oversight may include, but is not limited to, the following types of actions, which the superintendent of public instruction is expressly authorized to implement and enforce:

(a) Appointment of a special administrator to ~~((oversee))~~; Oversee and carry out financial conditions imposed on the district as recommended by the financial

oversight committee; and approve temporary interfund loan transactions authorized under section 1 of this act as appropriate;

(b) Review, approval, and limitations on a school district's authority to enter into contracts;

(c) Review, approval, and limitations on hiring and personnel actions; ~~((and))~~

(d) Liquidation or disposition of fixed assets and contractual liabilities by any reasonable and documented method provided the liquidation or disposition of fixed assets and contractual liabilities is reasonably necessary before filing a dissolution petition; and

(e) Directing the sale of real property or assets of the school district and directing the deposit of proceeds from such sale into a fund as selected by the committee.

(6) Any new, amended, or renewed contract entered into by a school district that is subject to enhanced financial monitoring that has not been approved by the educational service district or special administrator, or that is inconsistent with conditions imposed on the district pursuant to this section, is null and void.

(7) Any action taken by a school district subject to enhanced financial monitoring that is likely to affect the district's finances is null and void if the action was not approved by the educational service district or special administrator or if the action is inconsistent with conditions imposed on the district pursuant to this section.

(8) The superintendent of public instruction shall adopt rules to carry out the provisions in this section, which may include, but are not limited to, identifying the responsibilities and authority of the financial oversight committee, the educational service district, the special administrator, and the school district and the implementation of enhanced financial oversight.

Sec. 6. RCW 28A.335.130 and 2004 c 6 s 2 are each amended to read as follows:

~~((Except as provided in RCW 28A.335.240(1), the))~~ The proceeds from any sale of school district real property by a board of directors shall be deposited to the debt service fund and/or the capital projects fund, except for ~~((amounts))~~:

(1) Amounts required to be expended for the costs associated with the sale of such property, which moneys may be deposited into the fund from which the expenditure was incurred;

(2) Amounts authorized by a financial oversight committee established under RCW 28A.315.221 to be deposited into a different fund;

(3) As provided in RCW 28A.335.240(1); or

(4) As provided in section 2 of this act.

Sec. 7. RCW 28A.335.120 and 2006 c 263 s 913 are each amended to read as follows:

(1) The board of directors of any school district of this state may:

(a) Sell for cash, at public or private sale, and convey by deed all interest of the district in or to any of the real property of the district which is no longer required for school purposes or which has been authorized for sale as provided in section 2 of this act or by a financial oversight committee established under RCW 28A.315.221; and

(b) Purchase real property for the purpose of locating thereon and affixing thereto any house or houses and appurtenant buildings removed from school sites owned by the district and sell for cash, at public or private sale, and convey by deed all interest of the district in or to such acquired and improved real property.

(2) When the board of directors of any school district proposes a sale of school district real property pursuant to this section and the value of the property exceeds seventy thousand dollars, the board shall publish a notice of its intention to sell the property. The notice shall be published at least once each week during two consecutive weeks in a legal newspaper with a general circulation in the area in which the school district is located. The notice shall describe the property to be sold and designate the place where and the day and hour when a hearing will be held. The board shall hold a public hearing upon the proposal to dispose of the school district property at the place and the day and hour fixed in the notice and admit evidence offered for and against the propriety and advisability of the proposed sale.

(3) The board of directors of any school district desiring to sell surplus real property shall publish a notice in a newspaper of general circulation in the school district. School districts shall not sell the property for at least forty-five days following the publication of the newspaper notice.

(4) Private schools shall have the same rights as any other person or entity to submit bids for the purchase of surplus real property and to have such bids considered along with all other bids.

(5) Any sale of school district real property authorized pursuant to this section shall be preceded by a market value appraisal by a professionally designated real estate appraiser (~~(as defined in RCW 74.46.020)~~) or a general real estate appraiser certified under chapter 18.140 RCW selected by the board of directors and no sale shall take place if the sale price would be less than ninety percent of the appraisal made by the real estate appraiser: PROVIDED, That if the property has been on the market for one year or more the property may be reappraised and sold for not less than seventy-five percent of the reappraised value with the unanimous consent of the board.

(6) If in the judgment of the board of directors of any district the sale of real property of the district not needed for school purposes would be facilitated and greater value realized through use of the services of licensed real estate brokers, a contract for such services may be negotiated and concluded: PROVIDED, That the use of a licensed real estate broker will not eliminate the obligation of the board of directors to provide the notice described in this section: PROVIDED FURTHER, That the fee or commissions charged for any broker services shall not exceed seven percent of the resulting sale value for a single parcel: PROVIDED FURTHER, That any professionally designated real estate appraiser (~~(as defined in RCW 74.46.020)~~) or a general real estate appraiser certified under chapter 18.140 RCW selected by the board to appraise the market value of a parcel of property to be sold may not be a party to any contract with the school district to sell such parcel of property for a period of three years after the appraisal.

(7) If in the judgment of the board of directors of any district the sale of real property of the district not needed for school purposes would be facilitated and

greater value realized through sale on contract terms, a real estate sales contract may be executed between the district and buyer.

Passed by the Senate April 17, 2025.

Passed by the House April 14, 2025.

Approved by the Governor May 20, 2025.

Filed in Office of Secretary of State May 21, 2025.

CHAPTER 385

[Substitute Senate Bill 5444]

LICENSE PLATES—SPECIAL AND PERSONALIZED

AN ACT Relating to special license plates and personalized license plates; amending RCW 46.18.060, 44.04.300, 43.60A.140, and 46.17.210; reenacting and amending RCW 46.17.220, 46.18.200, 46.68.420, and 46.68.425; adding new sections to chapter 46.04 RCW; adding a new section to chapter 46.18 RCW; creating new sections; repealing RCW 43.388.040; providing an effective date; and providing an expiration date.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. RCW 46.18.060 and 2017 3rd sp.s. c 25 s 40 are each amended to read as follows:

(1) The department must review and either approve or reject special license plate applications submitted by sponsoring organizations. Except for special license plates created under this act, the department may not issue any new special license plates until January 1, 2029, and therefore no applications for any new special license plates may be accepted until January 1, 2029. The department must prominently display this special license plate moratorium on its website.

(2) Duties of the department include, but are not limited to, the following:

(a) Review and approve the annual financial reports submitted by sponsoring organizations with active special license plate series and present those annual financial reports to the joint transportation committee;

(b) Report annually to the joint transportation committee on the special license plate applications that were considered by the department;

(c) Issue approval and rejection notification letters to sponsoring organizations, the executive committee of the joint transportation committee, and the legislative sponsors identified in each application. The letters must be issued within seven days of making a determination on the status of an application; and

(d) Review annually the number of plates sold for each special license plate series created after January 1, 2003. The department may submit a recommendation to discontinue a special plate series to the executive committee of the joint transportation committee.

NEW SECTION. Sec. 2. (1) The high cost of implementing a new special license plate series, coupled with the uncertainty of the state's ability to recoup its costs, has led the legislature to delay the implementation of new special license plates. In order to address these issues, it is the intent of the legislature to create a mechanism that will allow for the opportunity to review and evaluate the special license plate process, to ensure efficacy of the program, and to ensure this program does not result in undue costs to the state of Washington.

(2)(a) The department of licensing must convene a special license work group to conduct a comprehensive review of current provisions associated with special license plates.

(b) The membership of the work group will be determined by the department of licensing, but the interests represented must include internal and external entities involved in the approval, reporting, and issuance of special license plates.

(c) Each calendar year, the members of the joint transportation committee must be invited to attend at least one of the work group meetings.

(d) By December 1st of calendar years 2025 through 2026, the work group must provide a status update and give a presentation to the joint transportation committee.

(e) By November 15, 2027, the department of licensing must provide a preliminary final report and give a presentation to the joint transportation committee detailing its preliminary recommendations as specified in subsection (3) of this section.

(f) Based on the direction and input provided by the joint transportation committee, the department of licensing must then submit a final report with draft legislation to the transportation committees of the legislature by January 1, 2028.

(3) The special license work group must review, analyze, and make recommendations on the following issues:

(a) Developing more active review and oversight of special license plates by the joint transportation committee, including reviewing information submitted pursuant to RCW 46.18.060;

(b) Increasing the signature and other application requirements for creating special license plates;

(c) Removing the ability to create nonreviewed special license plates without meeting the signature and other application requirements;

(d) Modifying the current startup and other cost commitments to create a new special license plate;

(e) Making information more readily available to potential organizations sponsoring new special license plates of the average and likely net revenues raised by proposed special license plates before a sponsoring organization starts the application process;

(f) Improving the transparency and availability of financial and use of special license plate proceeds information provided by special license plate sponsoring organizations on an annual basis;

(g) Identifying metrics and methods by which the legislature and the department of licensing must use for the discontinuation of low performing special license plates; and

(h) Implementing other mechanisms to make the special license plate application, creation process, and use of funds more rigorous and accountable.

(4) This section expires January 15, 2028.

Sec. 3. RCW 44.04.300 and 2005 c 319 s 12 are each amended to read as follows:

(1) The joint transportation committee is created. The executive committee of the joint committee consists of the chairs and ranking members of the house and senate transportation committees. The chairs of the house and senate transportation committees shall serve as cochairs of the joint committee. All

members of the house and senate standing committees on transportation are eligible for membership of the joint committee and shall serve when appointed by the executive committee.

(2) The joint transportation committee shall review and research transportation programs and issues in order to educate and promote the dissemination of transportation research to state and local government policymakers, including legislators and associated staff. All four members of the executive committee shall approve the annual work plan. Membership of the committee may vary depending on the subject matter of oversight and research projects. The committee may also make recommendations for functional or performance audits to the transportation performance audit board.

(3) The executive committee shall adopt rules and procedures for its operations.

(4) By December 20, 2028, and at least every two years thereafter, the joint transportation committee must hold a work session on the implementation of special license plate process improvements established as a result of this act and other relevant issues as it may determine.

Sec. 4. RCW 46.17.220 and 2022 c 239 s 1 and 2022 c 117 s 1 are each reenacted and amended to read as follows:

In addition to all fees and taxes required to be paid upon application for a vehicle registration in chapter 46.16A RCW, the holder of a special license plate shall pay the appropriate special license plate fee as listed in this section.

PLATE TYPE	INITIAL FEE	RENEWAL FEE	DISTRIBUTED UNDER
(1) 4-H	\$ 40.00	\$ 30.00	RCW 46.68.420
(2) Amateur radio license	\$ 5.00	N/A	RCW 46.68.070
(3) Armed forces	\$ 40.00	\$ 30.00	RCW 46.68.425
(4) Breast cancer awareness	\$ 40.00	\$ 30.00	RCW 46.68.425
(5) Collector vehicle	\$ 35.00	N/A	RCW 46.68.030
(6) Collegiate	\$ 40.00	\$ 30.00	RCW 46.68.430
(7) <u>Donate life</u>	<u>\$ 40.00</u>	<u>\$ 30.00</u>	<u>RCW 46.68.420</u>
(8) Endangered wildlife	\$ 40.00	\$ 30.00	RCW 46.68.425
((8)) (9) <u>Firefighter memorial</u>	<u>\$ 40.00</u>	<u>\$ 30.00</u>	<u>RCW 46.68.420</u>
(10) Fred Hutch	\$ 40.00	\$ 30.00	RCW 46.68.420
((9)) (11) Gonzaga University alumni association	\$ 40.00	\$ 30.00	RCW 46.68.420
((10)) (12) Helping kids speak	\$ 40.00	\$ 30.00	RCW 46.68.420
((11)) (13) <u>Historical throwback</u>	<u>\$ 40.00</u>	<u>\$ 30.00</u>	<u>RCW 46.68.420</u>
(14) Horseless carriage	\$ 35.00	N/A	RCW 46.68.030
((12)) (15) Keep kids safe	\$ 45.00	\$ 30.00	RCW 46.68.425
((13)) (16) <u>Keep Washington evergreen</u>	<u>\$ 40.00</u>	<u>\$ 30.00</u>	<u>RCW 46.68.425</u>

PLATE TYPE	INITIAL FEE	RENEWAL FEE	DISTRIBUTED UNDER
(17) Law enforcement memorial	\$ 40.00	\$ 30.00	RCW 46.68.420
((14)) <u>(18) LeMay-America's Car Museum</u>	<u>\$ 40.00</u>	<u>\$ 30.00</u>	<u>RCW 46.68.420</u>
(19) Military affiliate radio system	\$ 5.00	N/A	RCW 46.68.070
((15)) <u>(20) Mount St. Helens</u>	<u>\$40.00</u>	<u>\$30.00</u>	<u>RCW 46.68.420</u>
(21) Music matters	\$ 40.00	\$ 30.00	RCW 46.68.420
((16)) <u>(22) Nautical Northwest</u>	<u>\$40.00</u>	<u>\$30.00</u>	<u>RCW 46.68.420</u>
(23) Patches pal, or alternative name as designated by the department under RCW 46.04.383	\$ 40.00	\$ 30.00	RCW 46.68.420
((17)) <u>(24) Professional firefighters and paramedics</u>	\$ 40.00	\$ 30.00	RCW 46.68.420
((18)) <u>(25) Purple Heart</u>	\$ 40.00	\$ 30.00	RCW 46.68.425
((19)) <u>(26) Ride share</u>	\$ 25.00	N/A	RCW 46.68.030
((20)) <u>(27) San Juan Islands</u>	\$ 40.00	\$ 30.00	RCW 46.68.420
((21)) <u>(28) Seattle Mariners</u>	\$ 40.00	\$ 30.00	RCW 46.68.420
((22)) <u>(29) Seattle NHL hockey</u>	\$ 40.00	\$ 30.00	RCW 46.68.420
((23)) <u>(30) Seattle Reign FC</u>	<u>\$ 40.00</u>	<u>\$ 30.00</u>	<u>RCW 46.68.420</u>
(31) Seattle Seahawks	\$ 40.00	\$ 30.00	RCW 46.68.420
((24)) <u>(32) Seattle Sounders FC</u>	\$ 40.00	\$ 30.00	RCW 46.68.420
((25)) <u>(33) Seattle Storm</u>	\$ 40.00	\$ 30.00	RCW 46.68.420
((26)) <u>(34) Seattle University</u>	\$ 40.00	\$ 30.00	RCW 46.68.420
((27)) <u>(35) Share the road</u>	\$ 40.00	\$ 30.00	RCW 46.68.420
((28)) <u>(36) Ski & ride Washington</u>	\$ 40.00	\$ 30.00	RCW 46.68.420
((29)) <u>(37) Smokey Bear</u>	<u>\$ 40.00</u>	<u>\$ 30.00</u>	<u>RCW 46.68.425</u>
(38) Square dancer	\$ 40.00	N/A	RCW 46.68.070
((30)) <u>(39) State flower</u>	\$ 40.00	\$ 30.00	RCW 46.68.420
(40) <u>State sport</u>	<u>\$ 40.00</u>	<u>\$ 30.00</u>	<u>RCW 46.68.420</u>
((31)) <u>(41) United States Naval Academy</u>	<u>\$ 40.00</u>	<u>\$ 30.00</u>	<u>RCW 46.68.425</u>
(42) Volunteer firefighters	\$ 40.00	\$ 30.00	RCW 46.68.420

PLATE TYPE	INITIAL FEE	RENEWAL FEE	DISTRIBUTED UNDER
((32)) (43) Washington apples	\$ 40.00	\$ 30.00	RCW 46.68.420
((33)) (44) Washington farmers and ranchers	\$ 40.00	\$ 30.00	RCW 46.68.420
((34)) (45) Washington lighthouses	\$ 40.00	\$ 30.00	RCW 46.68.420
((35)) (46) Washington state aviation	\$ 40.00	\$ 30.00	RCW 46.68.420
((36)) (47) <u>Washington state honey bees and pollinators</u>	<u>\$ 40.00</u>	<u>\$ 30.00</u>	<u>RCW 46.68.420</u>
(48) Washington state parks	\$ 40.00	\$ 30.00	RCW 46.68.425
((37)) (49) Washington state wrestling	\$ 40.00	\$ 30.00	RCW 46.68.420
((38)) (50) Washington tennis	\$ 40.00	\$ 30.00	RCW 46.68.420
((39)) (51) Washington wine	\$ 40.00	\$ 30.00	RCW 46.68.420
((40)) (52) Washington's fish collection	\$ 40.00	\$ 30.00	RCW 46.68.425
((41)) (53) Washington's national parks	\$ 40.00	\$ 30.00	RCW 46.68.420
((42)) (54) Washington's wildlife collection	\$ 40.00	\$ 30.00	RCW 46.68.425
((43)) (55) We love our pets	\$ 40.00	\$ 30.00	RCW 46.68.420
((44)) (56) Wild on Washington	\$ 40.00	\$ 30.00	RCW 46.68.425
(57) <u>Working forests</u>	<u>\$ 40.00</u>	<u>\$ 30.00</u>	<u>RCW 46.68.420</u>

Sec. 5. RCW 46.18.200 and 2022 c 239 s 2 and 2022 c 117 s 2 are each reenacted and amended to read as follows:

- (1) Special license plate series reviewed and approved by the department:

(a) May be issued in lieu of standard issue or personalized license plates for vehicles required to display one and two license plates unless otherwise specified;

(b) Must be issued under terms and conditions established by the department;

(c) Must not be issued for vehicles registered under chapter 46.87 RCW; and

(d) Must display a symbol or artwork approved by the department.
- (2) The department approves and shall issue the following special license plates, subject to subsections (5) and (6) of this section:

LICENSE PLATE	DESCRIPTION, SYMBOL, OR ARTWORK
4-H	Displays the "4-H" logo.

LICENSE PLATE	DESCRIPTION, SYMBOL, OR ARTWORK
Armed forces collection	Recognizes the contribution of veterans, active duty military personnel, reservists, and members of the national guard, and includes six separate designs, each containing a symbol representing a different branch of the armed forces to include army, navy, air force, marine corps, coast guard, and national guard.
Breast cancer awareness	Displays a pink ribbon symbolizing breast cancer awareness.
<u>Donate life</u>	<u>Displays the donate life logo.</u>
Endangered wildlife	Displays a symbol or artwork symbolizing endangered wildlife in Washington state.
<u>Firefighter memorial</u>	<u>Displays a Maltese cross with the words "never forget."</u>
Fred Hutch	Displays the Fred Hutch logo.
Gonzaga University alumni association	Recognizes the Gonzaga University alumni association.
Helping kids speak	Recognizes an organization that supports programs that provide no-cost speech pathology programs to children.
<u>Historical throwback</u>	<u>Displays white lettering on a black background in a style similar to historical license plates issued in the early 20th century.</u>
Keep kids safe	Recognizes efforts to prevent child abuse and neglect.
<u>Keep Washington evergreen</u>	<u>Recognizes Washington as the evergreen state and funds electric charging stations. Displays green lettering on a white background in a style similar to the license plates issued by the department in the 1970s, but includes the words evergreen state along the bottom of the plate.</u>
Law enforcement memorial	Honors law enforcement officers in Washington killed in the line of duty.
<u>LeMay-America's Car Museum</u>	<u>Displays the LeMay-America's car museum logo, name, or related image.</u>
<u>Mount St. Helens</u>	<u>Displays an image of Mount St. Helens.</u>
Music matters	Displays the "Music Matters" logo.

LICENSE PLATE	DESCRIPTION, SYMBOL, OR ARTWORK
<u>Nautical Northwest</u>	<u>Displays a Northwest maritime scene.</u>
Patches pal, or alternative name as designated by the department under RCW 46.04.383	Displays the likenesses of the J.P. Patches and Gertrude characters from the J.P. Patches show, or characters otherwise identified in accordance with RCW 46.04.383.
Professional firefighters and paramedics	Recognizes professional firefighters and paramedics who are members of the Washington state council of firefighters.
San Juan Islands	Displays a symbol or artwork recognizing the San Juan Islands.
Seattle Mariners	Displays the "Seattle Mariners" logo.
Seattle NHL hockey	Displays the logo of the Seattle NHL hockey team.
<u>Seattle Reign FC</u>	<u>Displays the "Seattle Reign FC" logo.</u>
Seattle Seahawks	Displays the "Seattle Seahawks" logo.
Seattle Sounders FC	Displays the "Seattle Sounders FC" logo.
Seattle Storm	Displays the "Seattle Storm" logo.
Seattle University	Recognizes Seattle University.
Share the road	Recognizes an organization that promotes bicycle safety and awareness education.
Ski & ride Washington	Recognizes the Washington snowsports industry.
<u>Smokey Bear</u>	<u>Displays the name, image, and likeness of Smokey Bear and messages for wildfire prevention.</u>
State flower	Recognizes the Washington state flower.
<u>State sport</u>	<u>Recognizes the Washington state sport of pickleball.</u>
<u>United States Naval Academy</u>	<u>Displays a design related to the United States Naval Academy.</u>
Volunteer firefighters	Recognizes volunteer firefighters.
Washington apples	Displays the Washington apple logo that recognizes the state's apple industry, the growers and shippers who produce and pack the world famous apples, and the tree fruit community.
Washington farmers and ranchers	Recognizes farmers and ranchers in Washington state.

LICENSE PLATE	DESCRIPTION, SYMBOL, OR ARTWORK
Washington lighthouses	Recognizes an organization that supports selected Washington state lighthouses and provides environmental education programs.
Washington state aviation	Displays a Stearman biplane in the foreground with an image of Mount Rainier in the background.
<u>Washington state honey bees and pollinators</u>	<u>Displays honey bees and pollinators.</u>
Washington state parks	Recognizes Washington state parks as premier destinations of uncommon quality that preserve significant natural, cultural, historical, and recreational resources.
Washington state wrestling	Promotes and supports college wrestling in the state of Washington.
Washington tennis	Builds awareness and year-round opportunities for tennis in Washington state. Displays a symbol or artwork recognizing tennis in Washington state.
Washington wine	Displays a landscape of Washington's wine regions.
Washington's fish collection	Recognizes Washington's fish.
Washington's national park fund	Builds awareness of Washington's national parks and supports priority park programs and projects in Washington's national parks, such as enhancing visitor experience, promoting volunteerism, engaging communities, and providing educational opportunities related to Washington's national parks.
Washington's wildlife collection	Recognizes Washington's wildlife.
We love our pets	Recognizes an organization that assists local member agencies of the federation of animal welfare and control agencies to promote and perform spay/neuter surgery on Washington state pets to reduce pet overpopulation.
Wild on Washington	Symbolizes wildlife viewing in Washington state.
<u>Working forests</u>	<u>Displays an image embodying working forests.</u>

(3) Applicants for initial and renewal professional firefighters and paramedics special license plates must show proof of eligibility by providing a

certificate of current membership from the Washington state council of firefighters.

(4) Applicants for initial volunteer firefighters special license plates must (a) have been a volunteer firefighter for at least ~~((ten))~~ 10 years or be a volunteer firefighter for one or more years and (b) have documentation of service from the district of the appropriate fire service. If the volunteer firefighter leaves firefighting service before ~~((ten))~~ 10 years of service have been completed, the volunteer firefighter shall surrender the license plates to the department on the registration renewal date. If the volunteer firefighter stays in service for at least ~~((ten))~~ 10 years and then leaves, the license plate may be retained by the former volunteer firefighter and as long as the license plate is retained for use the person will continue to pay the future registration renewals. A qualifying volunteer firefighter may have no more than one set of license plates per vehicle, and a maximum of two sets per applicant, for their personal vehicles. If the volunteer firefighter is convicted of a violation of RCW 46.61.502 or a felony, the license plates must be surrendered upon conviction.

(5) The department shall not issue the Seattle NHL hockey special license plate until the department receives signature sheets satisfying the requirements identified in RCW 46.18.110(2)(f).

(6) Except for special license plates created under this act and as specified in this subsection, the department may not issue any new special license plates until January 1, 2029.

(a) Beginning November 1, 2025, the department must begin the phased issuance of any of the special license plates created under this act for which the department has received signature sheets that satisfy the requirements identified in RCW 46.18.110(2)(f) before March 1, 2025, the keep Washington evergreen special license plate, and the historical throwback special license plate.

(b) The department must then begin the phased issuance of any of the special license plates created under this act for which the department has received signature sheets after March 1, 2025, that satisfy the requirements identified in RCW 46.18.110(2)(f), with the order of implementation occurring based on the 3,500 signature submission date and the department's ability to implement additional special license plates.

Sec. 6. RCW 46.68.420 and 2022 c 239 s 3, 2022 c 117 s 3, and 2022 c 96 s 4 are each reenacted and amended to read as follows:

(1) The department shall:

(a) Collect special license plate fees established under RCW 46.17.220;

(b) Deduct an amount not to exceed ~~((twelve dollars))~~ \$12 for initial issue and two dollars for renewal issue for administration and collection expenses incurred by it; and

(c) Remit the remaining proceeds to the custody of the state treasurer with a proper identifying detailed report.

(2) The state treasurer shall credit the proceeds to the motor vehicle fund until the department determines that the state has been reimbursed for the cost of implementing the special license plate. Upon determination by the department that the state has been reimbursed, the state treasurer shall credit the remaining special license plate fee amounts for each special license plate to the following appropriate account as created in this section in the custody of the state treasurer:

ACCOUNT	CONDITIONS FOR USE OF FUNDS
4-H programs	Support Washington 4-H programs
<u>Donate life</u>	<u>Provides funds to life center Northwest to build awareness for organ donation and encourage a positive, inclusive sentiment around organ donation registration</u>
<u>Firefighter memorial</u>	<u>Provides funds first to the fallen firefighter memorial account for construction and maintenance of the firefighter memorial on the capitol campus with any amounts in excess of what is needed for the firefighter memorial to be provided to the Washington state council of firefighters memorial account</u>
Fred Hutch	Support cancer research at the Fred Hutchinson cancer research center
Gonzaga University alumni association	Scholarship funds to needy and qualified students attending or planning to attend Gonzaga University
Helping kids speak	Provide free diagnostic and therapeutic services to families of children who suffer from a delay in language or speech development
<u>Historical throwback</u>	<u>Provide funds for expanding and improving driver's education programs and activities</u>
Law enforcement memorial	Provide support and assistance to survivors and families of law enforcement officers in Washington killed in the line of duty and to organize, finance, fund, construct, utilize, and maintain a memorial on the state capitol grounds to honor those fallen officers
<u>LeMay-America's Car Museum</u>	<u>Provide funds to promote, encourage, and inspire students and the community to understand the role of automobiles in our culture and economy through education, interpretive programs, and job training; to open doors to learning through science, technology, engineering, the arts, and math (STEAM); and to inspire a new generation of skilled trade workers, engineers, designers, artists, and enthusiasts</u>

ACCOUNT	CONDITIONS FOR USE OF FUNDS
Lighthouse environmental programs	Support selected Washington state lighthouses that are accessible to the public and staffed by volunteers; provide environmental education programs; provide grants for other Washington lighthouses to assist in funding infrastructure preservation and restoration; encourage and support interpretive programs by lighthouse docents
<u>Mount St. Helens</u>	<u>Promote education, stewardship, and science at Mount St. Helens through the Mount St. Helens institute</u>
Music matters awareness	Promote music education in schools throughout Washington
<u>Nautical Northwest</u>	<u>Support historic resources of Whidbey Island's maritime communities</u>
Patches pal, or alternative name as designated by the department under RCW 46.04.383	Provide funds to the Seattle children's hospital strong against cancer program
San Juan Islands programs	Provide funds to the Madrona institute
Seattle Mariners	Provide funds to the ((sports-mentoring program and to support the Washington world fellows program in the following manner: (a) Seventy-five percent to the Washington state leadership board solely to administer the sports-mentoring program established under RCW 43.388.040, to encourage youth who have economic needs or face adversities to experience spectator sports or get involved in youth sports, and (b) up to twenty-five percent to the Washington state leadership board solely to administer the Washington world fellows program, an equity-focused program)) Mariners care foundation, or its successor organization
Seattle NHL hockey	Provide funds to the NHL Seattle foundation and to support the boundless Washington program in the following manner: (a) ((Fifty)) 50 percent to the NHL Seattle foundation, or its successor organization, to help marginalized

ACCOUNT	CONDITIONS FOR USE OF FUNDS
<u>Seattle Reign FC</u>	<p>youth succeed in life through increased access to sports and other opportunities; (b) ((twenty-five)) <u>25</u> percent to the Washington state leadership board solely to administer the boundless Washington program to facilitate opportunities for young people with physical and sensory disabilities to enjoy and experience the outdoors; and (c) ((twenty-five)) <u>25</u> percent to the NHL Seattle foundation, or its successor organization, for providing financial support to allow youth to participate in hockey</p> <p><u>Provide funds to the RAVE foundation to inspire youth in underserved communities using soccer as a vehicle</u></p>
<u>Seattle Seahawks</u>	<p>Provide funds to ((InvestED and to support the Washington world-fellows program in the following manner: (a) Seventy-five percent, to InvestED, to encourage secondary students who have economic needs to stay in school, return to school, or get involved within their learning community; and (b) twenty-five percent to the Washington state leadership board solely to administer the Washington world-fellows program, including the provision of fellowships)) the <u>Seattle Seahawks charitable foundation and to support the Washington state leadership board in the following manner: (a) Seventy-five percent to the Seattle Seahawks charitable foundation; and (b) 25 percent to the Washington state leadership board</u></p>
<u>Seattle Sounders FC</u>	<p>Provide funds to ((Washington state mentors and the Washington state leadership board in the following manner: (a) Seventy percent and the remaining proceeds, if any, to Washington state mentors, to increase the number of mentors in the state by offering mentoring grants throughout Washington state that foster positive youth development and academic success;</p>

ACCOUNT	CONDITIONS FOR USE OF FUNDS
	with up to twenty percent of these proceeds authorized for program administration costs; and (b) up to thirty percent, not to exceed forty thousand dollars annually as adjusted for inflation by the office of financial management, to the Washington state leadership board, to develop Washington state educational, veterans, international relations, and civics projects and to recognize the outstanding public service of individuals or groups in the state of Washington)) the RAVE foundation and to support the Washington state leadership board in the following manner: (a) 75 percent to the RAVE foundation; and (b) 25 percent to the Washington state leadership board
Seattle Storm	Provide funds to the Washington state legislative youth advisory council and the Washington state leadership board in the following manner: ((Twenty-five thousand dollars)) <u>\$25,000</u> per year of the net proceeds to the legislative youth advisory council, or its successor organization; and the remaining net proceeds on an annual basis, to the Washington state leadership board for the purpose of providing grants to support and enhance athletic, recreational, and other opportunities for women and girls, and especially those with disabilities
Seattle University	Fund scholarships for students attending or planning to attend Seattle University
Share the road	Promote bicycle safety and awareness education in communities throughout Washington
Ski & ride Washington	Promote winter snowsports, such as skiing and snowboarding, and related programs, such as ski and ride safety programs, underprivileged youth ski and ride programs, and active, healthy lifestyle programs

ACCOUNT	CONDITIONS FOR USE OF FUNDS
State flower	Support Meeker Rhododendron Gardens and provide for grants to other qualified nonprofit organizations' efforts to preserve rhododendrons
<u>State sport</u>	<u>Provide funds to be placed in a trust account managed by the Seattle metro pickleball association to be used exclusively for the construction and maintenance of dedicated pickleball courts</u>
Volunteer firefighters	Receive and disseminate funds for purposes on behalf of volunteer firefighters, their families, and others deemed in need
Washington apples	Provide scholarship funding to the tree fruit industry's official charity, the Washington apple education foundation, which provides financial support, professional employment preparedness training, and mentorship to students with ties to the apple industry pursuing a higher education
Washington farmers and ranchers	Provide funds to the Washington FFA Foundation for educational programs in Washington state
Washington state aviation	Provide funds to the department of transportation to support infrastructure improvements at public use airports in Washington state
Washington state council of firefighters benevolent fund	Receive and disseminate funds for charitable purposes on behalf of members of the Washington state council of firefighters, their families, and others deemed in need
<u>Washington state honey bees and pollinators</u>	<u>Provide funds to the Washington state beekeepers association to support research and educational activities and materials about honey bees and pollinators within Washington state</u>
Washington state wrestling	Provide funds to the Washington state wrestling foundation to fund new and existing college wrestling programs
Washington tennis	Provide funds to cities to assist in the construction and maintenance of a public tennis facility with at least

ACCOUNT	CONDITIONS FOR USE OF FUNDS
	four indoor tennis courts. A city is eligible for construction funds if the city does not already have a public or private facility with at least four indoor tennis courts. Funds for construction must first be made available to the most populous eligible city, according to the most recent census, for a time period not to exceed five years after January 1, 2017. After the five-year time period, the funds for construction must be made available to the next most populous eligible city. Funds for the maintenance of a public tennis facility with at least four indoor tennis courts must first be made available to the first eligible city that utilizes funds for construction provided by chapter 16, Laws of 2016
Washington wine	Provide funds to the state of Washington tourism to promote tourism throughout Washington state
Washington's national park fund	Build awareness of Washington's national parks and support priority park programs and projects in Washington's national parks, such as enhancing visitor experience, promoting volunteerism, engaging communities, and providing educational opportunities related to Washington's national parks
We love our pets	Support and enable the Washington federation of animal welfare and control agencies to promote and perform spay/neuter surgery of Washington state pets in order to reduce pet population
<u>Working forests</u>	<u>Provide funds to the Washington tree farm program to support small forest landowners to sustainably manage over 400,000 acres of private forestland</u>

(3) Except as otherwise provided in this section, only the director or the director's designee may authorize expenditures from the accounts described in subsection (2) of this section. The accounts are subject to allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures.

(4) Except as otherwise provided in this section, funds in the special license plate accounts described in subsection (2) of this section must be disbursed

subject to the conditions described in subsection (2) of this section and under contract between the department and qualified nonprofit organizations that provide the services described in subsection (2) of this section.

(5) Funds from the Seattle Seahawks account may be provided to the Washington state leadership board solely for the purpose of administering the Washington world fellows program. Of the amounts received by the Washington state leadership board under this subsection, at least (~~((ninety))~~) 90 percent must be provided as fellowships under the program.

(6) Beginning January 1, 2019, funds from the Seattle Mariners account may be provided to the Washington state leadership board solely for the purpose of administering the sports mentoring program. Of the amounts received by the Washington state leadership board, at least (~~((ninety))~~) 90 percent must be applied towards services directly provided to youth participants.

(7) For the purposes of this section, a "qualified nonprofit organization" means a not-for-profit corporation operating in Washington that has received a determination of tax exempt status under 26 U.S.C. Sec. 501(c)(3). The qualified nonprofit organization must meet all the requirements under RCW 46.18.100(1).

Sec. 7. RCW 46.68.425 and 2016 c 31 s 3 and 2016 c 30 s 4 are each reenacted and amended to read as follows:

(1) The department shall:

(a) Collect special license plate fees established under RCW 46.17.220;

(b) Deduct an amount not to exceed (~~((twelve dollars))~~) \$12 for initial issue and (~~((two dollars))~~) \$2 for renewal issue for administration and collection expenses incurred by it; and

(c) Remit the remaining proceeds to the custody of the state treasurer with a proper identifying detailed report.

(2) The state treasurer shall credit the proceeds to the motor vehicle fund until the department determines that the state has been reimbursed for the cost of implementing the special license plate. Upon determination by the department that the state has been reimbursed, the state treasurer shall credit the remaining special license plate fees to the following accounts by special license plate type:

SPECIAL LICENSE PLATE TYPE	ACCOUNT	CONDITIONS FOR USE OF FUNDS
Armed forces	RCW 43.60A.140	As specified in RCW 43.60A.140(4)
Breast cancer awareness	RCW 43.70.327	Must be used only by the department of health for efforts consistent with the breast, cervical, and colon health program
Endangered wildlife	RCW 77.12.170	Must be used only for the department of fish and wildlife's endangered wildlife program activities

SPECIAL LICENSE PLATE TYPE	ACCOUNT	CONDITIONS FOR USE OF FUNDS
<u>Historical throwback</u>	<u>RCW 46.68.060</u>	<u>Provides funds for expanding and improving driver's education programs and activities</u>
Keep kids safe	RCW 43.121.100	As specified in RCW 43.121.100
<u>Keep Washington evergreen</u>	<u>RCW 82.44.200</u>	<u>Support of electric charging stations throughout Washington</u>
Purple Heart	RCW 43.60A.140	As specified in RCW 43.60A.140(4)
<u>Smokey Bear wildfire prevention</u>	<u>RCW 76.04.511</u>	<u>Only for the department of natural resources to use for wildfire prevention programs</u>
<u>United States Naval Academy</u>	<u>RCW 43.60A.140</u>	<u>As specified in RCW 43.60A.140(4)</u>
Washington state parks	RCW 79A.05.059	Provide public educational opportunities and enhancement of Washington state parks
Washington's fish collection	RCW 77.12.170	Only for the department of fish and wildlife's use to support steelhead species management activities including, but not limited to, activities supporting conservation, recovery, and research to promote healthy, fishable steelhead
Washington's wildlife collection	RCW 77.12.170	Only for the department of fish and wildlife's game species management activities
Wild on Washington	RCW 77.12.170	Dedicated to the department of fish and wildlife's watchable wildlife activities, as defined in RCW 77.32.560

Sec. 8. RCW 43.60A.140 and 2023 c 327 s 2 are each amended to read as follows:

(1) The veterans stewardship account is created in the custody of the state treasurer. Disbursements of funds must be on the authorization of the director or the director's designee, and only for the purposes stated in subsection (4) of this section. In order to maintain an effective expenditure and revenue control, funds are subject in all respects to chapter 43.88 RCW, but no appropriation is required to permit expenditure of the funds.

(2) The department may request and accept nondedicated contributions, grants, or gifts in cash or otherwise, including funds generated by the issuance of the armed forces license plate collection and the United States Naval Academy license plate under chapter 46.18 RCW.

(3) All receipts from the sale of armed forces license plates, United States Naval Academy license plates, and Purple Heart license plates as required under RCW 46.68.425(2) must be deposited into the veterans stewardship account.

(4) All moneys deposited into the veterans stewardship account must be used by the department for activities that benefit veterans or their families, including but not limited to, providing programs and services for homeless veterans; establishing memorials honoring veterans; and maintaining state veterans' cemeteries. Funds from the account may not be used to supplant existing funds received by the department.

NEW SECTION. Sec. 9. A new section is added to chapter 46.04 RCW to read as follows:

"Keep Washington evergreen license plate" means special license plates issued under RCW 46.18.200 that display green lettering on a white background in a style similar to the license plates issued by the department in the 1970s.

NEW SECTION. Sec. 10. A new section is added to chapter 46.18 RCW to read as follows:

(1) The department shall create, design, and issue a keep Washington evergreen license plate that may be used in lieu of standard issue or personalized license plates for motor vehicles required to display one or two license plates, excluding vehicles registered under chapter 46.87 RCW, upon terms and conditions established by the department.

(2) A registered owner may apply to the department, county auditor or other agent, or subagent appointed by the director for a keep Washington evergreen license plate. The registered owner shall pay the special license plate fee required under RCW 46.17.220(16), in addition to any other fee or tax required by law.

NEW SECTION. Sec. 11. A new section is added to chapter 46.04 RCW to read as follows:

"LeMay-America's Car Museum license plates" means special license plates issued under RCW 46.18.200 that display the LeMay-America's car museum logo, name, or related image.

NEW SECTION. Sec. 12. A new section is added to chapter 46.04 RCW to read as follows:

"Mount St. Helens license plates" means special license plates issued under RCW 46.18.200 that display an image of Mount St. Helens.

NEW SECTION. Sec. 13. A new section is added to chapter 46.04 RCW to read as follows:

"Nautical Northwest license plates" means special license plates issued under RCW 46.18.200 that display a Northwest maritime scene.

NEW SECTION. Sec. 14. A new section is added to chapter 46.04 RCW to read as follows:

"Smokey Bear license plates" means special license plates issued under RCW 46.18.200 that display the name, image, and likeness of Smokey Bear promoting wildfire prevention and the state department of natural resources' wildland wildfire program.

NEW SECTION. Sec. 15. A new section is added to chapter 46.04 RCW to read as follows:

"Working forests license plates" means special license plates issued under RCW 46.18.200 that display images embodying working forests.

NEW SECTION. Sec. 16. A new section is added to chapter 46.04 RCW to read as follows:

"State sport license plates" means special license plates issued under RCW 46.18.200 that recognize the state sport of pickleball.

NEW SECTION. Sec. 17. A new section is added to chapter 46.04 RCW to read as follows:

"Seattle Reign FC license plates" means special license plates issued under RCW 46.18.200 that display the logo of the Seattle Reign FC.

NEW SECTION. Sec. 18. A new section is added to chapter 46.04 RCW to read as follows:

"Washington honey bees and pollinators license plates" means special license plates issued under RCW 46.18.200 that display images of honey bees and pollinators.

NEW SECTION. Sec. 19. A new section is added to chapter 46.04 RCW to read as follows:

"Firefighter memorial license plates" means special license plates issued under RCW 46.18.200 that display the Maltese cross with the words "never forget."

NEW SECTION. Sec. 20. A new section is added to chapter 46.04 RCW to read as follows:

"Donate life license plates" means special license plates issued under RCW 46.18.200 that displays the donate life logo.

NEW SECTION. Sec. 21. A new section is added to chapter 46.04 RCW to read as follows:

"United States Naval Academy license plates" means special license plates issued under RCW 46.18.200 that display a design related to the United States Naval Academy.

NEW SECTION. Sec. 22. A new section is added to chapter 46.04 RCW to read as follows:

"Historical throwback license plates" means special license plates issued under RCW 46.18.200 that display white lettering on a black background in a style similar to historical license plates issued in the early 20th century.

Sec. 23. RCW 46.17.210 and 2013 c 329 s 6 are each amended to read as follows:

In addition to all fees and taxes required to be paid upon application for a vehicle registration under chapter 46.16A RCW, the holder of a personalized license plate shall pay an initial fee of (~~((fifty-two dollars))~~) \$52 and (~~((forty-two dollars))~~) \$52 for each renewal. The personalized license plate fee must be distributed as provided in RCW 46.68.435.

NEW SECTION. **Sec. 24.** RCW 43.388.040 (Sports mentoring program) and 2022 c 96 s 7 & 2018 c 67 s 3 are each repealed.

NEW SECTION. **Sec. 25.** Sections 3 through 24 of this act take effect November 1, 2025.

NEW SECTION. **Sec. 26.** This act is known as Bill's bill act.

Passed by the Senate April 25, 2025.

Passed by the House April 24, 2025.

Approved by the Governor May 20, 2025.

Filed in Office of Secretary of State May 21, 2025.

CHAPTER 386

[Engrossed Senate Bill 5471]

MIDDLE HOUSING—COUNTIES—GROWTH MANAGEMENT ACT

AN ACT Relating to authorizing middle housing in unincorporated urban growth areas, certain limited areas of more intensive rural development, and fully contained communities; reenacting and amending RCW 43.21C.495 and 36.70A.280; and adding a new section to chapter 36.70A RCW.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. **Sec. 1.** A new section is added to chapter 36.70A RCW to read as follows:

Any county that is required or chooses to plan under RCW 36.70A.040 may provide by ordinance and incorporate into its development regulations, zoning regulations, and other official controls, authorization for the following:

(1)(a) Middle housing types on each parcel that permits single-family residences in limited areas of more intensive rural development designated according to the requirements in RCW 36.70A.070(5)(d)(i);

(b) If a county takes action authorized by this subsection, it may not authorize more than 4 residential units per lot in limited areas of more intensive rural development designated according to RCW 36.70A.070(5)(d)(i), and its development regulations must:

(i) Not require any standards for middle housing that are more restrictive than those required for detached single-family residences, but may apply any objective development regulations that are required for detached single-family residences, including, but not limited to, setback, lot coverage, stormwater, clearing, and tree canopy and retention requirements;

(ii) Apply to middle housing the same development permit and environmental review processes that apply to detached single-family residences, unless otherwise required by state law, including, but not limited to, shoreline regulations under chapter 90.58 RCW, building codes under chapter 19.27 RCW,

energy codes under chapter 19.27A RCW, or electrical codes under chapter 19.28 RCW; and

(iii) Require that middle housing in limited areas of more intensive rural development be served by existing sewer service.

(2)(a) Middle housing types on each parcel that permits single-family residences in designated urban growth areas.

(b) If a county takes action authorized by this subsection, it may not authorize more than four residential units per lot within the designated urban growth area and its development regulations must:

(i) Not require any standards for middle housing that are more restrictive than those required for detached single-family residences, but may apply any objective development regulations that are required for detached single-family residences, including, but not limited to, setback, lot coverage, stormwater, clearing, and tree canopy and retention requirements;

(ii) Apply to middle housing the same development permit and environmental review processes that apply to detached single-family residences, unless otherwise required by state law, including, but not limited to, shoreline regulations under chapter 90.58 RCW, building codes under chapter 19.27 RCW, energy codes under chapter 19.27A RCW, or electrical codes under chapter 19.28 RCW; and

(iii) Require that middle housing in designated urban growth areas be served by water and sewer services.

Sec. 2. RCW 43.21C.495 and 2023 c 334 s 6 and 2023 c 332 s 8 are each reenacted and amended to read as follows:

(1) Adoption of ordinances, development regulations and amendments to such regulations, and other nonproject actions taken by a city to implement: The actions specified in section 2, chapter 246, Laws of 2022 unless the adoption of such ordinances, development regulations and amendments to such regulations, or other nonproject actions has a probable significant adverse impact on fish habitat; and the increased residential building capacity actions identified in RCW 36.70A.600(1), with the exception of the action specified in RCW 36.70A.600(1)(f), are not subject to administrative or judicial appeals under this chapter.

(2) Amendments to development regulations and other nonproject actions taken by a city to implement the requirements under RCW 36.70A.635 pursuant to RCW 36.70A.636(3)(b) are not subject to administrative or judicial appeals under this chapter.

(3) Adoption of ordinances, development regulations and amendments to such regulations, and other nonproject actions taken by a city or county consistent with the requirements of RCW 36.70A.680 and 36.70A.681 are not subject to administrative or judicial appeals under this chapter.

(4) Adoption of ordinances, development regulations, amendments to such regulations, and other nonproject actions taken by a county to implement section 1 of this act are not subject to administrative or judicial appeals under this chapter.

Sec. 3. RCW 36.70A.280 and 2023 c 334 s 7, 2023 c 332 s 6, and 2023 c 228 s 7 are each reenacted and amended to read as follows:

(1) The growth management hearings board shall hear and determine only those petitions alleging either:

(a) That, except as provided otherwise by this subsection, a state agency, county, or city planning under this chapter is not in compliance with the requirements of this chapter, chapter 90.58 RCW as it relates to the adoption of shoreline master programs or amendments thereto, or chapter 43.21C RCW as it relates to plans, development regulations, or amendments, adopted under RCW 36.70A.040 or chapter 90.58 RCW. Nothing in this subsection authorizes the board to hear petitions alleging noncompliance based on a city or county's actions taken to implement the requirements of RCW 36.70A.680 ~~((and))~~, 36.70A.681, or section 1 of this act within an urban growth area;

(b) That the 20-year growth management planning population projections adopted by the office of financial management pursuant to RCW 43.62.035 should be adjusted;

(c) That the approval of a work plan adopted under RCW 36.70A.735(1)(a) is not in compliance with the requirements of the program established under RCW 36.70A.710;

(d) That regulations adopted under RCW 36.70A.735(1)(b) are not regionally applicable and cannot be adopted, wholly or partially, by another jurisdiction;

(e) That a department certification under RCW 36.70A.735(1)(c) is erroneous;

(f) That the department's final decision to approve or reject a proposed greenhouse gas emissions reduction subelement or amendments by a local government planning under RCW 36.70A.040 was not in compliance with the joint guidance issued by the department pursuant to RCW 70A.45.120; or

(g) That the department's final decision to approve or reject actions by a city implementing RCW 36.70A.635 is clearly erroneous.

(2) A petition may be filed only by: (a) The state, or a county or city that plans under this chapter; (b) a person who has participated orally or in writing before the county or city regarding the matter on which a review is being requested; (c) a person who is certified by the governor within 60 days of filing the request with the board; or (d) a person qualified pursuant to RCW 34.05.530.

(3) For purposes of this section "person" means any individual, partnership, corporation, association, state agency, governmental subdivision or unit thereof, or public or private organization or entity of any character.

(4) To establish participation standing under subsection (2)(b) of this section, a person must show that his or her participation before the county or city was reasonably related to the person's issue as presented to the board.

(5) When considering a possible adjustment to a growth management planning population projection prepared by the office of financial management, the board shall consider the implications of any such adjustment to the population forecast for the entire state.

The rationale for any adjustment that is adopted by the board must be documented and filed with the office of financial management within ten working days after adoption.

If adjusted by the board, a county growth management planning population projection shall only be used for the planning purposes set forth in this chapter and shall be known as the "board adjusted population projection." None of these changes shall affect the official state and county population forecasts prepared by the office of financial management, which shall continue to be used for state budget and planning purposes.

Passed by the Senate April 21, 2025.

Passed by the House April 12, 2025.

Approved by the Governor May 20, 2025.

Filed in Office of Secretary of State May 21, 2025.

CHAPTER 387

[Substitute Senate Bill 5503]

PUBLIC EMPLOYEE COLLECTIVE BARGAINING—VARIOUS PROVISIONS

AN ACT Relating to public employee collective bargaining processes; amending RCW 41.56.050, 41.80.200, and 47.64.170; adding new sections to chapter 41.58 RCW; and adding a new section to chapter 49.36 RCW.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Sec. 1. A new section is added to chapter 41.58 RCW to read as follows:

(1) For any new organizing petition to form a new bargaining unit of currently unrepresented workers or to add unrepresented workers to an existing bargaining unit, regardless of whether the election is by mail ballot or cross-check, the public employment relations commission must require employers and employee organizations to submit an offer of proof on challenged employees, either concurrent with the employer's submission of a list of employees or at a date determined by the commission after a showing of interest.

(2) If an employee organization files a petition to represent a unit of currently unrepresented employees, and the commission determines the petitioned-for unit is inappropriate, but that the bargaining unit would be appropriate if it included employees currently represented by another employee organization, the commission must determine whether the bargaining unit currently represented by the other employee organization is an appropriate bargaining unit and:

(a) If the commission determines the bargaining unit represented by the other employee organization is appropriate, the commission must dismiss the petition; or

(b) If the commission determines the bargaining unit represented by the other employee organization is inappropriate, the commission must determine the new bargaining unit and hold an election.

NEW SECTION. Sec. 2. A new section is added to chapter 41.58 RCW to read as follows:

(1) The commission or presiding officer may:

(a) Set a hearing date without consent from the involved parties so long as the involved parties may submit motions to move the hearing date; and

(b) Draw an adverse inference from the refusal of a party to comply with subpoenas issued by the commission or presiding officer, subject to subsection (2) of this section.

(2) If a union invokes privilege under RCW 5.60.060(11) and 49.36.040 when refusing to comply with a subpoena request, the commission or presiding officer may not draw an adverse inference from the union's refusal to comply. When a union invokes such privilege, the commission or presiding officer must conduct an in camera review to determine if the records are privileged.

Sec. 3. RCW 41.56.050 and 2011 c 222 s 1 are each amended to read as follows:

(1) In the event that a public employer and public employees are in disagreement as to the selection of a bargaining representative, the commission shall be invited to intervene as is provided in RCW 41.56.060 through 41.56.090.

(2) ~~((In the event that a public employer and a bargaining representative are in disagreement as to the merger of two or more bargaining units in the employer's workforce that are represented by the same bargaining representative, the commission shall be invited to intervene as is provided in RCW 41.56.060 through 41.56.090-))~~ If a single employee organization is the exclusive bargaining representative for two or more units, upon petition by the employee organization, the units may be consolidated into a single larger unit if the commission considers the larger unit to be appropriate. If consolidation is appropriate, the commission shall certify the employee organization as the exclusive bargaining representative of the new unit.

Sec. 4. RCW 41.80.200 and 2020 c 89 s 1 are each amended to read as follows:

(1) In order to maintain dedicated and uninterrupted services to the supervision of criminal offenders that are in state correctional facilities and on community supervision, it is the legislature's intent to grant certain employees of the department of corrections interest arbitration rights as an alternative means of settling disputes.

(2) This section applies only to employees covered by chapter 41.06 RCW working for the department of corrections, except confidential employees as defined in RCW 41.80.005, members of the Washington management service, and internal auditors.

(3) Negotiations between the employer and the exclusive bargaining representative of a unit of employees shall be commenced at least five months before submission of the budget to the legislature. If no agreement has been reached sixty days after the commencement of such negotiations then, at any time thereafter, either party may declare that an impasse exists and may submit the dispute to the commission for mediation, with or without the concurrence of the other party. The commission shall appoint a mediator, who shall promptly meet with the representatives of the parties, either jointly or separately, and shall take such other steps as he or she may deem appropriate in order to persuade the parties to resolve their differences and effect an agreement. A mediator, however, does not have a power of compulsion. The mediator may consider only matters that are subject to bargaining under this chapter.

(4) If an agreement is not reached following a reasonable period of negotiations and mediation, and the director, upon recommendation of the assigned mediator, finds that the parties remain at impasse, then an arbitrator must be appointed to resolve the dispute. The issues for determination by the arbitrator must be limited to the issues certified by the executive director.

(5) Within ten working days after the first Monday in September of every odd-numbered year, the governor or the governor's designee and the bargaining representatives for any bargaining units covered by this section shall attempt to agree on an interest arbitrator to be used if the parties are not successful in negotiating a comprehensive collective bargaining agreement. The parties will select an arbitrator by mutual agreement ~~((or))~~, by alternatively striking names from a regional list of seven qualified arbitrators provided by the federal mediation and conciliation service, or, with the consent of the parties, the American arbitration association.

(a) The fees and expenses of the arbitrator, the court reporter, if any, and the cost of the hearing room, if any, will be shared equally between the parties. Each party is responsible for the costs of its attorneys, representatives and witnesses, and all other costs related to the development and presentation of their case.

(b) Immediately upon selecting an interest arbitrator, the parties shall cooperate to reserve dates with the arbitrator for a potential hearing between August 1st and September 15th of the following even-numbered year. The parties shall also prepare a schedule of at least five negotiation dates, absent an agreement to the contrary.

(c) The parties shall execute a written agreement before December 15th of the odd-numbered year setting forth the name of the arbitrator and the dates reserved for bargaining and arbitration.

(d)(i) The arbitrator must hold a hearing and provide reasonable notice of the hearing to the parties to the dispute. The hearing must be informal and each party has the opportunity to present evidence and make arguments. The arbitrator may not present the case for a party to the proceedings.

(ii) The rules of evidence prevailing in judicial proceedings may be considered, but are not binding, and any oral testimony or documentary evidence or other data deemed relevant by the arbitrator may be received in evidence. A recording of the proceedings must be taken.

(iii) The arbitrator may administer oaths, require the attendance of witnesses, and require the production of such books, papers, contracts, agreements, and documents deemed by the arbitrator to be material to a just determination of the issues in dispute. If a person refuses to obey a subpoena issued by the arbitrator, or refuses to be sworn or to make an affirmation to testify, or a witness, party, or attorney for a party is guilty of contempt while in attendance at a hearing, the arbitrator may invoke the jurisdiction of the superior court in the county where the labor dispute exists, and the court may issue an appropriate order. Any failure to obey the order may be punished by the court as a contempt thereof.

(6) The arbitrator may consider only matters that are subject to bargaining under RCW 41.80.020(1), and may not consider those subjects listed under RCW 41.80.020 (2) and (3) and 41.80.040.

(a) In making its determination, the arbitrator shall take into consideration the following factors:

- (i) The financial ability of the department of corrections to pay for the compensation and benefit provisions of a collective bargaining agreement;
 - (ii) The constitutional and statutory authority of the employer;
 - (iii) Stipulations of the parties;
 - (iv) Comparison of the wages, hours, and conditions of employment of personnel involved in the proceedings with the wages, hours, and conditions of employment of like personnel of like state government employers of similar size in the western United States;
 - (v) The ability of the department of corrections to retain employees;
 - (vi) The overall compensation presently received by department of corrections employees, including direct wage compensation, vacations, holidays, and other paid excused time, pensions, insurance benefits, and all other direct or indirect monetary benefits received;
 - (vii) Changes in any of the factors listed in this subsection during the pendency of the proceedings; and
 - (viii) Such other factors which are normally or traditionally taken into consideration in the determination of matters that are subject to bargaining under RCW 41.80.020(1).
- (b) The decision of an arbitrator under this section is subject to RCW 41.80.010(3).
- (7) During the pendency of the proceedings before the arbitrator, existing wages, hours, and other conditions of employment shall not be changed by action of either party without the consent of the other but a party may so consent without prejudice to his or her rights or position under chapter 41.56 RCW.
- (8)(a) If the representative of either or both the employees and the state refuses to submit to the procedures set forth in subsections (3), (4), and (5) of this section, the parties, or the commission on its own motion, may invoke the jurisdiction of the superior court for the county in which the labor dispute exists and the court may issue an appropriate order. A failure to obey the order may be punished by the court as a contempt thereof.
- (b) A decision of the arbitrator is final and binding on the parties, and may be enforced at the instance of either party, the arbitrator, or the commission in the superior court for the county where the dispute arose. However, the decision of the arbitrator is not binding on the legislature and, if the legislature does not approve the funds necessary to implement provisions pertaining to the compensation and fringe benefit provision of an interest arbitration award, the provisions are not binding on the state or department of corrections.
- (9) Subject to the provisions of this section, the parties shall follow the commission's procedures for interest arbitration.

Sec. 5. RCW 47.64.170 and 2015 3rd sp.s. c 1 s 305 are each amended to read as follows:

- (1) Any ferry employee organization certified as the bargaining representative shall be the exclusive representative of all ferry employees in the bargaining unit and shall represent all such employees fairly.
- (2) A ferry employee organization or organizations and the governor may each designate any individual as its representative to engage in collective bargaining negotiations.
- (3) Negotiating sessions, including strategy meetings of the employer or employee organizations, mediation, and the deliberative process of arbitrators

are exempt from the provisions of chapter 42.30 RCW. Hearings conducted by arbitrators may be open to the public by mutual consent of the parties.

(4) Terms of any collective bargaining agreement may be enforced by civil action in Thurston county superior court upon the initiative of either party.

(5) Ferry system employees or any employee organization shall not negotiate or attempt to negotiate directly with anyone other than the person who has been appointed or authorized a bargaining representative for the purpose of bargaining with the ferry employees or their representative.

(6)(a) Within ten working days after the first Monday in September of every odd-numbered year, the parties shall attempt to agree on an interest arbitrator to be used if the parties are not successful in negotiating a comprehensive collective bargaining agreement. If the parties cannot agree on an arbitrator within the ten-day period, either party may request a list of seven arbitrators from the federal mediation and conciliation service or, with the consent of the parties, the American arbitration association. The parties shall select an interest arbitrator using the coin toss/alternate strike method within thirty calendar days of receipt of the list. Immediately upon selecting an interest arbitrator, the parties shall cooperate to reserve dates with the arbitrator for potential arbitration between August 1st and September 15th of the following even-numbered year. The parties shall also prepare a schedule of at least five negotiation dates for the following year, absent an agreement to the contrary. The parties shall execute a written agreement before November 1st of each odd-numbered year setting forth the name of the arbitrator and the dates reserved for bargaining and arbitration. This subsection (6)(a) imposes minimum obligations only and is not intended to define or limit a party's full, good faith bargaining obligation under other sections of this chapter.

(b) The negotiation of a proposed collective bargaining agreement by representatives of the employer and a ferry employee organization shall commence on or about February 1st of every even-numbered year.

(c) For negotiations covering the 2009-2011 biennium and subsequent biennia, the time periods specified in this section, and in RCW 47.64.210 and 47.64.300 through 47.64.320, must ensure conclusion of all agreements on or before October 1st of the even-numbered year next preceding the biennial budget period during which the agreement should take effect. These time periods may only be altered by mutual agreement of the parties in writing. Any such agreement and any impasse procedures agreed to by the parties under RCW 47.64.200 must include an agreement regarding the new time periods that will allow final resolution by negotiations or arbitration by October 1st of each even-numbered year.

(7) It is the intent of this section that the collective bargaining agreement or arbitrator's award shall commence on July 1st of each odd-numbered year and shall terminate on June 30th of the next odd-numbered year to coincide with the ensuing biennial budget year, as defined by RCW 43.88.020(~~((7))~~) (9), to the extent practical. It is further the intent of this section that all collective bargaining agreements be concluded by October 1st of the even-numbered year before the commencement of the biennial budget year during which the agreements are to be in effect. After the expiration date of a collective bargaining agreement negotiated under this chapter, except to the extent provided in subsection (11) of this section and RCW 47.64.270(4), all of the terms and

conditions specified in the collective bargaining agreement remain in effect until the effective date of a subsequently negotiated agreement, not to exceed one year from the expiration date stated in the agreement. Thereafter, the employer may unilaterally implement according to law.

(8) The office of financial management shall conduct a salary survey, for use in collective bargaining and arbitration.

(9) Except as provided in subsection (11) of this section:

(a) The governor shall submit a request either for funds necessary to implement the collective bargaining agreements including, but not limited to, the compensation and fringe benefit provisions or for legislation necessary to implement the agreement, or both. Requests for funds necessary to implement the collective bargaining agreements shall not be submitted to the legislature by the governor unless such requests:

(i) Have been submitted to the director of the office of financial management by October 1st before the legislative session at which the requests are to be considered; and

(ii) Have been certified by the director of the office of financial management as being feasible financially for the state.

(b) The governor shall submit a request either for funds necessary to implement the arbitration awards or for legislation necessary to implement the arbitration awards, or both. Requests for funds necessary to implement the arbitration awards shall not be submitted to the legislature by the governor unless such requests:

(i) Have been submitted to the director of the office of financial management by October 1st before the legislative session at which the requests are to be considered; and

(ii) Have been certified by the director of the office of financial management as being feasible financially for the state.

(c) The legislature shall approve or reject the submission of the request for funds necessary to implement the collective bargaining agreements or arbitration awards as a whole for each agreement or award. The legislature shall not consider a request for funds to implement a collective bargaining agreement or arbitration award unless the request is transmitted to the legislature as part of the governor's budget document submitted under RCW 43.88.030 and 43.88.060. If the legislature rejects or fails to act on the submission, either party may reopen all or part of the agreement and award or the exclusive bargaining representative may seek to implement the procedures provided for in RCW 47.64.210 and 47.64.300.

(10) If, after the compensation and fringe benefit provisions of an agreement are approved by the legislature, a significant revenue shortfall occurs resulting in reduced appropriations, as declared by proclamation of the governor or by resolution of the legislature, both parties shall immediately enter into collective bargaining for a mutually agreed upon modification of the agreement.

(11)(a) For the collective bargaining agreements negotiated for the 2011-2013 fiscal biennium, the legislature may consider a request for funds to implement a collective bargaining agreement even if the request for funds was not received by the office of financial management by October 1st and was not transmitted to the legislature as part of the governor's budget document submitted under RCW 43.88.030 and 43.88.060.

(b) For the 2013-2015 fiscal biennium, a collective bargaining agreement related to employee health care benefits negotiated between the employer and coalition pursuant to RCW 41.80.020(3) regarding the dollar amount expended on behalf of each employee must be a separate agreement for which the governor may request funds necessary to implement the agreement. The legislature may act upon a 2013-2015 collective bargaining agreement related to employee health care benefits if an agreement is reached and submitted to the office of financial management and legislative budget committees before final legislative action on the biennial or supplemental operating budget by the sitting legislature.

(c) For the collective bargaining agreements negotiated for the 2013-2015 fiscal biennium, the legislature may consider a request for funds to implement a collective bargaining agreement reached after October 1st after a determination of financial infeasibility by the director of the office of financial management if the request for funds is transmitted to the legislature as part of the governor's budget document submitted under RCW 43.88.030 and 43.88.060.

NEW SECTION. Sec. 6. A new section is added to chapter 49.36 RCW to read as follows:

(1) A public employer may not require a worker to waive any statutory right to make a claim arising out of state or federal law as a condition of settling a grievance under a collective bargaining agreement.

(2) "Public employer" has the same meaning as in RCW 49.44.170.

Passed by the Senate April 22, 2025.

Passed by the House April 15, 2025.

Approved by the Governor May 20, 2025.

Filed in Office of Secretary of State May 21, 2025.

CHAPTER 388

[Substitute Senate Bill 5568]

STATE HEALTH PLAN—UPDATES

AN ACT Relating to updating and modernizing the Washington state health plan; amending RCW 43.370.010, 43.370.020, 43.370.030, and 43.370.040; and creating a new section.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Sec. 1. (1) In 1987, as directed by the state health planning and resources development act, the state health coordinating council released the state health plan, which set forth objectives for the improvement of health status and development of health services in the state. The plan included recommendations on improving the health status of Washingtonians, improving access and quality of care, containing health care cost growth, and planning for long-term care needs.

(2) In 2006, the legislature created the blue ribbon commission on health care costs and access. The commission was tasked with developing a five-year plan for substantially improving access to affordable health care for all Washington residents. In 2007, the legislature enacted several recommendations from the commission including directing the office of financial management to develop a statewide health resources strategy to establish statewide health planning policies and goals related to the availability of health care facilities and

services, quality of care, and cost of care. Certificate of need determinations must be consistent with that strategy.

(3) In 2024, the legislature directed the department of health to conduct an analysis of the certificate of need program and report its findings and recommendations for statutory updates by June 30, 2025. Under this determination, the department must, at a minimum, consider other state approaches to certificates of need, impacts on access to care, cost control of health services, and equity, and approaches to identifying health care service needs at the statewide and community levels.

(4) The legislature intends to renew efforts to develop a sustainable state health plan and resource strategy by updating duties assigned to the office of financial management in chapter 43.370 RCW.

Sec. 2. RCW 43.370.010 and 2007 c 259 s 50 are each amended to read as follows:

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

(1) "Health care provider" means an individual who holds a license issued by a disciplining authority identified in RCW 18.130.040 and who practices his or her profession in a health care facility or provides a health service.

(2) "Health facility" or "facility" means hospices licensed under chapter 70.127 RCW, hospitals licensed under chapter 70.41 RCW, rural health care facilities as defined in RCW 70.175.020, ~~((psychiatric))~~ behavioral health hospitals licensed under chapter 71.12 RCW, nursing homes licensed under chapter 18.51 RCW, community mental health centers licensed under chapter 71.05 or 71.24 RCW, kidney disease treatment centers under chapter 70.38 RCW, ambulatory diagnostic, treatment, or surgical facilities under chapter 70.230 RCW, drug and alcohol treatment facilities licensed under chapter ~~((70.96A))~~ 71.24 RCW, and home health agencies licensed under chapter 70.127 RCW, and includes such facilities if owned and operated by a political subdivision, including a public hospital district, or instrumentality of the state and such other facilities as required by federal law and implementing regulations.

(3) "Health service" or "service" means that service, including primary care service, offered or provided by health care facilities and health care providers relating to the prevention, cure, or treatment of illness, injury, or disease.

(4) "Health service area" means a geographic region appropriate for effective health planning that includes a broad range of health services.

(5) "Office" means the office of financial management.

(6) "Strategy" means the statewide health resources strategy.

Sec. 3. RCW 43.370.020 and 2010 1st sp.s. c 7 s 113 are each amended to read as follows:

(1) The office shall serve as a coordinating body for public and private efforts to improve quality in health care, promote cost-effectiveness in health care, and plan health facility and health service availability. In addition, the office shall facilitate access to health care data collected by public and private organizations as needed to conduct its planning responsibilities.

(2) The office shall:

(a) Conduct strategic health planning activities related to the preparation of the strategy, as specified in this chapter;

(b) Develop a computerized system for accessing, analyzing, and disseminating data relevant to strategic health planning responsibilities. The office may contract with an organization to create the computerized system capable of meeting the needs of the office;

(c) Have access to the information submitted as part of the health professional licensing application and renewal process, excluding social security number and background check information, whether the license is issued by the secretary of the department of health or a board or commission. The office shall also have access to information submitted to the department of health as part of the medical or health facility licensing process. Access to and use of all data shall be in accordance with state and federal confidentiality laws and ethical guidelines, and the office shall maintain the same degree of confidentiality as the department of health. For professional licensing information provided to the office, the department of health shall replace any social security number with an alternative identifier capable of linking all licensing records of an individual; ~~((and))~~

(d) Have access to and use of the data contained in the all-payer claims database and information submitted to the health care authority as part of the annual reporting process;

(e) Have access to and use of other relevant health care authority, department of health, office of the insurance commissioner, health benefit exchange, and department of social and health services data, where doing so would avoid duplicating collection efforts; and

(f) Conduct research and analysis or arrange for research and analysis projects to be conducted by public or private organizations to further the purposes of the strategy.

(3) Access to and use of all data received from other entities shall be in accordance with state and federal confidentiality laws and ethical guidelines, and the office shall maintain the same degree of confidentiality and nondisclosure as the originating entity.

Sec. 4. RCW 43.370.030 and 2010 1st sp.s. c 7 s 114 are each amended to read as follows:

(1) The office ~~((shall develop))~~, in coordination with relevant public and private stakeholders, shall update the state health plan by developing a statewide health resources strategy. The strategy shall establish statewide health planning policies and goals related to the availability of health care facilities and services, quality of care, and cost of care. The strategy shall identify needs according to geographic regions suitable for comprehensive health planning as designated by the office.

(2) The development of the strategy shall consider the following general goals and principles:

(a) That excess capacity of health services and facilities place considerable economic burden on the public who pay for the construction and operation of these facilities as patients, health insurance purchasers, carriers, and taxpayers; ~~((and))~~

(b) That the development and ongoing maintenance of current and accurate health care information and statistics related to cost and quality of health care, as

well as projections of need for health facilities and services, are essential to effective strategic health planning; and

(c) That a statewide health resources strategy should take into consideration the principles of health equity.

(3) The strategy, with public input by health service areas, shall include:

(a) A health system assessment and objectives component that:

(i) Describes state and regional population demographics, health status indicators, and trends in health status and health care needs; and

(ii) Identifies key policy objectives for the state health system related to access to care, health outcomes, quality, and cost-effectiveness;

(b) A health care facilities and services plan that shall assess the demand for health care facilities and services to inform state health planning efforts and direct certificate of need determinations, for those facilities and services subject to certificate of need as provided in chapter 70.38 RCW. The plan shall include:

(i) An inventory of each geographic region's existing health care facilities and services;

(ii) Projections of need for each category of health care facility and service, including those subject to certificate of need;

(iii) Policies to guide the addition of new or expanded health care facilities and services to promote the use of quality, evidence-based, cost-effective health care delivery options, including any recommendations for criteria, standards, and methods relevant to the certificate of need review process; and

(iv) An assessment of the availability of health care providers, public health resources, transportation infrastructure, and other considerations necessary to support the needed health care facilities and services in each region;

(c) A health care data resource plan that identifies data elements necessary to properly conduct planning activities and to review certificate of need applications, including data related to inpatient and outpatient utilization and outcomes information, and financial and utilization information related to charity care, quality, and cost. The plan shall inventory existing data resources, both public and private, that store and disclose information relevant to the health planning process, including information necessary to conduct certificate of need activities pursuant to chapter 70.38 RCW. The plan shall identify any deficiencies in the inventory of existing data resources and the data necessary to conduct comprehensive health planning activities. The plan may recommend that the office be authorized to access existing data sources and conduct appropriate analyses of such data or that other agencies expand their data collection activities as statutory authority permits. The plan may identify any computing infrastructure deficiencies that impede the proper storage, transmission, and analysis of health planning data. The plan shall provide recommendations for increasing the availability of data related to health planning to provide greater community involvement in the health planning process and consistency in data used for certificate of need applications and determinations;

(d) An assessment of emerging trends in health care delivery and technology as they relate to access to health care facilities and services, quality of care, and costs of care. The assessment shall recommend any changes to the scope of health care facilities and services covered by the certificate of need program that may be warranted by these emerging trends. In addition, the

assessment may recommend any changes to criteria used by the department to review certificate of need applications, as necessary;

(c) A rural health resource plan to assess the availability of health resources in rural areas of the state, assess the unmet needs of these communities, and evaluate how federal and state reimbursement policies can be modified, if necessary, to more efficiently and effectively meet the health care needs of rural communities. The plan shall consider the unique health care needs of rural communities, the adequacy of the rural health workforce, and transportation needs for accessing appropriate care.

(4) The office shall submit ~~((the initial strategy))~~ a preliminary report outlining its work in developing a state health resources strategy by July 1, 2026. The office shall submit the completed health resources strategy report to the governor and the appropriate committees of the senate and house of representatives by ((January 1, 2010. Every two)) December 31, 2027. The report must include projections and policy recommendations through 2032. Beginning January 1, 2033, the office shall report on strategy updates and implementation every four years ((the office shall submit an updated strategy. The health care facilities and services plan as it pertains to a distinct geographic planning region may be updated by individual categories on a rotating, biannual schedule)).

(5) The office shall hold at least one virtual or hybrid public hearing and allow opportunity to submit written comments prior to the issuance of the ~~((initial))~~ preliminary report outlining its work in developing the state health resources strategy ((or an)) and at least one virtual or hybrid public meeting before issuance of the completed health resources strategy report and any updated strategy reports. ((A public hearing shall be held prior to issuing a draft of an updated health care facilities and services plan, and another public hearing shall be held before final adoption of an updated health care facilities and services plan. Any hearing related to updating a health care facilities and services plan for a specific planning region shall be held in that region with sufficient notice to the public and an opportunity to comment.))

Sec. 5. RCW 43.370.040 and 2007 c 259 s 53 are each amended to read as follows:

The office shall submit the strategy to the department of health to direct its activities related to the certificate of need review program under chapter 70.38 RCW. As the health care facilities and services plan is updated for any specific geographic planning region, the office shall submit that plan to the department of health to direct its activities related to the certificate of need review program under chapter 70.38 RCW. The office shall not issue determinations of the merits of specific project proposals submitted by applicants for certificates of need. The department of health may not adopt rules in response to the strategy issued in 2027.

Passed by the Senate April 23, 2025.

Passed by the House April 15, 2025.

Approved by the Governor May 20, 2025.

Filed in Office of Secretary of State May 21, 2025.

CHAPTER 389

[Substitute Senate Bill 5579]

HEALTH CARRIERS AND PROVIDERS—PUBLIC STATEMENTS ON CONTRACT TERMINATIONS

AN ACT Relating to prohibiting health carriers, facilities, and providers from making any public statements of any potential or planned contract terminations unless it satisfies a legal obligation; amending RCW 18.130.180, 70.41.510, 70.42.162, 70.230.210, 18.46.050, 70.127.170, 71.24.910, and 71.12.710; reenacting and amending RCW 41.05.017; adding a new section to chapter 48.43 RCW; and creating a new section.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Sec. 1. The legislature finds that public communications and notices to health plan members by carriers, health care providers, or health care facilities during contract negotiations have created concerns for enrollees, patients, and affected communities. Therefore, the legislature intends to provide consistent policies for communication with enrollees and affected communities regarding potential contract terminations.

NEW SECTION. Sec. 2. A new section is added to chapter 48.43 RCW to read as follows:

(1) In the case of a provider contract that is expiring by its own terms or for which one party has given notice to the other party of an intended termination without cause in accordance with the terms of the provider contract, neither the health care provider, the health care facility, any health care provider employed by, contracted with, or otherwise affiliated with the facility, nor the carrier may make or cause to be made public statements, including by directly communicating with impacted health plan enrollees and patients, regarding such expiration or termination until 45 days prior to the termination date, unless: (a) The disclosure is required to satisfy a specific legal obligation; or (b) the expiration or termination has already been disclosed publicly because of a legal obligation. Communications exclusively with the governor, legislators, or state agency staff regarding a potential or intended contract termination do not constitute a public statement.

(2) Nothing in this section requires a carrier, health care facility, or health care provider to provide notice of a potential termination to enrollees, unless required to do so as a regulatory or legal requirement.

(3) Public statements or communication with health plan enrollees or patients by a carrier, health care facility, or health care provider may not occur prior to the date the carrier, health care facility, or health care provider has given written notice of the termination to the other party, unless agreed upon by both parties.

(4)(a) By December 1, 2025, the commissioner, in consultation with health carriers, health care providers, health care facilities, and consumers, must develop standard template language for notices sent to health plan enrollees and patients by health carriers, health care providers, or health care facilities pursuant to this section. The standard template language must be posted on the commissioner's website.

(b) Notices developed pursuant to this section must include, at a minimum:

(i) A reference to the specific facility or facilities by name that would be affected by the potential contract termination or expiration and an indication of

whether the potential termination or expiration would apply to hospital-based providers;

(ii) Direction to enrollees related to appointments that are scheduled past the date of the potential contract termination or expiration date; and

(iii) Information concerning the enrollee's continuity of care rights pursuant to the federal no surprises act, 42 U.S.C. Sec. 300gg-111.

(c) Notices sent to enrollees or patients that solely utilize the template language developed pursuant to this section are not subject to review or approval. Notices to enrollees or patients that do not utilize the template language in full, or add to or revise the language of the template developed pursuant to this section, must be reviewed and approved by the commissioner before being used in any manner.

(5) By January 1, 2027, the requirements of this section must be included in all provider contracts. The commissioner must develop template language for inclusion in provider contracts by rule.

(6)(a) The commissioner is authorized to enforce the provisions of this act related to carriers on or after January 1, 2026. In addition to the enforcement actions authorized under RCW 48.02.080, the commissioner may impose a civil monetary penalty in an amount not to exceed \$100 for each day that a notice has been sent to enrollees in advance of the 45-day period established in subsection (1) of this section for each enrollee to whom the notice has been sent.

(b) If the commissioner has cause to believe that any health care provider or health care facility has violated this section, the commissioner may submit information to the department of health, another appropriate health care facility licensing entity, or the appropriate health profession disciplining authority for action. The commissioner may provide the health care provider or health care facility with an opportunity to explain why the actions in question did not violate this section.

(c) If any health care provider or health care facility violates this section, the department of health, other appropriate health care facility licensing entity, or the appropriate health profession disciplining authority may levy a fine or cost recovery upon the health care provider or health care facility in an amount not to exceed the applicable statutory amount per violation and take other action as permitted under the authority of the department of health or disciplining authority. Upon completion of its review of any potential violation submitted by the commissioner, the department of health or the disciplining authority shall notify the commissioner of the results of the review, including whether the violation was substantiated and any enforcement action taken as a result of a finding of a substantiated violation.

(7) For the purposes of this section, "provider contract" means a written contract between a carrier and a health care provider or health care facility, as they are defined in RCW 48.43.005, for any health care services rendered to an enrollee.

(8) This section does not apply to a provider contract that is expiring or being terminated by an independent individual provider or an independent single-specialty or multispecialty group practice of five or fewer providers, whether due to a provider's retirement or some other reason. For purposes of this subsection, "independent" means a provider that is not employed by or affiliated with a hospital or multihospital health system.

Sec. 3. RCW 41.05.017 and 2024 c 251 s 5 and 2024 c 242 s 10 are each reenacted and amended to read as follows:

Each health plan that provides medical insurance offered under this chapter, including plans created by insuring entities, plans not subject to the provisions of Title 48 RCW, and plans created under RCW 41.05.140, are subject to the provisions of RCW 48.43.500, 70.02.045, 48.43.505 through 48.43.535, 48.43.537, 48.43.545, 48.43.550, 70.02.110, 70.02.900, 48.43.190, 48.43.083, 48.43.0128, 48.43.780, 48.43.435, 48.43.815, 48.200.020 through 48.200.280, 48.200.300 through 48.200.320, 48.43.440, section 2 of this act, and chapter 48.49 RCW.

Sec. 4. RCW 18.130.180 and 2024 c 220 s 2 are each amended to read as follows:

Except as provided in RCW 18.130.450, the following conduct, acts, or conditions constitute unprofessional conduct for any license holder under the jurisdiction of this chapter:

(1) The commission of any act involving moral turpitude, dishonesty, or corruption relating to the practice of the person's profession, whether the act constitutes a crime or not. If the act constitutes a crime, conviction in a criminal proceeding is not a condition precedent to disciplinary action. Upon such a conviction, however, the judgment and sentence is conclusive evidence at the ensuing disciplinary hearing of the guilt of the license holder of the crime described in the indictment or information, and of the person's violation of the statute on which it is based. For the purposes of this section, conviction includes all instances in which a plea of guilty or nolo contendere is the basis for the conviction and all proceedings in which the sentence has been deferred or suspended. Nothing in this section abrogates rights guaranteed under chapter 9.96A RCW;

(2) Misrepresentation or concealment of a material fact in obtaining a license or in reinstatement thereof;

(3) All advertising which is false, fraudulent, or misleading;

(4) Incompetence, negligence, or malpractice which results in injury to a patient or which creates an unreasonable risk that a patient may be harmed. The use of a nontraditional treatment by itself shall not constitute unprofessional conduct, provided that it does not result in injury to a patient or create an unreasonable risk that a patient may be harmed;

(5) Suspension, revocation, or restriction of the individual's license to practice any health care profession by competent authority in any state, federal, or foreign jurisdiction, a certified copy of the order, stipulation, or agreement being conclusive evidence of the revocation, suspension, or restriction;

(6) The possession, use, prescription for use, or distribution of controlled substances or legend drugs in any way other than for legitimate or therapeutic purposes, diversion of controlled substances or legend drugs, the violation of any drug law, or prescribing controlled substances for oneself;

(7) Violation of any state or federal statute or administrative rule regulating the profession in question, including any statute or rule defining or establishing standards of patient care or professional conduct or practice;

(8) Failure to cooperate with the disciplining authority by:

(a) Not furnishing any papers, documents, records, or other items;

(b) Not furnishing in writing a full and complete explanation covering the matter contained in the complaint filed with the disciplining authority;

(c) Not responding to subpoenas issued by the disciplining authority, whether or not the recipient of the subpoena is the accused in the proceeding; or

(d) Not providing reasonable and timely access for authorized representatives of the disciplining authority seeking to perform practice reviews at facilities utilized by the license holder;

(9) Failure to comply with an order issued by the disciplining authority or a stipulation for informal disposition entered into with the disciplining authority;

(10) Aiding or abetting an unlicensed person to practice when a license is required;

(11) Violations of rules established by any health agency;

(12) Practice beyond the scope of practice as defined by law or rule;

(13) Misrepresentation or fraud in any aspect of the conduct of the business or profession;

(14) Failure to adequately supervise auxiliary staff to the extent that the consumer's health or safety is at risk;

(15) Engaging in a profession involving contact with the public while suffering from a contagious or infectious disease involving serious risk to public health;

(16) Promotion for personal gain of any unnecessary or inefficacious drug, device, treatment, procedure, or service;

(17) Conviction of any gross misdemeanor or felony relating to the practice of the person's profession. For the purposes of this subsection, conviction includes all instances in which a plea of guilty or nolo contendere is the basis for conviction and all proceedings in which the sentence has been deferred or suspended. Nothing in this section abrogates rights guaranteed under chapter 9.96A RCW;

(18) The offering, undertaking, or agreeing to cure or treat disease by a secret method, procedure, treatment, or medicine, or the treating, operating, or prescribing for any health condition by a method, means, or procedure which the licensee refuses to divulge upon demand of the disciplining authority;

(19) The willful betrayal of a practitioner-patient privilege as recognized by law;

(20) Violation of chapter 19.68 RCW or a pattern of violations of RCW 41.05.700(8), 48.43.735(8), 48.49.020, 48.49.030, 71.24.335(8), or 74.09.325(8);

(21) Interference with an investigation or disciplinary proceeding by willful misrepresentation of facts before the disciplining authority or its authorized representative, or by the use of threats or harassment against any patient or witness to prevent them from providing evidence in a disciplinary proceeding or any other legal action, or by the use of financial inducements to any patient or witness to prevent or attempt to prevent him or her from providing evidence in a disciplinary proceeding;

(22) Current misuse of:

(a) Alcohol;

(b) Controlled substances; or

(c) Legend drugs;

(23) Abuse of a client or patient or sexual contact with a client or patient;

(24) Acceptance of more than a nominal gratuity, hospitality, or subsidy offered by a representative or vendor of medical or health-related products or services intended for patients, in contemplation of a sale or for use in research publishable in professional journals, where a conflict of interest is presented, as defined by rules of the disciplining authority, in consultation with the department, based on recognized professional ethical standards;

(25) Violation of RCW 18.130.420;

(26) Performing conversion therapy on a patient under age eighteen;

(27) Violation of RCW 18.130.430;

(28) Violation of RCW 18.130.460; ~~((or))~~

(29) Violation of section 2 of this act; or

(30) Implanting the license holder's own gametes or reproductive material into a patient.

Sec. 5. RCW 70.41.510 and 2019 c 427 s 18 are each amended to read as follows:

If the insurance commissioner reports to the department that he or she has cause to believe that a hospital has engaged in a pattern of violations of RCW 48.49.020 or 48.49.030 or has violated section 2 of this act, and the report is substantiated after investigation, the department may levy a fine upon the hospital in an amount not to exceed one thousand dollars per violation and take other formal or informal disciplinary action as permitted under the authority of the department.

Sec. 6. RCW 70.42.162 and 2019 c 427 s 20 are each amended to read as follows:

If the insurance commissioner reports to the department that he or she has cause to believe that a medical ~~((testing [test]))~~ test site has engaged in a pattern of violations of RCW 48.49.020 or 48.49.030 or has violated section 2 of this act, and the report is substantiated after investigation, the department may levy a fine upon the medical ~~((testing [test]))~~ test site in an amount not to exceed one thousand dollars per violation and take other formal or informal disciplinary action as permitted under the authority of the department.

Sec. 7. RCW 70.230.210 and 2019 c 427 s 19 are each amended to read as follows:

If the insurance commissioner reports to the department that he or she has cause to believe that an ambulatory surgical facility has engaged in a pattern of violations of RCW 48.49.020 or 48.49.030 or has violated section 2 of this act, and the report is substantiated after investigation, the department may levy a fine upon the ambulatory surgical facility in an amount not to exceed one thousand dollars per violation and take other formal or informal disciplinary action as permitted under the authority of the department.

Sec. 8. RCW 18.46.050 and 2024 c 121 s 2 are each amended to read as follows:

(1) In any case in which the department finds that a birthing center has failed or refused to comply with the requirements of this chapter, the standards or rules adopted under this chapter, section 2 of this act, or other applicable state or federal statutes or rules regulating birthing centers, the department may take one or more of the actions identified in this section, except as otherwise limited in this section.

(a) When the department determines the birthing center has previously been subject to an enforcement action for the same or similar type of violation of the same statute or rule, or has been given any previous statement of deficiency that included the same or similar type of violation of the same or similar statute or rule, or when the birthing center failed to correct noncompliance with a statute or rule by a date established or agreed to by the department, the department may impose reasonable conditions on a license. Conditions may include correction within a specified amount of time, training, or hiring a department-approved consultant if the birthing center cannot demonstrate to the department that it has access to sufficient internal expertise. If the department determines that the violations constitute immediate jeopardy, the conditions may be imposed immediately in accordance with subsection (2) of this section.

(b) In accordance with the authority the department has under RCW 43.70.095, the department may assess a civil fine of up to \$3,000 per violation on a birthing center licensed under this chapter when the department determines the birthing center has previously been subject to an enforcement action for the same or similar type of violation of the same statute or rule, or has been given any previous statement of deficiency that included the same or similar type of violation of the same or similar statute or rule, or when the birthing center failed to correct noncompliance with a statute or rule by a date established or agreed to by the department.

(i) Proceeds from these fines may only be used by the department to offset costs associated with licensing and enforcement of birthing centers.

(ii) The department shall adopt in rules under this chapter specific fine amounts in relation to the severity of the noncompliance and at an adequate level to be a deterrent to future noncompliance.

(iii) If a birthing center is aggrieved by the department's action of assessing civil fines, the licensee has the right to appeal under RCW 43.70.095.

(c) The department may suspend a specific category or categories of services or care or birthing rooms within the birthing center as related to the violation by imposing a limited stop service. This may only be done if the department finds that noncompliance results in immediate jeopardy.

(i) Prior to imposing a limited stop service, the department shall provide a birthing center written notification upon identifying deficient practices or conditions that constitute an immediate jeopardy. The birthing center shall have 24 hours from notification to develop and implement a department-approved plan to correct the deficient practices or conditions that constitute an immediate jeopardy. If the deficient practices or conditions that constitute immediate jeopardy are not verified by the department as having been corrected within the same 24-hour period, the department may issue the limited stop service.

(ii) When the department imposes a limited stop service, the birthing center may not provide the services in the category or categories subject to the limited stop service to any new or existing patients, unless otherwise allowed by the department, until the limited stop service is terminated.

(iii) The department shall conduct a follow-up inspection within five business days or within the time period requested by the birthing center if more than five business days is needed to verify the violation necessitating the limited stop service has been corrected.

(iv) The limited stop service shall be terminated when:

(A) The department verifies the violation necessitating the limited stop service has been corrected or the department determines that the birthing center has taken intermediate action to address the immediate jeopardy; and

(B) The birthing center establishes the ability to maintain correction of the violation previously found deficient.

(d) The department may suspend new admissions to the birthing center by imposing a stop placement. This may only be done if the department finds that noncompliance results in immediate jeopardy and is not confined to a specific category or categories of patients or a specific area of the birthing center.

(i) Prior to imposing a stop placement, the department shall provide a birthing center written notification upon identifying deficient practices or conditions that constitute an immediate jeopardy. The birthing center shall have 24 hours from notification to develop and implement a department-approved plan to correct the deficient practices or conditions that constitute an immediate jeopardy. If the deficient practices or conditions that constitute immediate jeopardy are not verified by the department as having been corrected within the same 24-hour period, the department may issue the stop placement.

(ii) When the department imposes a stop placement, the birthing center may not admit any new patients until the stop placement is terminated.

(iii) The department shall conduct a follow-up inspection within five business days or within the time period requested by the birthing center if more than five business days is needed to verify the violation necessitating the stop placement has been corrected.

(iv) The stop placement shall be terminated when:

(A) The department verifies the violation necessitating the stop placement has been corrected or the department determines that the birthing center has taken intermediate action to address the immediate jeopardy; and

(B) The birthing center establishes the ability to maintain correction of the violation previously found deficient.

(e) The department may deny an application for a license or suspend, revoke, or refuse to renew a license.

(2) Except as otherwise provided, RCW 43.70.115 governs notice of actions taken by the department under subsection (1) of this section and provides the right to an adjudicative proceeding. Adjudicative proceedings and hearings under this section are governed by the administrative procedure act, chapter 34.05 RCW. The application for an adjudicative proceeding must be in writing, state the basis for contesting the adverse action, include a copy of the department's notice, be served on and received by the department within 28 days of the birthing center's receipt of the adverse notice, and be served in a manner that shows proof of receipt.

(3) When the department determines a licensee's noncompliance results in immediate jeopardy, the department may make the imposition of conditions on a licensee, a limited stop service, stopplacement, or the suspension of a license effective immediately upon receipt of the notice by the licensee, pending any adjudicative proceeding.

(a) When the department makes the suspension of a license or imposition of conditions on a license effective immediately, a licensee is entitled to a show cause hearing before a presiding officer within 14 days of making the request. The licensee must request the show cause hearing within 28 days of receipt of

the notice of immediate suspension or immediate imposition of conditions. At the show cause hearing the department has the burden of demonstrating that more probably than not there is an immediate jeopardy.

(b) At the show cause hearing, the presiding officer may consider the notice and documents supporting the immediate suspension or immediate imposition of conditions and the licensee's response and shall provide the parties with an opportunity to provide documentary evidence and written testimony, and to be represented by counsel. Prior to the show cause hearing, the department shall provide the licensee with all documentation that supports the department's immediate suspension or imposition of conditions.

(c) If the presiding officer determines there is no immediate jeopardy, the presiding officer may overturn the immediate suspension or immediate imposition of conditions.

(d) If the presiding officer determines there is immediate jeopardy, the immediate suspension or immediate imposition of conditions shall remain in effect pending a full hearing.

(e) If the presiding officer sustains the immediate suspension or immediate imposition of conditions, the licensee may request an expedited full hearing on the merits of the department's action. A full hearing must be provided within 90 days of the licensee's request.

(4) When the department determines an alleged violation, if true, would constitute an immediate jeopardy, and the licensee fails to cooperate with the department's investigation of such an alleged violation, the department may impose an immediate stop placement, immediate limited stop service, immediate imposition of conditions, or immediate suspension.

(a) When the department imposes an immediate stop placement, immediate limited stop service, immediate imposition of conditions, or immediate suspension for failure to cooperate, a licensee is entitled to a show cause hearing before a presiding officer within 14 days of making the request. The licensee must request the show cause hearing within 28 days of receipt of the notice of an immediate stop placement, immediate limited stop service, immediate imposition of conditions, or immediate suspension for failure to cooperate. At the show cause hearing the department has the burden of demonstrating that more probably than not the alleged violation, if true, would constitute an immediate jeopardy and the licensee failed to cooperate with the department's investigation.

(b) At the show cause hearing, the presiding officer may consider the notice and documents supporting the immediate stop placement, immediate limited stop service, immediate imposition of conditions, or immediate suspension for failure to cooperate, and the licensee's response and shall provide the parties with an opportunity to provide documentary evidence and written testimony, and to be represented by counsel. Prior to the show cause hearing, the department shall provide the licensee with all documentation that supports the department's immediate action for failure to cooperate.

(c) If the presiding officer determines the alleged violation, if true, does not constitute an immediate jeopardy or determines that the licensee cooperated with the department's investigation, the presiding officer may overturn the immediate action for failure to cooperate.

(d) If the presiding officer determines the allegation, if true, would constitute an immediate jeopardy and the licensee failed to cooperate with the department's investigation, the immediate action for failure to cooperate shall remain in effect pending a full hearing.

(e) If the presiding officer sustains the immediate action for failure to cooperate, the licensee may request an expedited full hearing on the merits of the department's action. A full hearing must be provided within 90 days of the licensee's request.

Sec. 9. RCW 70.127.170 and 2024 c 121 s 11 are each amended to read as follows:

The department is authorized to take any of the actions identified in RCW 70.127.165 against an in-home services agency's license in any case in which it finds that the licensee:

(1) Failed or refused to comply with the requirements of this chapter, standards or rules adopted under this chapter, section 2 of this act, or other applicable state or federal statutes or rules regulating the facility or agency;

(2) Was the holder of a license issued pursuant to this chapter that was revoked for cause and never reissued by the department, or that was suspended for cause and the terms of the suspension have not been fulfilled and the licensee has continued to operate;

(3) Has knowingly or with reason to know made a misrepresentation of, false statement of, or failed to disclose, a material fact to the department in an application for the license or any data attached thereto or in any record required by this chapter or matter under investigation by the department, or during a survey, or concerning information requested by the department;

(4) Refused to allow representatives of the department to inspect any book, record, or file required by this chapter to be maintained or any portion of the licensee's premises;

(5) Willfully prevented, interfered with, or attempted to impede in any way the work of any representative of the department and the lawful enforcement of any provision of this chapter. This includes but is not limited to: Willful misrepresentation of facts during a survey, investigation, or administrative proceeding or any other legal action; or use of threats or harassment against any patient, client, or witness, or use of financial inducements to any patient, client, or witness to prevent or attempt to prevent him or her from providing evidence during a survey or investigation, in an administrative proceeding, or any other legal action involving the department;

(6) Willfully prevented or interfered with any representative of the department in the preservation of evidence of any violation of this chapter or the rules adopted under this chapter;

(7) Failed to pay any civil monetary penalty assessed by the department pursuant to this chapter within 10 days after the assessment becomes final;

(8) Used advertising that is false, fraudulent, or misleading;

(9) Has repeated incidents of personnel performing services beyond their authorized scope of practice;

(10) Misrepresented or was fraudulent in any aspect of the conduct of the licensee's business;

(11) Within the last five years, has been found in a civil or criminal proceeding to have committed any act that reasonably relates to the person's

fitness to establish, maintain, or administer an agency or to provide care in the home of another;

(12) Was the holder of a license to provide care or treatment to ill individuals, vulnerable individuals, or individuals with disabilities that was denied, restricted, not renewed, surrendered, suspended, or revoked by a competent authority in any state, federal, or foreign jurisdiction. A certified copy of the order, stipulation, or agreement is conclusive evidence of the denial, restriction, nonrenewal, surrender, suspension, or revocation;

(13) Failed to comply with an order issued by the secretary or designee;

(14) Aided or abetted the unlicensed operation of an in-home services agency;

(15) Operated beyond the scope of the in-home services agency license;

(16) Failed to adequately supervise staff to the extent that the health or safety of a patient or client was at risk;

(17) Compromised the health or safety of a patient or client, including, but not limited to, the individual performing services beyond their authorized scope of practice;

(18) Continued to operate after license revocation, suspension, or expiration, or operating outside the parameters of a modified, conditioned, or restricted license;

(19) Failed or refused to comply with chapter 70.02 RCW;

(20) Abused, neglected, abandoned, or financially exploited a patient or client as these terms are defined in RCW 74.34.020;

(21) Misappropriated the property of an individual;

(22) Is unqualified or unable to operate or direct the operation of the agency according to this chapter and the rules adopted under this chapter;

(23) Obtained or attempted to obtain a license by fraudulent means or misrepresentation; or

(24) Failed to report abuse or neglect of a patient or client in violation of chapter 74.34 RCW.

Sec. 10. RCW 71.24.910 and 2022 c 263 s 22 are each amended to read as follows:

If the insurance commissioner reports to the department that he or she has cause to believe that a provider licensed under this chapter has engaged in a pattern of violations of RCW 48.49.020 or 48.49.030 or has violated section 2 of this act, and the report is substantiated after investigation, the department may levy a fine upon the provider in an amount not to exceed \$1,000 per violation and take other formal or informal disciplinary action as permitted under the authority of the department.

Sec. 11. RCW 71.12.710 and 2024 c 121 s 18 are each amended to read as follows:

(1) In any case in which the department finds that a private establishment has failed or refused to comply with the requirements of this chapter, the standards or rules adopted under this chapter, section 2 of this act, or other applicable state or federal statutes or rules, the department may take one or more of the actions identified in this section, except as otherwise limited in this section.

(a) When the department determines the private establishment has previously been subject to an enforcement action for the same or similar type of violation of the same statute or rule, or has been given any previous statement of deficiency that included the same or similar type of violation of the same or similar statute or rule, or when the private establishment failed to correct noncompliance with a statute or rule by a date established or agreed to by the department, the department may impose reasonable conditions on a license. Conditions may include correction within a specified amount of time, training, or hiring a department-approved consultant if the private establishment cannot demonstrate to the department that it has access to sufficient internal expertise.

(b)(i) In accordance with the authority the department has under RCW 43.70.095, the department may assess a civil fine of up to \$10,000 per violation, not to exceed a total fine of \$1,000,000, on a private establishment licensed under this chapter when the department determines the private establishment has previously been subject to an enforcement action for the same or similar type of violation of the same statute or rule, or has been given any previous statement of deficiency that included the same or similar type of violation of the same or similar statute or rule, or when the private establishment failed to correct noncompliance with a statute or rule by a date established or agreed to by the department.

(ii) Proceeds from these fines may only be used by the department to provide training or technical assistance to private establishments or to offset costs associated with licensing private establishments.

(iii) The department shall adopt in rules under this chapter specific fine amounts in relation to the severity of the noncompliance.

(iv) If a licensee is aggrieved by the department's action of assessing civil fines, the licensee has the right to appeal under RCW 43.70.095.

(c) The department may suspend new admissions of a specific category or categories of patients as related to the violation by imposing a limited stop placement. This may only be done if the department finds that noncompliance results in immediate jeopardy.

(i) Prior to imposing a limited stop placement, the department shall provide a private establishment written notification upon identifying deficient practices or conditions that constitute an immediate jeopardy, and the private establishment shall have 24 hours from notification to develop and implement a department-approved plan to correct the deficient practices or conditions that constitute an immediate jeopardy. If the deficient practices or conditions that constitute immediate jeopardy are not verified by the department as having been corrected within the same 24-hour period, the department may issue the limited stop placement.

(ii) When the department imposes a limited stop placement, the private establishment may not accept any new admissions in the category or categories subject to the limited stop placement until the limited stop placement order is terminated.

(iii) The department shall conduct a follow-up inspection within five business days or within the time period requested by the private establishment if more than five business days is needed to verify the violation necessitating the limited stop placement has been corrected.

(iv) The limited stop placement shall be terminated when:

(A) The department verifies the violation necessitating the limited stop placement has been corrected or the department determines that the private establishment has taken intermediate action to address the immediate jeopardy; and

(B) The private establishment establishes the ability to maintain correction of the violation previously found deficient.

(d) The department may suspend all new admissions to the private establishment by imposing a stop placement. This may only be done if the department finds that noncompliance results in immediate jeopardy and is not confined to a specific category or categories of patients or a specific area of the private establishment.

(i) Prior to imposing a stop placement, the department shall provide a private establishment written notification upon identifying deficient practices or conditions that constitute an immediate jeopardy, and the private establishment shall have 24 hours from notification to develop and implement a department-approved plan to correct the deficient practices or conditions that constitute an immediate jeopardy. If the deficient practices or conditions that constitute immediate jeopardy are not verified by the department as having been corrected within the same 24-hour period, the department may issue the stop placement.

(ii) When the department imposes a stop placement, the private establishment may not accept any new admissions until the stop placement order is terminated.

(iii) The department shall conduct a follow-up inspection within five business days or within the time period requested by the private establishment if more than five business days is needed to verify the violation necessitating the stop placement has been corrected.

(iv) The stop placement order shall be terminated when:

(A) The department verifies the violation necessitating the stop placement has been corrected or the department determines that the private establishment has taken intermediate action to address the immediate jeopardy; and

(B) The private establishment establishes the ability to maintain correction of the violation previously found deficient.

(e) The department may suspend a specific category or categories of services within the private establishment as related to the violation by imposing a limited stop service. This may only be done if the department finds that noncompliance results in immediate jeopardy.

(i) Prior to imposing a limited stop service, the department shall provide a private establishment written notification upon identifying deficient practices or conditions that constitute an immediate jeopardy. The private establishment shall have 24 hours from notification to develop and implement a department-approved plan to correct the deficient practices or conditions that constitute an immediate jeopardy. If the deficient practices or conditions that constitute immediate jeopardy are not verified by the department as having been corrected within the same 24-hour period, the department may issue the limited stop service.

(ii) When the department imposes a limited stop service, the private establishment may not provide the services in the category or categories subject to the limited stop service to any new or existing individuals, unless otherwise allowed by the department, until the limited stop service is terminated.

(iii) The department shall conduct a follow-up inspection within five business days or within the time period requested by the private establishment if more than five business days is needed to verify the violation necessitating the limited stop service has been corrected.

(iv) The limited stop service shall be terminated when:

(A) The department verifies the violation necessitating the limited stop service has been corrected or the department determines that the private establishment has taken intermediate action to address the immediate jeopardy; and

(B) The private establishment establishes the ability to maintain correction of the violation previously found deficient.

(f) The department may suspend, revoke, or refuse to renew a license.

(2)(a) Except as otherwise provided, RCW 43.70.115 governs notice of the imposition of conditions on a license, a limited stop placement, stop placement, limited stop service, or the suspension, revocation, or refusal to renew a license and provides the right to an adjudicative proceeding. Adjudicative proceedings and hearings under this section are governed by the administrative procedure act, chapter 34.05 RCW. The application for an adjudicative proceeding must be in writing, state the basis for contesting the adverse action, including a copy of the department's notice, be served on and received by the department within 28 days of the licensee's receipt of the adverse notice, and be served in a manner that shows proof of receipt.

(b) When the department determines a licensee's noncompliance results in immediate jeopardy, the department may make the imposition of conditions on a licensee, a limited stop placement, stop placement, limited stop service, or the suspension of a license effective immediately upon receipt of the notice by the licensee, pending any adjudicative proceeding.

(i) When the department makes the suspension of a license or imposition of conditions on a license effective immediately, a licensee is entitled to a show cause hearing before a presiding officer within 14 days of making the request. The licensee must request the show cause hearing within 28 days of receipt of the notice of immediate suspension or immediate imposition of conditions. At the show cause hearing the department has the burden of demonstrating that more probably than not there is an immediate jeopardy.

(ii) At the show cause hearing, the presiding officer may consider the notice and documents supporting the immediate suspension or immediate imposition of conditions and the licensee's response and must provide the parties with an opportunity to provide documentary evidence and written testimony, and to be represented by counsel. Prior to the show cause hearing, the department must provide the licensee with all documentation that supports the department's immediate suspension or immediate imposition of conditions.

(iii) If the presiding officer determines there is no immediate jeopardy, the presiding officer may overturn the immediate suspension or immediate imposition of conditions.

(iv) If the presiding officer determines there is immediate jeopardy, the immediate suspension or immediate imposition of conditions shall remain in effect pending a full hearing.

(v) If the secretary sustains the immediate suspension or immediate imposition of conditions, the licensee may request an expedited full hearing on

the merits of the department's action. A full hearing must be provided within 90 days of the licensee's request.

(3) When the department determines an alleged violation, if true, would constitute an immediate jeopardy, and the licensee fails to cooperate with the department's investigation of such an alleged violation, the department may impose an immediate stop placement, immediate limited stop placement, immediate limited stop service, immediate imposition of conditions, or immediate suspension.

(a) When the department imposes an immediate stop placement, immediate limited stop placement, immediate limited stop service, immediate imposition of conditions, or immediate suspension for failure to cooperate, a licensee is entitled to a show cause hearing before a presiding officer within 14 days of making the request. The licensee must request the show cause hearing within 28 days of receipt of the notice of an immediate stop placement, immediate limited stop placement, immediate limited stop service, immediate imposition of conditions, or immediate suspension for failure to cooperate. At the show cause hearing the department has the burden of demonstrating that more probably than not the alleged violation, if true, would constitute an immediate jeopardy and the licensee failed to cooperate with the department's investigation.

(b) At the show cause hearing, the presiding officer may consider the notice and documents supporting the immediate stop placement, immediate limited stop placement, immediate limited stop service, immediate imposition of conditions, or immediate suspension for failure to cooperate, and the licensee's response and shall provide the parties with an opportunity to provide documentary evidence and written testimony, and to be represented by counsel. Prior to the show cause hearing, the department shall provide the licensee with all documentation that supports the department's immediate action for failure to cooperate.

(c) If the presiding officer determines the alleged violation, if true, does not constitute an immediate jeopardy or determines that the licensee cooperated with the department's investigation, the presiding officer may overturn the immediate action for failure to cooperate.

(d) If the presiding officer determines the allegation, if true, would constitute an immediate jeopardy and the licensee failed to cooperate with the department's investigation, the immediate action for failure to cooperate shall remain in effect pending a full hearing.

(e) If the presiding officer sustains the immediate action for failure to cooperate, the licensee may request an expedited full hearing on the merits of the department's action. A full hearing must be provided within 90 days of the licensee's request.

Passed by the Senate April 21, 2025.

Passed by the House April 10, 2025.

Approved by the Governor May 20, 2025.

Filed in Office of Secretary of State May 21, 2025.

CHAPTER 390

[Substitute Senate Bill 5587]

HOUSING DEVELOPMENT—GAP BETWEEN EXISTING HOUSING AND EXISTING
HOUSING NEEDS

AN ACT Relating to affordable housing development in counties not closing the gap between estimated existing housing units within the county and existing housing needs; amending RCW 36.70A.610 and 43.155.070; and creating a new section.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. RCW 36.70A.610 and 2020 c 173 s 6 are each amended to read as follows:

(1) The Washington center for real estate research at the University of Washington shall produce a series of reports as described in this section that compiles housing supply and affordability metrics for each city planning under RCW 36.70A.040 with a population of ~~((ten thousand))~~ 10,000 or more.

(a) The initial report, completed by October 15, 2020, must be a compilation of objective criteria relating to income, employment, housing and rental prices, housing affordability by housing tenure, and other metrics relevant to assessing housing supply and affordability for all income segments, including the percentage of cost-burdened households of each jurisdiction. This report may also include city-specific median income data for those cities implementing the multifamily tax exemption program under chapter 84.14 RCW.

(b) The report completed by October 15, 2021, must include an analysis of the private rental housing market for each area outlining the number of units, vacancy rates, and rents by unit type, where possible. This analysis should separate market rate multifamily rental housing developments and other smaller scale market rate rental housing. This analysis should also incorporate data from the Washington state housing finance commission on subsidized rental housing in the area consistent with the first report under this subsection.

(c) The report completed by October 15, 2022, must also include data relating to actions taken by cities under chapter 348, Laws of 2019 as well as detailed information on development regulations, levies and fees, and zoning related to housing development.

(d) The report completed by October 15, 2024, and every two years thereafter, must also include relevant data relating to buildable lands reports prepared under RCW 36.70A.215, where applicable, and updates to comprehensive plans under this chapter.

(e) The report completed by October 15, 2026, and every two years thereafter, must also include:

(i)(A) Except as provided in (e)(i)(B) of this subsection, an analysis of the estimated existing housing units and existing housing needs within each county at the following income levels: 0 to 30 percent of the area median income, 30 to 50 percent of the area median income, 50 to 80 percent of the area median income, 80 to 100 percent of the area median income, 100 to 120 percent of the area median income, and greater than 120 percent of the area median income;

(B) If a county's estimated existing housing units, existing housing needs, or both, cannot be determined at the income levels under (e)(i)(A) of this subsection or at the individual county level due to insufficient data, alternative thresholds may be used to best determine existing housing units and existing housing needs;

(ii) Each county's progress in closing the gap between estimated existing housing units within the county and existing housing needs; and

(iii) Each county's progress in meeting emergency housing, emergency shelters, and permanent supportive housing needs within the county.

(2) The Washington center for real estate research shall collaborate with the Washington housing finance commission and the office of financial management to develop the metrics compiled in the series of reports under this section.

(3) The series of reports under this section must be submitted, consistent with RCW 43.01.036, to the standing committees of the legislature with jurisdiction over housing issues and this chapter.

Sec. 2. RCW 43.155.070 and 2021 c 65 s 49 are each amended to read as follows:

(1) To qualify for financial assistance under this chapter the board must determine that a local government meets all of the following conditions:

(a) The city or county must be imposing a tax under chapter 82.46 RCW at a rate of at least one-quarter of one percent;

(b) The local government must have developed a capital facility plan; and

(c) The local government must be using all local revenue sources which are reasonably available for funding public works, taking into consideration local employment and economic factors.

(2) Except where necessary to address a public health need or substantial environmental degradation, a county, city, or town planning under RCW 36.70A.040 may not receive financial assistance under this chapter unless it has adopted a comprehensive plan, including a capital facilities plan element, and development regulations as required by RCW 36.70A.040. This subsection does not require any county, city, or town planning under RCW 36.70A.040 to adopt a comprehensive plan or development regulations before requesting or receiving financial assistance under this chapter if such request is made before the expiration of the time periods specified in RCW 36.70A.040. A county, city, or town planning under RCW 36.70A.040 that has not adopted a comprehensive plan and development regulations within the time periods specified in RCW 36.70A.040 may apply for and receive financial assistance under this chapter if the comprehensive plan and development regulations are adopted as required by RCW 36.70A.040 before executing a contractual agreement for financial assistance with the board.

(3) In considering awarding financial assistance for public facilities to special districts requesting funding for a proposed facility located in a county, city, or town planning under RCW 36.70A.040, the board must consider whether the county, city, or town planning under RCW 36.70A.040 in whose planning jurisdiction the proposed facility is located has adopted a comprehensive plan and development regulations as required by RCW 36.70A.040.

(4)(a) The board must develop a process to prioritize applications and funding of loans and grants for public works projects submitted by local governments. The board must consider, at a minimum and in any order, the following factors in prioritizing projects:

(i) Whether the project is critical in nature and would affect the health and safety of many people;

(ii) The extent to which the project leverages other funds;

(iii) The extent to which the project is ready to proceed to construction;

(iv) Whether the project is located in an area of high unemployment, compared to the average state unemployment;

(v) Whether the project promotes the sustainable use of resources and environmental quality, as applicable;

(vi) Whether the project consolidates or regionalizes systems;

(vii) Whether the project encourages economic development through mixed-use and mixed income development consistent with chapter 36.70A RCW;

(viii) Whether the project encourages infill development or any other increase in affordable housing in counties identified as having a gap between estimated existing housing units and estimated housing needs by the report produced under RCW 36.70A.610. For purposes of this subsection (4)(a)(viii), "affordable housing" has the same meaning as in RCW 36.70A.030;

(ix) Whether the system is being well-managed in the present and for long-term sustainability;

~~((ix))~~ (x) Achieving equitable distribution of funds by geography and population;

~~((x))~~ (xi) The extent to which the project meets the following state policy objectives:

(A) Efficient use of state resources;

(B) Preservation and enhancement of health and safety;

(C) Abatement of pollution and protection of the environment;

(D) Creation of new, family-wage jobs, and avoidance of shifting existing jobs from one Washington state community to another;

(E) Fostering economic development consistent with chapter 36.70A RCW;

(F) Efficiency in delivery of goods and services and transportation; and

(G) Reduction of the overall cost of public infrastructure;

~~((xi))~~ (xii) Whether the applicant sought or is seeking funding for the project from other sources; and

~~((xii))~~ (xiii) Other criteria that the board considers necessary to achieve the purposes of this chapter.

(b) Before September 1, 2018, and each year thereafter, the board must develop and submit a report regarding the construction loans and grants to the office of financial management and appropriate fiscal committees of the senate and house of representatives. The report must include:

(i) The total number of applications and amount of funding requested for public works projects;

(ii) A list and description of projects approved in the preceding fiscal year with project scores against the board's prioritization criteria;

(iii) The total amount of loan and grants disbursements made from the public works assistance account in the preceding fiscal year;

(iv) The total amount of loan repayments in the preceding fiscal year for outstanding loans from the public works assistance account;

(v) The total amount of loan repayments due for outstanding loans for each fiscal year over the following ~~((ten))~~ 10-year period; and

(vi) The total amount of funds obligated and timing of when the funds were obligated in the preceding fiscal year.

(c) The maximum amount of funding that the board may provide for any jurisdiction is ~~((ten million dollars))~~ \$10,000,000 per biennium.

(5) Existing debt or financial obligations of local governments may not be refinanced under this chapter. Each local government applicant must provide documentation of attempts to secure additional local or other sources of funding for each public works project for which financial assistance is sought under this chapter.

(6) Before September 1st of each year, the board must develop and submit to the appropriate fiscal committees of the senate and house of representatives a description of the loans and grants made under RCW 43.155.065 and 43.155.068.

(7) The board may not sign contracts or otherwise financially obligate funds from the public works assistance account before the legislature has appropriated funds to the board for the purpose of funding public works projects under this chapter.

(8) To qualify for loans, grants, or pledges for solid waste or recycling facilities under this chapter, a city or county must demonstrate that the solid waste or recycling facility is consistent with and necessary to implement the comprehensive solid waste management plan adopted by the city or county under chapter 70A.205 RCW.

(9) After January 1, 2010, any project designed to address the effects of stormwater or wastewater on Puget Sound may be funded under this section only if the project is not in conflict with the action agenda developed by the Puget Sound partnership under RCW 90.71.310.

(10) For projects involving repair, replacement, or improvement of a wastewater treatment plant or other public works facility for which an investment grade efficiency audit is reasonably obtainable, the public works board must require as a contract condition that the project sponsor undertake an investment grade efficiency audit. The project sponsor may finance the costs of the audit as part of its public works assistance account program loan or grant.

(11) The board must implement policies and procedures designed to maximize local government consideration of other funds to finance local infrastructure.

NEW SECTION. Sec. 3. This act may be known and cited as the affordable housing action act.

Passed by the Senate March 7, 2025.

Passed by the House April 16, 2025.

Approved by the Governor May 20, 2025.

Filed in Office of Secretary of State May 21, 2025.

CHAPTER 391

[Engrossed Second Substitute Senate Bill 5651]

GARNISHMENT—EXEMPTIONS

AN ACT Relating to exemptions from garnishment; amending RCW 6.15.010, 6.15.050, 6.27.140, and 6.27.100; repealing 2023 c 393 s 6, and 2021 c 50 s 4 (uncodified); providing an effective date; and declaring an emergency.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. RCW 6.15.010 and 2023 c 393 s 1 are each amended to read as follows:

(1) Except as provided in RCW 6.15.050, the following personal property is exempt from execution, attachment, and garnishment:

(a) All wearing apparel of every individual and family, but not to exceed \$3,500 in value in furs, jewelry, and personal ornaments for any individual.

(b) All private libraries including electronic media, which includes audiovisual, entertainment, or reference media in digital or analogue format, of every individual, but not to exceed \$3,500 in value, and all family pictures and keepsakes.

(c) A cell phone, personal computer, and printer.

(d) To each individual or, as to community property of spouses maintaining a single household as against a creditor of the community, to the community, provided that each spouse is entitled to his or her own exemptions in this subsection (1)(d):

(i) All household goods, appliances, furniture, and home and yard equipment, not to exceed \$6,500 in value for the individual, said amount to include provisions and fuel for comfortable maintenance;

(ii) In a bankruptcy case, any other personal property, except personal earnings as provided under RCW 6.15.050(1), not to exceed \$10,000 in value. The value shall be determined as of the date the bankruptcy petition is filed;

(iii)(A) Other than in a bankruptcy case as described in (d)(ii) of this subsection, other personal property, except personal earnings as provided under RCW 6.15.050(1), not to exceed \$3,000 in value, of which not more than:

((A)) (I) For all debts except private student loan debt and consumer debt, \$500 in value may consist of bank accounts, savings and loan accounts, stocks, bonds, or other securities. The maximum exemption under this subsection (1)(d)(iii)(A)(I) shall be automatically protected and may not exceed \$500, regardless of the number of existing separate bank accounts, savings and loan accounts, stocks, bonds, or other securities.

((B)) (II) For all private student loan debt, \$2,500 in value may consist of bank accounts, savings and loan accounts, stocks, bonds, or other securities. \$1,000 in value shall be automatically protected. The maximum exemption under this subsection (1)(d)(iii)((B)) (A)(II) may not exceed \$2,500, regardless of the number of existing separate bank accounts, savings and loan accounts, stocks, bonds, or other securities.

((C)) (III) For all consumer debt, \$2,000 in value may consist of bank accounts, savings and loan accounts, stocks, bonds, or other securities. ~~(\$1,000 in value shall be automatically protected.)~~ The maximum exemption under this subsection (1)(d)(iii)((C)) (A)(III) shall be automatically protected and may not exceed \$2,000, regardless of the number of existing separate bank accounts, savings and loan accounts, stocks, bonds, or other securities.

(B) Beginning July 1, 2027, the dollar amounts in this subsection (1)(d)(iii) shall be adjusted and published every three years by the department of revenue to:

(I) Reflect the change in the consumer price index for all urban consumers, published by the United States department of labor, for the most recent three-year period; and

(II) Round to the nearest \$25 the dollar amount that represents such change;

- (iv) A motor vehicle not to exceed \$15,000 in aggregate value;
- (v) Any past due, current, or future child support, alimony, or spousal support paid or owed to the debtor, which can be traced;
- (vi) All professionally prescribed health aids for the debtor or a dependent of the debtor;
- (vii) To any individual, the right to or proceeds of a payment not to exceed twenty thousand dollars on account of personal bodily injury, not including pain and suffering or compensation for actual pecuniary loss, of the debtor or an individual of whom the debtor is a dependent; or the right to or proceeds of a payment in compensation of loss of future earnings of the debtor or an individual of whom the debtor is or was a dependent, to the extent reasonably necessary for the support of the debtor and any dependent of the debtor; and
- (viii) In a bankruptcy case, the right to or proceeds of personal injury of the debtor or an individual of whom the debtor is a dependent; or the right to or proceeds of a payment in compensation of loss of future earnings of the debtor or an individual of whom the debtor is or was a dependent are free of the enforcement of the claims of creditors, except to the extent such claims are for the satisfaction of any liens or subrogation claims arising out of the claims for personal injury or death. The exemption under this subsection (1)(d)(viii) does not apply to the right of the state of Washington, or any agent or assignee of the state, as a lienholder or subrogee under RCW 43.20B.060.
- (e) To any individual, the tools, instruments, materials, and supplies used to carry on his or her trade not to exceed \$15,000 in value.
- (f) Tuition units, under chapter 28B.95 RCW, purchased more than two years prior to the date of a bankruptcy filing or court judgment, and contributions to any other qualified tuition program under 26 U.S.C. Sec. 529 of the internal revenue code of 1986, as amended, and to a Coverdell education savings account, also known as an education individual retirement account, under 26 U.S.C. Sec. 530 of the internal revenue code of 1986, as amended, contributed more than two years prior to the date of a bankruptcy filing or court judgment.

(2) For purposes of this section, "value" means the reasonable market value of the debtor's interest in an article or item at the time it is selected for exemption, exclusive of all liens and encumbrances thereon.

(3) In the case of married persons, each spouse is entitled to the exemptions provided in this section, which may be combined with the other spouse's exemption in the same property or taken in different exempt property.

Sec. 2. RCW 6.15.050 and 2002 c 265 s 2 are each amended to read as follows:

(1) Wages, salary, or other compensation regularly paid for personal services rendered by the debtor claiming the exemption shall not be claimed as exempt under RCW 6.15.010, but the same may be claimed as exempt in any bankruptcy or insolvency proceeding to the same extent as allowed under the statutes relating to garnishments.

(2) No property may be exempt under RCW 6.15.010 from execution, attachment, or garnishment issued upon a judgment for all or any part of the purchase price of the property.

(3) No property may be exempt under RCW 6.15.010 from legal process issued upon a judgment for restitution ordered by a court to be paid for the benefit of a victim of a criminal act.

(4) No property may be exempt under RCW 6.15.010 from legal process issued upon a judgment for any tax levied upon such property.

(5) Nothing in this chapter shall be so construed as to prevent a debtor from creating a security interest in personal property which might be claimed as exempt, or the enforcement of such security interest against the property.

(6) Nothing in this chapter shall be construed to exempt personal property of a nonresident of this state or of an individual who has left or is about to leave this state with the intention to defraud his or her creditors.

(7) Personal property exemptions are waived by failure to claim them prior to sale of exemptible property under execution or, in a garnishment proceeding, within the time specified in RCW 6.27.160.

(8) Personal property exemptions may not be claimed by one spouse in a bankruptcy case that is not a joint case or a joint administration of the estate with the bankruptcy estate of the other spouse where (a) bankruptcy is filed by both spouses within a six-month period, and (b) one spouse exempts property from property of the estate under the bankruptcy exemption provisions of 11 U.S.C. Sec. 522(d).

(9) No property may be exempt under RCW 6.15.010 from execution, levy, attachment, or garnishment issued by or on behalf of a child support, alimony, or spousal support agency operating under Title IV-D of the federal social security act or by or on behalf of any agent or assignee of the child support, alimony, or spousal support agency.

Sec. 3. RCW 6.27.140 and 2023 c 393 s 5 are each amended to read as follows:

(1) The notice required by RCW 6.27.130(1) to be mailed to or served on an individual judgment debtor shall be in the following form, printed or typed in no smaller than size twelve point font:

**NOTICE OF GARNISHMENT
AND OF YOUR RIGHTS**

A Writ of Garnishment issued in a Washington court has been or will be served on the garnishee named in the attached copy of the writ. After receipt of the writ, the garnishee is required to withhold payment of any money that was due to you and to withhold any other property of yours that the garnishee held or controlled. This notice of your rights is required by law.

YOU HAVE THE FOLLOWING EXEMPTION RIGHTS:

WAGES. If the garnishee is your employer who owes wages or other personal earnings to you, your employer is required to pay amounts to you that are exempt under state and federal laws, as explained in the writ of garnishment. You should receive a copy of your employer's answer, which will show how the exempt amount was calculated. A garnishment against wages or other earnings for child support may not be issued

under chapter 6.27 RCW. If the garnishment is for private student loan debt, the exempt amount paid to you will be the greater of the following: A percent of your disposable earnings, which is eighty-five percent of the part of your earnings remaining after your employer deducts those amounts which are required by law to be withheld, or fifty times the minimum hourly wage of the highest minimum wage law in the state at the time the earnings are payable. If the garnishment is for consumer debt, the exempt amount paid to you will be the greater of the following: A percent of your disposable earnings, which is eighty percent of the part of your earnings remaining after your employer deducts those amounts which are required by law to be withheld, or thirty-five times the state minimum hourly wage.

BANK ACCOUNTS. If the garnishee is a bank or other institution with which you have an account in which you have deposited benefits such as Temporary Assistance for Needy Families, Supplemental Security Income (SSI), Social Security, veterans' benefits, unemployment compensation, or any federally qualified pension, such as a state or federal pension, individual retirement account (IRA), or 401K plan, you may claim the account as fully exempt if you have deposited only such benefit funds in the account. It may be partially exempt even though you have deposited money from other sources in the same account. An exemption is also available under RCW 26.16.200, providing that funds in a community bank account that can be identified as the earnings of a stepparent are exempt from a garnishment on the child support obligation of the parent.

OTHER EXEMPTIONS. If the garnishee holds other property of yours, some or all of it may be exempt under RCW 6.15.010, a Washington statute that exempts certain property of your choice (including, if the judgment is for private student loan debt, up to ~~(((\$2,500.00))~~ \$ in a bank account, or for a marital community or domestic partnership up to ~~(((\$5,000.00))~~ \$ in a bank account; if the judgment is for other consumer debt, up to ~~(((\$2,000.00))~~ \$ in a bank account, or for a marital community or domestic partnership up to ~~(((\$4,000.00))~~ \$ in a bank account; or, if the judgment is for any other debts, up to ~~(((\$500.00))~~ \$ in a bank account, or for a marital community or domestic partnership up to ~~(((\$1,000.00))~~ \$ in a bank account) and certain other property such as household furnishings, tools of trade, and a motor vehicle (all limited by differing dollar values).

HOW TO CLAIM EXEMPTIONS. Fill out the enclosed claim form and mail or deliver it as described in instructions on the claim form. If the plaintiff does not object to your claim, the funds or other property that you have claimed as exempt must be released not later than 10 days after the plaintiff receives your claim form. If the plaintiff objects, the law

requires a hearing not later than 14 days after the plaintiff receives your claim form, and notice of the objection and hearing date will be mailed to you at the address that you put on the claim form.

THE LAW ALSO PROVIDES OTHER EXEMPTION RIGHTS. IF NECESSARY, AN ATTORNEY CAN ASSIST YOU TO ASSERT THESE AND OTHER RIGHTS, BUT YOU MUST ACT IMMEDIATELY TO AVOID LOSS OF RIGHTS BY DELAY.

(2)(a) If the writ is to garnish funds or property held by a financial institution, the claim form required by RCW 6.27.130(1) to be mailed to or served on an individual judgment debtor shall be in the following form, printed or typed in no smaller than size twelve point font:

[Caption to be filled in by judgment creditor
or plaintiff before mailing.]

Name of Court

..... No

Plaintiff,

vs.

..... EXEMPTION CLAIM

Defendant,

Garnishee Defendant

INSTRUCTIONS:

1. Read this whole form after reading the enclosed notice. Then put an X in the box or boxes that describe your exemption claim or claims and write in the necessary information on the blank lines. If additional space is needed, use the bottom of the last page or attach another sheet.
2. Make two copies of the completed form. Deliver the original form by first-class mail or in person to the clerk of the court, whose address is shown at the bottom of the writ of garnishment. Deliver one of the copies by first-class mail or in person to the plaintiff or plaintiff's attorney, whose name and address are shown at the bottom of the writ. Keep the other copy. YOU SHOULD DO THIS AS QUICKLY AS POSSIBLE, BUT NO LATER THAN 28 DAYS (4 WEEKS) AFTER THE DATE ON THE WRIT.

I/We claim the following money or property as exempt:

IF BANK ACCOUNT IS GARNISHED:

- ☐] The account contains payments from:
 - ☐] Temporary assistance for needy families, SSI, or other public assistance. I receive \$ monthly.
 - ☐] Social Security. I receive \$ monthly.
 - ☐] Veterans' Benefits. I receive \$ monthly.
 - ☐] Federally qualified pension, such as a state or federal pension, individual retirement account (IRA), or 401K plan. I receive \$ monthly.
 - ☐] Unemployment Compensation. I receive \$ monthly.
 - ☐] Child support. I receive \$ monthly.
 - ☐] Other. Explain

☐] I/We claim the following exemptions:

- ☐] Exemption for private student loan debts:
 - ☐] (~~(\$2,500)~~) \$ for an individual; or
 - ☐] (~~(\$5,000)~~) \$ for a marital community or domestic partnership.
- ☐] Exemption for consumer debts:
 - ☐] (~~(\$2,000)~~) \$ for an individual; or
 - ☐] (~~(\$4,000)~~) \$ for a marital community or domestic partnership.
- ☐] Exemption for all other debts:
 - ☐] (~~(\$500)~~) \$ for an individual; or
 - ☐] (~~(\$1,000)~~) \$ for a marital community or domestic partnership.
- ☐] I declare under penalty of perjury under the laws of the State of Washington that I am a married person and that I wish to use the marital exemptions.

IF EXEMPTION IN BANK ACCOUNT IS CLAIMED,
ANSWER ONE OR BOTH OF THE FOLLOWING:

- ☐] No money other than from above payments are in the account.
- ☐] Moneys in addition to the above payments have been deposited in the account. Explain

.....
.....

OTHER PROPERTY:

[] Describe property

.....
(If you claim other personal property as exempt, you must attach a list of all other personal property that you own.)

.....

Print: Your name	If married or in a state registered domestic partnership, name of husband/wife/state registered domestic partner
------------------	--

.....

.....

Address	Address (if different from yours)
---------	--------------------------------------

.....

Telephone number	Telephone number (if different from yours)
------------------	---

.....

Your signature

CAUTION: If the plaintiff objects to your claim, you will have to go to court and give proof of your claim. For example, if you claim that a bank account is exempt, you may have to show the judge your bank statements and papers that show the source of the money you deposited in the bank. Your claim may be granted more quickly if you attach copies of such proof to your claim.

IF THE JUDGE DENIES YOUR EXEMPTION CLAIM, YOU WILL HAVE TO PAY THE PLAINTIFF'S COSTS. IF THE JUDGE DECIDES THAT YOU DID NOT MAKE THE CLAIM IN GOOD FAITH, HE OR SHE MAY DECIDE THAT YOU MUST PAY THE PLAINTIFF'S ATTORNEY FEES.

(b) If the writ is directed to an employer to garnish earnings, the claim form required by RCW 6.27.130(1) to be mailed to or served on an individual judgment debtor shall be in the following form, printed or typed in no smaller than size twelve point font type:

[Caption to be filled in by judgment creditor
or plaintiff before mailing.]

.....
Name of Court

..... No

Plaintiff,

vs.

..... EXEMPTION CLAIM

Defendant,

.....
Garnishee Defendant

INSTRUCTIONS:

- 1. Read this whole form after reading the enclosed notice. Then put an X in the box or boxes that describe your exemption claim or claims and write in the necessary information on the blank lines. If additional space is needed, use the bottom of the last page or attach another sheet.
- 2. Make two copies of the completed form. Deliver the original form by first-class mail or in person to the clerk of the court, whose address is shown at the bottom of the writ of garnishment. Deliver one of the copies by first-class mail or in person to the plaintiff or plaintiff's attorney, whose name and address are shown at the bottom of the writ. Keep the other copy. YOU SHOULD DO THIS AS QUICKLY AS POSSIBLE, BUT NO LATER THAN 28 DAYS (4 WEEKS) AFTER THE DATE ON THE WRIT.

I/We claim the following money or property as exempt:
IF PENSION OR RETIREMENT BENEFITS ARE GARNISHED:

[] Name and address of employer who is paying the
benefits:.....
.....

IF EARNINGS ARE GARNISHED FOR PRIVATE STUDENT LOAN DEBT:

[] I claim maximum exemption.

IF EARNINGS ARE GARNISHED FOR CONSUMER DEBT:

[] I claim maximum exemption.

.....
Print: Your name	If married or in a state registered domestic partnership, name of husband/wife/state registered domestic partner
.....
.....
Address	Address (if different from yours)
.....
Telephone number	Telephone number (if different from yours)
.....
Your signature	

CAUTION: If the plaintiff objects to your claim, you will have to go to court and give proof of your claim. For example, if you claim that a bank account is exempt, you may have to show the judge your bank statements and papers that show the source of the money you deposited in the bank. Your claim may be granted more quickly if you attach copies of such proof to your claim.

IF THE JUDGE DENIES YOUR EXEMPTION CLAIM, YOU WILL HAVE TO PAY THE PLAINTIFF'S COSTS. IF THE JUDGE DECIDES THAT YOU DID NOT MAKE THE CLAIM IN GOOD FAITH, HE OR SHE MAY DECIDE THAT YOU MUST PAY THE PLAINTIFF'S ATTORNEY FEES.

(c) If the writ under (b) of this subsection is not a writ for the collection of private student loan debt, the exemption language pertaining to private student loan debt may be omitted.

(d) If the writ under (b) of this subsection is not a writ for the collection of consumer debt, the exemption language pertaining to consumer debt may be omitted.

(3) Before mailing or serving a notice or writ under this section, the judgment creditor or plaintiff must fill in blanks for dollar amounts as follows:

(a) For a blank concerning the exemption amount for an individual, the amount provided by RCW 6.15.010(1)(d)(iii), as adjusted and published by the department of revenue pursuant to RCW 6.15.010(1)(d)(iii)(B); and

(b) For a blank concerning the exemption amount for a marital community or domestic partnership, double the amount provided in (a) of this subsection.

Sec. 4. RCW 6.27.100 and 2023 c 393 s 4 are each amended to read as follows:

(1) A writ issued for a continuing lien on earnings shall be substantially in the form provided in RCW 6.27.105. All other writs of garnishment shall be substantially in the following form, but:

(a) If the writ is issued under an order or judgment for child support, the following statement shall appear conspicuously in the caption: "This garnishment is based on a judgment or order for child support";

(b) If the writ is issued under an order or judgment for private student loan debt, the following statement shall appear conspicuously in the caption: "This garnishment is based on a judgment or order for private student loan debt";

(c) If the writ is issued under an order or judgment for consumer debt, the following statement shall appear conspicuously in the caption: "This garnishment is based on a judgment or order for consumer debt"; and

(d) If the writ is issued by an attorney, the writ shall be revised as indicated in subsection (2) of this section:

"IN THE COURT
OF THE STATE OF WASHINGTON IN AND FOR
THE COUNTY OF

..... ,
Plaintiff,
vs.
..... ,
Defendant,
..... ,
Garnishee

No.

WRIT OF
GARNISHMENT

THE STATE OF WASHINGTON TO:
Garnishee

AND TO:
Defendant

The above-named plaintiff has applied for a writ of garnishment against you, claiming that the above-named defendant is indebted to plaintiff and that the amount to be held to satisfy that indebtedness is \$, consisting of:

Balance on Judgment or Amount of Claim	\$
Interest under Judgment from to	\$
Per Day Rate of Estimated Interest	\$ per day
Taxable Costs and Attorneys' Fees	\$
Estimated Garnishment Costs:	
Filing and Ex Parte Fees	\$

Service and Affidavit Fees	\$
Postage and Costs of Certified Mail	\$
Answer Fee or Fees	\$
Garnishment Attorney Fee	\$
Other	\$

YOU ARE HEREBY COMMANDED, unless otherwise directed by the court, by the attorney of record for the plaintiff, or by this writ, not to pay any debt, whether earnings subject to this garnishment or any other debt, owed to the defendant at the time this writ was served and not to deliver, sell, or transfer, or recognize any sale or transfer of, any personal property or effects of the defendant in your possession or control at the time when this writ was served. Any such payment, delivery, sale, or transfer is void to the extent necessary to satisfy the plaintiff's claim and costs for this writ with interest.

YOU ARE FURTHER COMMANDED to answer this writ according to the instructions in this writ and in the answer forms and, within twenty days after the service of the writ upon you, to mail or deliver the original of such answer to the court, one copy to the plaintiff or the plaintiff's attorney, and one copy to the defendant, at the addresses listed at the bottom of this writ.

If you owe the defendant a debt payable in money in excess of the amount set forth in the first paragraph of this writ, hold only the amount set forth in the first paragraph and any processing fee if one is charged and release all additional funds or property to defendant.

FOR ALL DEBTS EXCEPT PRIVATE STUDENT LOAN DEBT AND CONSUMER DEBT:

If you are a bank or other institution in which the defendant has accounts to which the exemption under RCW 6.15.010(1)(d)(iii)(A)(I) applies and the total of the amounts held in all of the defendant's accounts is less than or equal to ((~~\$500~~)) \$, release all funds or property to the defendant and do not hold any amount. However, if you have documentation that the funds in the account are the community property of married persons or domestic partners, and if the total of the amounts held in all of the combined accounts of the married persons or domestic partners is less than or equal to ((~~\$1,000~~)) \$, then release all funds or property to the defendant and do not hold any amount.

If you are a bank or other institution in which the defendant has accounts to which the exemption under RCW 6.15.010(1)(d)(iii)(A)(I) applies and the total of the amounts held in all of the defendant's accounts is in excess of ((~~\$500~~)) \$, release at least ((~~\$500~~)) \$, hold no more than the amount set forth in the first paragraph of this writ and any processing fee if one is charged, and release additional funds or property, if any, to the defendant. However, if you have documentation that the funds in the account are the community property of married persons or domestic partners, and if the total of the amounts held in all of the combined accounts of the married persons or domestic partners is in excess of ((~~\$1,000~~)) \$, release at least ((~~\$1,000~~)) \$, hold no more than the amount set forth in the first paragraph of this writ and any processing fee if one is charged, and release additional funds or property, if any, to the defendant.

FOR PRIVATE STUDENT LOAN DEBT AND CONSUMER DEBT:

If you are a bank or other institution in which the defendant has accounts to which the exemption under RCW 6.15.010(1)(d)(iii) (~~((B) or (C))~~) (A) (II) or (III) applies and the total of the amounts held in all of the defendant's accounts is less than or equal to (~~(\$1,000)~~) \$, release all funds or property to the defendant and do not hold any amount. However, if you have documentation that the funds in the account are the community property of married persons or domestic partners, and if the total of the amounts held in all of the combined accounts of the married persons or domestic partners is less than or equal to (~~(\$2,000)~~) \$, then release all funds or property to the defendant and do not hold any amount.

If you are a bank or other institution in which the defendant has accounts to which the exemption under RCW 6.15.010(1)(d)(iii) (~~((B) or (C))~~) (A) (II) or (III) applies and the total of the amounts held in all of the defendant's accounts is in excess of (~~(\$1,000)~~) \$, release at least (~~(\$1,000)~~) \$, hold no more than the amount set forth in the first paragraph of this writ and any processing fee if one is charged, and release additional funds or property, if any, to the defendant. However, if you have documentation that the funds in the account are the community property of married persons or domestic partners, and if the total of the amounts held in all of the combined accounts of the married persons or domestic partners is in excess of (~~(\$2,000)~~) \$, release at least (~~(\$2,000)~~) \$, hold no more than the amount set forth in the first paragraph of this writ and any processing fee if one is charged, and release additional funds or property, if any, to the defendant.

IF YOU FAIL TO ANSWER THIS WRIT AS COMMANDED, A JUDGMENT MAY BE ENTERED AGAINST YOU FOR THE FULL AMOUNT OF THE PLAINTIFF'S CLAIM AGAINST THE DEFENDANT WITH ACCRUING INTEREST, ATTORNEY FEES, AND COSTS WHETHER OR NOT YOU OWE ANYTHING TO THE DEFENDANT. IF YOU PROPERLY ANSWER THIS WRIT, ANY JUDGMENT AGAINST YOU WILL NOT EXCEED THE AMOUNT OF ANY NONEXEMPT DEBT OR THE VALUE OF ANY NONEXEMPT PROPERTY OR EFFECTS IN YOUR POSSESSION OR CONTROL.

JUDGMENT MAY ALSO BE ENTERED AGAINST THE DEFENDANT FOR COSTS AND FEES INCURRED BY THE PLAINTIFF.

Witness, the Honorable, Judge of the above-entitled Court, and the seal thereof, this day of, (year)

[Seal]

.....
Attorney for	Clerk of the
Plaintiff (or	Court
Plaintiff, if no	
attorney)	
.....
Address	By
.....

Name of Defendant Address"

.....

Address of Defendant

(2) If an attorney issues the writ of garnishment, the final paragraph of the writ, containing the date, and the subscribed attorney and clerk provisions, shall be replaced with text in substantially the following form:

"This writ is issued by the undersigned attorney of record for plaintiff under the authority of chapter 6.27 of the Revised Code of Washington, and must be complied with in the same manner as a writ issued by the clerk of the court.

Dated thisday of, (year)

.....

Attorney for Plaintiff

.....

Address

Address of the Clerk of the
Court"

.....

Name of Defendant

.....

Address of Defendant

(3) Before issuing a writ under this section, blanks for dollar amounts in the form must be filled in as follows:

(a) For a blank concerning the exemption amount for an individual, the amount provided by RCW 6.15.010(1)(d)(iii), as adjusted and published by the department of revenue pursuant to RCW 6.15.010(1)(d)(iii)(B); and

(b) For a blank concerning the exemption amount for a marital community or domestic partnership, double the amount provided in (a) of this subsection.

NEW SECTION. Sec. 5. The following acts or parts of acts are each repealed:

(1) 2023 c 393 s 6 (uncodified); and

(2) 2021 c 50 s 4 (uncodified).

NEW SECTION. Sec. 6. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect July 1, 2025.

Passed by the Senate April 22, 2025.

Passed by the House April 10, 2025.

Approved by the Governor May 20, 2025.

Filed in Office of Secretary of State May 21, 2025.

CHAPTER 392

[Engrossed Substitute Senate Bill 5677]

ASSOCIATE DEVELOPMENT ORGANIZATIONS—REPORTING AND ALLOCATIONS

AN ACT Relating to associate development organizations; and amending RCW 43.330.082 and 43.330.086.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. RCW 43.330.082 and 2014 c 112 s 112 are each amended to read as follows:

(1)~~((a))~~ Contracting associate development organizations must provide the department with measures of their performance and a summary of best practices shared and implemented by the contracting organizations. Annual reports must include the following information to show the contracting organization's impact on employment and overall changes in employment: Current employment and economic information for the community or regional area produced by the employment security department; the net change from the previous year's employment and economic information using data produced by the employment security department; other relevant information on the community or regional area; the amount of funds received by the contracting organization through its contract with the department; the amount of funds received by the contracting organization through all sources; and the contracting organization's impact on employment through all funding sources. Annual reports may include the impact of the contracting organization on wages, exports, tax revenue, small business creation, foreign direct investment, business relocations, expansions, terminations, and capital investment. Data must be input into a common web-based business information system managed by the department. Specific measures, data standards, and data definitions must be developed in the contracting process between the department and the contracting organization every two years. ~~((Except as provided in (b) of this subsection, performance))~~ Performance measures should be consistent across regions to allow for statewide evaluation.

~~((b) In addition to the measures required in (a) of this subsection, contracting associate development organizations in counties with a population greater than one million five hundred thousand persons must include the following measures in reports to the department:~~

~~(i) The number of small businesses that received retention and expansion services, and the outcome of those services;~~

~~(ii) The number of businesses located outside of the boundaries of the largest city within the contracting associate development organization's region that received recruitment, retention, and expansion services, and the outcome of those services.))~~

(2)(a) The department and contracting associate development organizations must agree upon specific target levels for the performance measures in subsection (1) of this section. Comparison of agreed thresholds and actual performance must occur annually.

(b) Contracting organizations that fail to achieve the agreed performance targets in more than one-half of the agreed measures must develop remediation plans to address performance gaps. The remediation plans must include revised performance thresholds specifically chosen to provide evidence of progress in making the identified service changes.

(c) Contracts and state funding must be terminated for one year for organizations that fail to achieve the agreed upon progress toward improved performance defined under (b) of this subsection. During the year in which termination for nonperformance is in effect, organizations must review alternative delivery strategies to include reorganization of the contracting

organization, merging of previous efforts with existing regional partners, and other specific steps toward improved performance. At the end of the period of termination, the department may contract with the associate development organization or its successor as it deems appropriate.

(3) The department must submit a final report to the appropriate committees of the legislature by December 31st of each even-numbered year on the performance results of the contracts with associate development organizations.

Sec. 2. RCW 43.330.086 and 2008 c 131 s 3 are each amended to read as follows:

To the extent that funds are specifically appropriated therefor, contracts with associate development organizations for the provision of services under RCW 43.330.080(1)(b)(i) shall be awarded according to the following annual schedule:

(1) For associate development (~~((associations))~~) organizations serving urban counties, which are counties other than rural counties as defined in RCW 82.14.370, a locally matched allocation of up to (~~((ninety))~~) 90 cents per capita, totaling no more than (~~((three hundred thousand dollars))~~) \$300,000 per organization; and

(2) For associate development (~~((associations))~~) organizations in rural counties, as defined in RCW 82.14.370, a per county base allocation of (~~((up to forty thousand dollars))~~) \$40,000 and a locally matched allocation of up to (~~((ninety))~~) 90 cents per capita.

(3) The locally matched allocation shall not include general fund state, but may include a combination of nonstate funds, cash, or in-kind contributions.

Passed by the Senate April 21, 2025.

Passed by the House April 11, 2025.

Approved by the Governor May 20, 2025.

Filed in Office of Secretary of State May 21, 2025.

CHAPTER 393

[Engrossed Second Substitute Senate Bill 5686]

FORECLOSURE MEDIATION PROGRAM—EXPANSION

AN ACT Relating to expanding and funding the foreclosure mediation program; amending RCW 61.24.005, 61.24.163, 61.24.165, 61.24.165, 61.24.005, 61.24.172, 64.32.200, 64.34.364, 64.38.100, 64.90.485, 64.32.170, 64.34.372, 64.38.045, and 64.90.495; adding new sections to chapter 61.24 RCW; providing effective dates; and providing an expiration date.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. RCW 61.24.005 and 2021 c 151 s 2 are each amended to read as follows:

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

(1) "Affiliate of beneficiary" means any entity which controls, is controlled by, or is under common control with a beneficiary.

(2) "Assessment" means all sums chargeable by the association against a unit, including any assessments levied for common expenses, fines or fees levied or imposed by the association pursuant to chapters 64.32, 64.34, 64.38, and 64.90 RCW or the governing documents, interest and late charges on any

delinquent account, and all costs of collection incurred by the association in connection with the collection of a delinquent owner's account, including reasonable attorneys' fees.

~~((3))~~ (3) "Association" means an association subject to chapter 64.32, 64.34, 64.38, or 64.90 RCW.

~~((4))~~ (4) "Beneficiary" means the holder of the instrument or document evidencing the obligations secured by the deed of trust, excluding persons holding the same as security for a different obligation.

~~((5))~~ (5) "Borrower" means a person or a general partner in a partnership, including a joint venture, that is liable for all or part of the obligations secured by the deed of trust under the instrument or other document that is the principal evidence of such obligations, or the person's successors if they are liable for those obligations under a written agreement with the beneficiary.

~~((6))~~ (6) "Commercial loan" means a loan that is not made primarily for personal, family, or household purposes.

~~((7))~~ (7) "Department" means the department of commerce or its designee.

~~((8))~~ (8) "Fair value" means the value of the property encumbered by a deed of trust that is sold pursuant to a trustee's sale. This value shall be determined by the court or other appropriate adjudicator by reference to the most probable price, as of the date of the trustee's sale, which would be paid in cash or other immediately available funds, after deduction of prior liens and encumbrances with interest to the date of the trustee's sale, for which the property would sell on such date after reasonable exposure in the market under conditions requisite to a fair sale, with the buyer and seller each acting prudently, knowledgeably, and for self-interest, and assuming that neither is under duress.

~~((9))~~ (9) "Grantor" means a person, or its successors, who executes a deed of trust to encumber the person's interest in property as security for the performance of all or part of the borrower's obligations.

~~((10))~~ (10) "Guarantor" means any person and its successors who is not a borrower and who guarantees any of the obligations secured by a deed of trust in any written agreement other than the deed of trust.

~~((11))~~ (11) "Housing counselor" means a housing counselor that has been approved by the United States department of housing and urban development or approved by the Washington state housing finance commission.

~~((12))~~ (12) "Notice of delinquency" means a notice of delinquency as that phrase is used in chapters 64.32, 64.34, 64.38, and 64.90 RCW.

~~((13))~~ (13) "Owner-occupied" means property that is the principal residence of the borrower.

~~((14))~~ (14) "Person" means any natural person, or legal or governmental entity.

~~((15))~~ (15) "Record" and "recorded" includes the appropriate registration proceedings, in the instance of registered land.

~~((16))~~ (16) "Residential real property" means property consisting solely of a single-family residence, a residential condominium unit, or a residential cooperative unit. For the purposes of the application of RCW 61.24.163, residential real property includes residential real property of up to four units.

~~((17))~~ (17) "Senior beneficiary" means the beneficiary of a deed of trust that has priority over any other deeds of trust encumbering the same residential real property.

~~((45))~~ (18) "Tenant-occupied property" means property consisting solely of residential real property that is the principal residence of a tenant subject to chapter 59.18 RCW or other building with four or fewer residential units that is the principal residence of a tenant subject to chapter 59.18 RCW.

~~((46))~~ (19) "Trustee" means the person designated as the trustee in the deed of trust or appointed under RCW 61.24.010(2).

~~((47))~~ (20) "Trustee's sale" means a nonjudicial sale under a deed of trust undertaken pursuant to this chapter.

(21) "Unit owner" means an owner of an apartment, unit, or lot in an association subject to chapter 64.32, 64.34, 64.38, or 64.90 RCW.

NEW SECTION. Sec. 2. A new section is added to chapter 61.24 RCW to read as follows:

(1) A unit owner who is or may become delinquent to an association for an assessment charged may contact a housing counselor to receive housing counseling services.

(2) Housing counselors have a duty to act in good faith to assist unit owners by:

(a) Preparing the unit owner for meetings with the association;

(b) Advising the unit owner about what documents the unit owner must have to seek a repayment plan, modification, or other resolution of an assessment charged or that may be charged in the future by the association;

(c) Informing the unit owner about the alternatives to foreclosure, including a repayment plan, modification, or other possible resolution of an assessment charged or that may be charged in the future by the association; and

(d) Providing other guidance, advice, and education as the housing counselor considers necessary.

(3) Nothing in RCW 64.32.200, 64.34.364, 64.38.100, 64.90.485, or this section precludes a meeting or negotiations between the housing counselor, unit owner, and the association at any time, including after the issuance of a notice of delinquency by the association for past due assessments to the unit owner by the association.

(4) A unit owner who seeks the assistance of a housing counselor may use the assistance of an attorney at any time.

(5)(a) A housing counselor or attorney assisting a unit owner may refer the unit owner to mediation, pursuant to RCW 61.24.163.

(b) Prior to referring the unit owner to mediation, the housing counselor or attorney shall submit a written request to the association on behalf of the unit owner requesting that the unit owner and association meet and confer over the assessment charged.

(c) The meet and confer session should occur within 30 days of the housing counselor's or attorney's request to the association to meet and confer, or at a later date as otherwise agreed by the parties.

(d) During the meet and confer session, the participants must address the issues which led to the delinquency that may enable the unit owner and the association to reach a resolution including, but not limited to, a delinquent assessment payment plan, waiver of association imposed late fees or attorneys' fees, modification of a delinquent assessment, modification of late fees or charges associated with a delinquent assessment, or any other workout plan.

(e) The meet and confer session may be held by telephone or videoconference.

(f) For the meet and confer session, the unit owner and the association shall be responsible for their own respective attorneys' fees, if any are incurred. Legal representation is not required for either party participating in the meet and confer session.

(g) Following the meet and confer session, the housing counselor or attorney shall determine whether mediation is appropriate based on the individual circumstances.

(h) If the association refuses to participate in the meet and confer session within 30 days of the request, or otherwise fails to respond to the request within 30 days, then the unit owner may be referred to mediation pursuant to RCW 61.24.163.

(i) If the unit owner refuses to participate in the meet and confer session after it has been scheduled, then the housing counselor or attorney may not refer the matter to mediation; however, when a notice of trustee's sale has been recorded creating insufficient time to meet and confer, or where a judgment in foreclosure is pending and there is insufficient time to meet and confer, a unit owner may be referred to mediation regardless of whether the unit owner participates in a meet and confer session.

(6) During the time period between the date that the request to meet and confer is made and the date that the meet and confer session with the association is held, the association is prohibited from charging to the unit owner any attorneys' fees the association may have incurred attempting to collect the past due assessment.

(7) The referral to mediation may be made at any time after the meet and confer session occurs, after refusal to participate by the association, or after 30 days has passed since the request was made with no response from the association, but no later than 90 days prior to the date of sale listed in a notice of trustee's sale provided to the unit owner, or for a judicial foreclosure, at any time prior to the entry of a judgment in foreclosure. If an amended notice of trustee's sale is recorded after the trustee sale has been stayed pursuant to RCW 61.24.130, the unit owner may be referred to mediation no later than 25 days prior to the date of sale listed in the amended notice of trustee's sale. Nothing in this section requires a delay or prohibits the referral of a unit owner to mediation once a notice of trustee's sale has been recorded or judicial foreclosure has been filed.

(8) Housing counselors providing assistance to unit owners under this section are not liable for civil damages resulting from any acts or omissions in providing assistance, unless the acts or omissions constitute gross negligence or willful or wanton misconduct.

(9) Housing counselors shall provide information to the department to assist the department in its annual report to the legislature as required under RCW 61.24.163(22). The information provided to the department by the housing counselors should include outcomes of foreclosures and be similar to the information requested in the national foreclosure mortgage counseling client level foreclosure outcomes report form.

Sec. 3. RCW 61.24.163 and 2023 c 206 s 5 are each amended to read as follows:

(1) The foreclosure mediation program established in this section applies only to borrowers or unit owners who have been referred to mediation by a housing counselor or attorney. The mediation program under this section is not governed by chapter 7.07 RCW and does not preclude mediation required by a court or other provision of law.

~~(2) For deed of trust foreclosure, the referral to mediation may be made any time after a notice of default has been issued but no later than 90 days prior to the date of sale listed in the notice of trustee's sale. If an amended notice of trustee's sale is recorded after the trustee sale has been stayed pursuant to RCW 61.24.130, the borrower may be referred to mediation no later than 25 days prior to the date of sale listed in the amended notice of trustee's sale. If the borrower has failed to elect to mediate within the applicable time frame, the borrower and the beneficiary may, but are under no duty to, agree in writing to enter the foreclosure mediation program. ((The mediation program under this section is not governed by chapter 7.07 RCW and does not preclude mediation required by a court or other provision of law.~~

~~(2)))~~ (3) For association foreclosures, the referral to mediation may be made as specified in section 2(7) of this act. If the unit owner has failed to elect to mediate within the applicable time frame, the unit owner and the association may, but are under no duty to, agree in writing to enter the foreclosure mediation program.

(4) A housing counselor or attorney referring a borrower or unit owner to mediation shall send a notice to the borrower or unit owner and the department, stating that mediation is appropriate.

~~((3)))~~ (5) Within 10 days of receiving the notice, the department shall:

(a) Send a notice to the beneficiary or association, the borrower or unit owner, the housing counselor or attorney who referred the borrower, and the trustee, if applicable, stating that the parties have been referred to mediation. The notice must include the statements and list of documents and information described in subsections ~~((4)))~~ (6) and ~~((5)))~~ (7) of this section and a statement explaining each party's responsibility to pay the mediator's fee; and

(b) Select a mediator and notify the parties of the selection.

~~((4) Within))~~ (6) For deed of trust foreclosures:

(a) Within 23 days of the department's notice that the parties have been referred to mediation, the borrower shall transmit the documents required for mediation to the mediator and the beneficiary. The required documents include an initial homeowner financial information worksheet as required by the department. The worksheet must include, at a minimum, the following information:

~~((a)))~~ (i) The borrower's current and future income;

~~((b)))~~ (ii) Debts and obligations;

~~((c)))~~ (iii) Assets;

~~((d)))~~ (iv) Expenses;

~~((e)))~~ (v) Tax returns for the previous two years;

~~((f)))~~ (vi) Hardship information;

~~((g)))~~ (vii) Other applicable information commonly required by any applicable federal mortgage relief program.

((5)) (b) Within 20 days of the beneficiary's receipt of the borrower's documents under this subsection, the beneficiary shall transmit the documents required for mediation to the mediator and the borrower. The required documents include:

((a)) (i) An accurate statement containing the balance of the loan within 30 days of the date on which the beneficiary's documents are due to the parties;

((b)) (ii) Copies of the note and deed of trust;

((c)) (iii) Proof that the entity claiming to be the beneficiary is the owner of any promissory note or obligation secured by the deed of trust. Sufficient proof may be a copy of the declaration described in RCW 61.24.030(7)(a);

((d)) (iv) The best estimate of any arrearage and an itemized statement of the arrearages;

((e)) (v) An itemized list of the best estimate of fees and charges outstanding;

((f)) (vi) The payment history and schedule for the preceding twelve months, or since default, whichever is longer, including a breakdown of all fees and charges claimed;

((g)) (vii) All borrower-related and mortgage-related input data used in any net present values analysis. If no net present values analysis is required by the applicable federal mortgage relief program, then the input data required under the federal deposit insurance corporation and published in the federal deposit insurance corporation loan modification program guide, or if that calculation becomes unavailable, substantially similar input data as determined by the department;

((h)) (viii) An explanation regarding any denial for a loan modification, forbearance, or other alternative to foreclosure in sufficient detail for a reasonable person to understand why the decision was made;

((i)) (ix) Appraisal or other broker price opinion most recently relied upon by the beneficiary not more than 90 days old at the time of the scheduled mediation; and

((j)) (x) The portion or excerpt of the pooling and servicing agreement or other investor restriction that prohibits the beneficiary from implementing a modification, if the beneficiary claims it cannot implement a modification due to limitations in a pooling and servicing agreement or other investor restriction, and documentation or a statement detailing the efforts of the beneficiary to obtain a waiver of the pooling and servicing agreement or other investor restriction provisions.

((6)) (7) For association foreclosures:

(a) Within 23 days of the department's notice that the parties have been referred to mediation, the association shall transmit the documents required for mediation to the mediator and the unit owner. The required documents include:

(i) An itemized ledger for the preceding 12 months, or since the assessments became past due, whichever is longer. The ledger shall include an itemized list of all dues, fines, special assessments, and any other charges owed, with the date and amount for each item. The ledger should include the total balance owed at the time the ledger is transmitted, accurate within 30 days of the date on which the association's documents are due to the parties;

(ii) Copies of all association liens placed against the property;

(iii) Copies of the current association declarations, bylaws, and any other governing documents for the association.

(b) Within 20 days of the unit owner's receipt of the association's documents, the unit owner shall transmit the documents required for mediation to the mediator and the association. The required documents include:

(i) Evidence of any unit owner payments to the association that are not reflected on the association ledger, if any;

(ii) Statement of hardship, if relevant;

(iii) If the unit owner is interested in a payment plan, a proposed schedule of payments to resolve the arrears.

(8) Within 70 days of receiving the referral from the department, the mediator shall convene a mediation session in the county where the property is located, unless the parties agree on another location. The parties may agree to extend the time in which to schedule the mediation session. If the parties agree to extend the time, the beneficiary or association shall notify the trustee, if applicable, of the extension and the date the mediator is expected to issue the mediator's certification.

((7)) (9)(a) The mediator may schedule phone conferences, consultations with the parties individually, and other communications to ensure that the parties have all the necessary information and documents to engage in a productive mediation.

(b) The mediator must send written notice of the time, date, and location of the mediation session to the borrower or unit owner, the beneficiary or association, and the department at least 30 days prior to the mediation session. At a minimum, the notice must contain:

(i) A statement that the borrower or unit owner may be represented in the mediation session by an attorney or other advocate;

(ii) A statement that a person with authority to agree to a resolution, including a proposed settlement, loan modification, repayment plan for assessments, modification of obligations related to the payment of assessments, or dismissal or continuation of the foreclosure proceeding, must be present either in person or on the telephone or videoconference during the mediation session; and

(iii) A statement that the parties have a duty to mediate in good faith and that failure to mediate in good faith may impair the beneficiary's or association's ability to foreclose on the property or the borrower's or unit owner's ability to modify the loan, modify obligations relating to the payment of assessments, or take advantage of other alternatives to foreclosure.

((8)) (10)(a) The borrower, the beneficiary or authorized agent, and the mediator must meet in person for the mediation session. In an association foreclosure, the unit owner and association or authorized agent and the mediator are encouraged to meet in person for the mediation session, but may meet by telephone or videoconference. However, a person with authority to agree to a resolution on behalf of the beneficiary or association may be present over the telephone or videoconference during the mediation session.

(b) After the mediation session commences, the mediator may continue the mediation session once, and any further continuances must be with the consent of the parties.

~~((9) The)~~ (11) For deed of trust foreclosures, the participants in mediation must address the issues of foreclosure that may enable the borrower and the beneficiary to reach a resolution, including but not limited to reinstatement, modification of the loan, restructuring of the debt, or some other workout plan. To assist the parties in addressing issues of foreclosure, the mediator may require the participants to consider the following:

(a) The borrower's current and future economic circumstances, including the borrower's current and future income, debts, and obligations for the previous 60 days or greater time period as determined by the mediator;

(b) The net present value of receiving payments pursuant to a modified mortgage loan as compared to the anticipated net recovery following foreclosure;

(c) Any affordable loan modification calculation and net present value calculation when required under any federal mortgage relief program and any modification program related to loans insured by the federal housing administration, the veterans administration, and the rural housing service. If such a calculation is not provided or required, then the beneficiary must provide the net present value data inputs established by the federal deposit insurance corporation and published in the federal deposit insurance corporation loan modification program guide or other net present value data inputs as designated by the department. The mediator may run the calculation in order for a productive mediation to occur and to comply with the mediator certification requirement; and

(d) Any other loss mitigation guidelines to loans insured by the federal housing administration, the veterans administration, and the rural housing service, if applicable.

~~((10))~~ (12) For association foreclosures, the participants in mediation must address the issues which led to foreclosure that may enable the unit owner and the association to reach a resolution including, but not limited to, a delinquent assessment payment plan, waiver of association imposed late fees or attorneys' fees, modification of a delinquent assessment, modification of late fees or charges associated with a delinquent assessment, or any other workout plan.

(13) A violation of the duty to mediate in good faith as required under this section may include:

(a) Failure to timely participate in mediation without good cause;

(b) Failure of the borrower ~~((or)),~~ the unit owner, the beneficiary, or the association to provide the documentation required before mediation or pursuant to the mediator's instructions;

(c) Failure of a party to designate representatives with adequate authority to fully settle, compromise, or otherwise reach resolution with the borrower or unit owner in mediation; ~~((and))~~

(d) A request by a beneficiary that the borrower waive future claims he or she may have in connection with the deed of trust, as a condition of agreeing to a modification, except for rescission claims under the federal truth in lending act. Nothing in this section precludes a beneficiary from requesting that a borrower dismiss with prejudice any pending claims against the beneficiary, its agents, loan servicer, or trustee, arising from the underlying deed of trust, as a condition of modification; and

(e) A request by the association that the unit owner waive future claims against the association. Nothing in this section precludes an association from requesting that a unit owner dismiss any civil claims against the association related to the present delinquency.

~~((11))~~ (14) If the mediator reasonably believes a borrower or unit owner will not attend a mediation session based on the borrower's or unit owner's conduct, such as the lack of response to the mediator's communications, the mediator may cancel a scheduled mediation session and send a written cancellation to the department and the trustee and send copies to the parties. The beneficiary or association may proceed with the foreclosure after receipt of the mediator's written confirmation of cancellation.

~~((12))~~ (15) Within seven business days after the conclusion of the mediation session, the mediator must send a written certification to the department and the trustee and send copies to the parties of:

- (a) The date, time, and location of the mediation session;
- (b) The names of all persons attending in person and by telephone or videoconference, at the mediation session;
- (c) Whether a resolution was reached by the parties, including whether the default or delinquency was cured by reinstatement, modification, or restructuring of the debt, repayment plan, or some other alternative to foreclosure was agreed upon by the parties;
- (d) Whether the parties participated in the mediation in good faith; and
- (e) ~~((16))~~ For deed of trust foreclosures, if a written agreement was not reached, a description of any net present value test used, along with a copy of the inputs, including the result of any net present value test expressed in a dollar amount.

~~((13))~~ (16) If the parties are unable to reach an agreement, the beneficiary or association may proceed with the foreclosure after receipt of the mediator's written certification.

~~((14))~~ (17)(a) The mediator's certification that the beneficiary or association failed to act in good faith in mediation constitutes a defense to the nonjudicial foreclosure action that was the basis for initiating the mediation. In any action to enjoin the foreclosure, the beneficiary or association is entitled to rebut the allegation that it failed to act in good faith.

(b) The mediator's certification that the beneficiary or association failed to act in good faith during mediation does not constitute a defense to a judicial foreclosure or a future nonjudicial foreclosure action if a modification of the loan or delinquent assessment payment plan is agreed upon and the borrower subsequently defaults or unit owner fails to pay assessments.

(c) If an affordable loan modification is not offered in the mediation or a written agreement was not reached and the mediator's certification shows that the net present value of the modified loan exceeds the anticipated net recovery at foreclosure, that showing in the certification constitutes a basis for the borrower to enjoin the foreclosure.

~~((15))~~ (18) The mediator's certification that the borrower or unit owner failed to act in good faith in mediation authorizes the beneficiary or association to proceed with the foreclosure.

~~((16))~~ (19)(a) If a borrower or unit owner has been referred to mediation before a notice of trustee sale has been recorded, a trustee may not record the

notice of sale until the trustee receives the mediator's certification stating that the mediation has been completed. If the trustee does not receive the mediator's certification, the trustee may record the notice of sale after 10 days from the date the certification to the trustee was due. If, after a notice of sale is recorded under this subsection ~~((146))~~ (19)(a), the mediator subsequently issues a certification finding that the beneficiary or association violated the duty of good faith, the certification constitutes a basis for the borrower or unit owner to enjoin the foreclosure.

(b) If a borrower or unit owner has been referred to mediation after the notice of sale was recorded, the sale may not occur until the trustee receives the mediator's certification stating that the mediation has been completed.

~~((147))~~ (c) If a unit owner has been referred to mediation before the filing of a judicial foreclosure, the association may not file a complaint for judicial foreclosure until the association receives the mediator's certification stating that the mediation has been completed. If a unit owner has been referred to mediation after the filing of a judicial foreclosure, but prior to the issuance of a judgment in the foreclosure action, the association may not seek judgment in the foreclosure action until the association receives the mediator's certification stating that the mediation has been completed. If the association does not receive the mediator's certification, the association may file for judicial foreclosure or move for judgment in a judicial foreclosure action after 10 days from the date the certification to the association was due. If an association entitled to bring a judicial foreclosure action participates in mediation under this section, the time spent in mediation shall not be a part of the time limited for the commencement of the judicial foreclosure action.

(20) A mediator may charge reasonable fees as authorized by this subsection or as authorized by the department. Unless the fee is waived, the parties agree otherwise, or the department otherwise authorizes, a foreclosure mediator's fee may not exceed \$400 for preparing, scheduling, and conducting a mediation session lasting between one hour and three hours. For a mediation session exceeding three hours, the foreclosure mediator may charge a reasonable fee, as authorized by the department. The mediator must provide an estimated fee before the mediation, and payment of the mediator's fee must be divided equally between the beneficiary and the borrower, or between the association and the unit owner. The beneficiary and the borrower, or the association and the unit owner, must tender the ~~((148))~~ mediator's fee within 30 calendar days from receipt of the department's letter referring the parties to mediation or pursuant to the mediator's instructions.

~~((148))~~ (21) For association foreclosures, the unit owner and the association shall be responsible for their own respective attorneys' fees, if any are incurred during mediation under this section. Legal representation is not required for either party participating in an association foreclosure mediation.

(22) Beginning December 1, 2012, and every year thereafter, the department shall report annually to the legislature on:

(a) The performance of the program, including the number~~((s))~~ of borrowers who are referred to mediation by a housing counselor or attorney. Beginning December 1, 2026, the report must also include the number of unit owners who are referred to mediation by a housing counselor or attorney;

(b) The results of the mediation program, including the number of mediations requested by housing counselors and attorneys, the number of certifications of good faith issued, the number of borrowers and beneficiaries who failed to mediate in good faith, and the reasons for the failure to mediate in good faith, if known, the numbers of loans restructured or modified, the change in the borrower's monthly payment for principal and interest and the number of principal write-downs and interest rate reductions, and, to the extent practical, the number of borrowers who report a default within a year of restructuring or modification. Beginning December 1, 2026, the report must also include the number of unit owners and associations who failed to mediate in good faith, and the reasons for the failure to mediate in good faith, if known, the number of debts for delinquent assessments restructured or modified, the change in the unit owner's periodic assessment payments including any reductions in late charges or interest rates, and, to the extent practical, the number of unit owners who report a delinquency within a year of restructuring or modification;

(c) The information received by housing counselors regarding outcomes of foreclosures; and

(d) Any recommendations for changes to the statutes regarding the mediation program.

~~((49))~~ (23) This section does not apply to certain federally insured depository institutions, as specified in RCW 61.24.166.

(24) The department shall make information and resources regarding common interest community foreclosures and related foreclosure programs and resources publicly available online. The information shall be made available in language translations that the department provides in its other programs and when the information is requested verbally the department shall use a phone-based or other similar interpretive service. The information to be provided must include, but is not limited to, the following:

(a) The housing counseling program;

(b) The meet and confer process;

(c) The foreclosure mediation program;

(d) Language translations of the notice of delinquency for past due assessments; and

(e) Any other programs and resources that the department determines are relevant.

Sec. 4. RCW 61.24.165 and 2023 c 206 s 6 are each amended to read as follows:

(1) Except as provided in subsection (3) of this section, RCW 61.24.163 applies only to deeds of trust that are recorded against residential real property of up to four units.

(2) RCW 61.24.163 does not apply to deeds of trust:

(a) Securing a commercial loan;

(b) Securing obligations of a grantor who is not the borrower or a guarantor;

(c) Securing a purchaser's obligations under a seller-financed sale; or

(d) Where the grantor is a partnership, corporation, or limited liability company, or where the property is vested in a partnership, corporation, or limited liability company at the time the notice of default is issued.

(3) RCW 61.24.163 (~~((does not apply to association beneficiaries subject to chapter 64.32, 64.34, or 64.38 RCW))~~) also applies to associations seeking to foreclose liens or deficiencies via nonjudicial or judicial foreclosure.

(4) For purposes of referral and mediation under RCW 61.24.163, a person may be referred to mediation if the borrower or unit owner is deceased and the person is a successor in interest of the deceased borrower or unit owner. The referring counselor or attorney must determine a person's eligibility under this section and indicate the grounds for eligibility on the referral to mediation submitted to the department. For the purposes of mediation under RCW 61.24.163, the person must be treated as a "borrower" or "unit owner." This subsection does not impose an affirmative duty on the beneficiary to accept an assumption of the loan.

(5) For purposes of referral and mediation under RCW 61.24.163, a person may be referred to mediation if the person has been awarded title to the property in a proceeding for dissolution or legal separation. The referring counselor or attorney must determine the person's eligibility under this section and indicate the grounds for eligibility on the referral to mediation submitted to the department. For the purposes of mediation under RCW 61.24.163, the person must be treated as a "borrower" or "unit owner." This subsection does not impose an affirmative duty on the beneficiary to accept an assumption of the loan.

NEW SECTION. Sec. 5. A new section is added to chapter 61.24 RCW to read as follows:

(1) A unit owner who is or may become delinquent to an association for an assessment charged may contact a housing counselor to receive housing counseling services.

(2) Housing counselors have a duty to act in good faith to assist unit owners by:

(a) Preparing the unit owner for meetings with the association;

(b) Advising the unit owner about what documents the unit owner must have to seek a repayment plan, modification, or other resolution of an assessment charged or that may be charged in the future by the association;

(c) Informing the unit owner about the alternatives to foreclosure, including a repayment plan, modification, or other possible resolution of an assessment charged or that may be charged in the future by the association; and

(d) Providing other guidance, advice, and education as the housing counselor considers necessary.

(3) Nothing in RCW 64.90.485 or this section precludes a meeting or negotiations between the housing counselor, unit owner, and the association at any time, including after the issuance of a notice of delinquency by the association for past due assessments to the unit owner by the association.

(4) A unit owner who seeks the assistance of a housing counselor may use the assistance of an attorney at any time.

(5)(a) A housing counselor or attorney assisting a unit owner may refer the unit owner to mediation, pursuant to RCW 61.24.163.

(b) Prior to referring the unit owner to mediation, the housing counselor or attorney shall submit a written request to the association on behalf of the owner requesting that the unit owner and association meet and confer over the assessment charged.

(c) The meet and confer session should occur within 30 days of the housing counselor's or attorney's request to the association to meet and confer, or at a later date as otherwise agreed by the parties.

(d) During the meet and confer session, the participants must address the issues which led to the delinquency that may enable the unit owner and the association to reach a resolution including, but not limited to, a delinquent assessment payment plan, waiver of association imposed late fees or attorneys' fees, modification of a delinquent assessment, modification of late fees or charges associated with a delinquent assessment, or any other workout plan.

(e) The meet and confer session may be held by telephone or videoconference.

(f) For the meet and confer session, the unit owner and the association shall be responsible for their own respective attorneys' fees, if any are incurred. Legal representation is not required for either party participating in the meet and confer session.

(g) Following the meet and confer session, the housing counselor or attorney shall determine whether mediation is appropriate based on the individual circumstances.

(h) If the association refuses to participate in the meet and confer session within 30 days of the request, or otherwise fails to respond to the request within 30 days, then the unit owner may be referred to mediation pursuant to RCW 61.24.163.

(i) If the unit owner refuses to participate in the meet and confer session after it has been scheduled, then the housing counselor or attorney may not refer the matter to mediation; however, when a notice of trustee's sale has been recorded creating insufficient time to meet and confer, or where a judgment in foreclosure is pending and there is insufficient time to meet and confer, a unit owner may be referred to mediation regardless of whether the unit owner participates in a meet and confer session.

(6) During the time period between the date that the request to meet and confer is made and the date that the meet and confer session with the association is held, the association is prohibited from charging to the unit owner any attorneys' fees the association may have incurred attempting to collect the past due assessment.

(7) The referral to mediation may be made at any time after the meet and confer session occurs, after refusal to participate by the association, or after 30 days has passed since the request was made with no response from the association, but no later than 90 days prior to the date of sale listed in a notice of trustee's sale provided to the unit owner, or for a judicial foreclosure, at any time prior to the entry of a judgment in foreclosure. If an amended notice of trustee's sale is recorded after the trustee sale has been stayed pursuant to RCW 61.24.130, the unit owner may be referred to mediation no later than 25 days prior to the date of sale listed in the amended notice of trustee's sale. Nothing in this section requires a delay or prohibits the referral of a unit owner to mediation once a notice of trustee's sale has been recorded or a judicial foreclosure has been filed.

(8) Housing counselors providing assistance to unit owners under this section are not liable for civil damages resulting from any acts or omissions in

providing assistance, unless the acts or omissions constitute gross negligence or willful or wanton misconduct.

(9) Housing counselors shall provide information to the department to assist the department in its annual report to the legislature as required under RCW 61.24.163(22). The information provided to the department by the housing counselors should include outcomes of foreclosures and be similar to the information requested in the national foreclosure mortgage counseling client level foreclosure outcomes report form.

Sec. 6. RCW 61.24.165 and 2024 c 321 s 413 are each amended to read as follows:

(1) Except as provided in subsection (3) of this section, RCW 61.24.163 applies only to deeds of trust that are recorded against residential real property of up to four units.

(2) RCW 61.24.163 does not apply to deeds of trust:

(a) Securing a commercial loan;

(b) Securing obligations of a grantor who is not the borrower or a guarantor;

(c) Securing a purchaser's obligations under a seller-financed sale; or

(d) Where the grantor is a partnership, corporation, or limited liability company, or where the property is vested in a partnership, corporation, or limited liability company at the time the notice of default is issued.

(3) RCW 61.24.163 (~~does not apply to association beneficiaries subject to chapter 64.90 RCW~~) also applies to associations seeking to foreclose liens or deficiencies via nonjudicial or judicial foreclosure.

(4) For purposes of referral and mediation under RCW 61.24.163, a person may be referred to mediation if the borrower or unit owner is deceased and the person is a successor in interest of the deceased borrower or unit owner. The referring counselor or attorney must determine a person's eligibility under this section and indicate the grounds for eligibility on the referral to mediation submitted to the department. For the purposes of mediation under RCW 61.24.163, the person must be treated as a "borrower" or "unit owner." This subsection does not impose an affirmative duty on the beneficiary to accept an assumption of the loan.

(5) For purposes of referral and mediation under RCW 61.24.163, a person may be referred to mediation if the person has been awarded title to the property in a proceeding for dissolution or legal separation. The referring counselor or attorney must determine the person's eligibility under this section and indicate the grounds for eligibility on the referral to mediation submitted to the department. For the purposes of mediation under RCW 61.24.163, the person must be treated as a "borrower" or "unit owner." This subsection does not impose an affirmative duty on the beneficiary to accept an assumption of the loan.

Sec. 7. RCW 61.24.005 and 2021 c 151 s 2 are each amended to read as follows:

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

(1) "Affiliate of beneficiary" means any entity which controls, is controlled by, or is under common control with a beneficiary.

(2) "Assessment" means all sums chargeable by the association against a unit, including any assessments levied for common expenses, fines or fees levied

or imposed by the association pursuant to chapter 64.90 RCW or the governing documents, interest and late charges on any delinquent account, and all costs of collection incurred by the association in connection with the collection of a delinquent owner's account, including reasonable attorneys' fees.

~~((3))~~ (3) "Association" means an association subject to chapter 64.90 RCW.

~~((4))~~ (4) "Beneficiary" means the holder of the instrument or document evidencing the obligations secured by the deed of trust, excluding persons holding the same as security for a different obligation.

~~((3))~~ (5) "Borrower" means a person or a general partner in a partnership, including a joint venture, that is liable for all or part of the obligations secured by the deed of trust under the instrument or other document that is the principal evidence of such obligations, or the person's successors if they are liable for those obligations under a written agreement with the beneficiary.

~~((4))~~ (6) "Commercial loan" means a loan that is not made primarily for personal, family, or household purposes.

~~((5))~~ (7) "Department" means the department of commerce or its designee.

~~((6))~~ (8) "Fair value" means the value of the property encumbered by a deed of trust that is sold pursuant to a trustee's sale. This value shall be determined by the court or other appropriate adjudicator by reference to the most probable price, as of the date of the trustee's sale, which would be paid in cash or other immediately available funds, after deduction of prior liens and encumbrances with interest to the date of the trustee's sale, for which the property would sell on such date after reasonable exposure in the market under conditions requisite to a fair sale, with the buyer and seller each acting prudently, knowledgeably, and for self-interest, and assuming that neither is under duress.

~~((7))~~ (9) "Grantor" means a person, or its successors, who executes a deed of trust to encumber the person's interest in property as security for the performance of all or part of the borrower's obligations.

~~((8))~~ (10) "Guarantor" means any person and its successors who is not a borrower and who guarantees any of the obligations secured by a deed of trust in any written agreement other than the deed of trust.

~~((9))~~ (11) "Housing counselor" means a housing counselor that has been approved by the United States department of housing and urban development or approved by the Washington state housing finance commission.

~~((10))~~ (12) "Notice of delinquency" means a notice of delinquency as that phrase is used in chapter 64.90 RCW.

(13) "Owner-occupied" means property that is the principal residence of the borrower.

~~((11))~~ (14) "Person" means any natural person, or legal or governmental entity.

~~((12))~~ (15) "Record" and "recorded" includes the appropriate registration proceedings, in the instance of registered land.

~~((13))~~ (16) "Residential real property" means property consisting solely of a single-family residence, a residential condominium unit, or a residential cooperative unit. For the purposes of the application of RCW 61.24.163, residential real property includes residential real property of up to four units.

~~((14))~~ (17) "Senior beneficiary" means the beneficiary of a deed of trust that has priority over any other deeds of trust encumbering the same residential real property.

~~((+5))~~ (18) "Tenant-occupied property" means property consisting solely of residential real property that is the principal residence of a tenant subject to chapter 59.18 RCW or other building with four or fewer residential units that is the principal residence of a tenant subject to chapter 59.18 RCW.

~~((+6))~~ (19) "Trustee" means the person designated as the trustee in the deed of trust or appointed under RCW 61.24.010(2).

~~((+7))~~ (20) "Trustee's sale" means a nonjudicial sale under a deed of trust undertaken pursuant to this chapter.

(21) "Unit owner" means an owner of a unit in an association subject to chapter 64.90 RCW.

NEW SECTION. **Sec. 8.** A new section is added to chapter 61.24 RCW to read as follows:

(1) For each residential mortgage loan, as defined in RCW 31.04.015(24), originated within or outside of the state of Washington and related to property located within the state of Washington, excepting only reverse mortgage loans issued to seniors over the age of 61, a foreclosure prevention fee of \$80 shall be assessed and due and payable at the time of closing by the escrow agent or other settlement or closing agent processing the loan closing into the foreclosure fairness account created in RCW 61.24.172. This foreclosure prevention fee may be financed in the loan and paid from the loan proceeds or from any borrower cash contribution at the time of closing. The department may make policies and procedures related to the implementation, collection, remittance, and management of the fee and may enter into individualized agreements governing the efficient remittance of the fee.

(2) At or before the time that the foreclosure prevention fee is assessed under subsection (1) of this section, the escrow agent or other settlement or closing agent must provide the borrower with a notice of the foreclosure prevention fee and its purpose. The department must create a notice form that an escrow agent or other settlement or closing agent may use to satisfy this notice requirement. The notice form must include the toll-free numbers for the statewide foreclosure hotline recommended by the housing finance commission.

Sec. 9. RCW 61.24.172 and 2021 c 151 s 9 are each amended to read as follows:

The foreclosure fairness account is created in the custody of the state treasurer. All receipts received under RCW 61.24.174, as it existed prior to July 1, 2016, 61.24.173, ~~((and))~~ 61.24.190, and section 8 of this act must be deposited into the account. Only the director of the department of commerce or the director's designee may authorize expenditures from the account. Funding to agencies and organizations under this section must be provided by the department through an interagency agreement or other applicable contract instrument. The account is subject to allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures. ~~((Biennial expenditures from the account must be used as follows: Four hundred thousand dollars to fund the counselor referral hotline.))~~ The ~~((remaining))~~ funds shall be distributed as follows: (1) ~~((Sixty-nine))~~ 50 percent for the purposes of providing housing counseling activities to benefit borrowers; (2) eight percent to the office of the attorney general to be used by the consumer protection division to enforce this chapter; (3) ~~((six))~~ 16.5 percent to the office of civil legal aid to be used for

the purpose of contracting with qualified legal aid programs for legal representation of homeowners in matters relating to foreclosure; (4) 15 percent to fund the foreclosure prevention hotline; (5) 0.5 percent to fund outreach; and (6) 10 percent to the department to be used for implementation and operation of the foreclosure fairness act. Funds provided under ~~((this))~~ subsection (3) of this section must be used to supplement, not supplant, other federal, state, and local funds~~((; and (4) seventeen percent to the department to be used for implementation and operation of the foreclosure fairness act))~~.

The department shall enter into interagency agreements to contract with the Washington state housing finance commission and other appropriate entities to implement the foreclosure fairness act.

NEW SECTION. Sec. 10. A new section is added to chapter 61.24 RCW to read as follows:

By December 31, 2025, the department shall provide a report to the appropriate committees of the legislature on the number and amounts received from the notice of default fee remitted under RCW 61.24.190 and the foreclosure prevention fee remitted under section 8 of this act into the foreclosure fairness account authorized under RCW 61.24.172 for revenue collected from July 1, 2025, through November 30, 2025, and then post such information on the department website annually thereafter.

Sec. 11. RCW 64.32.200 and 2023 c 214 s 2 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) 10 days notice shall be given the delinquent apartment owner to the effect that unless such assessment is paid within 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 (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))~~ No later than 30 days after an assessment becomes past due, an association must provide a notice of delinquency to an apartment owner by first-class mail that meets the following criteria. The notice of delinquency must:

(i) Be mailed to the apartment address and to any other address that an apartment owner has provided to the association for the transmission of notice, and by email if the apartment owner's electronic address is known to the association;

(ii) Be provided in English and any other language indicated as a preference for correspondence by an apartment owner. Translation inaccuracies shall not diminish a good faith effort to provide notice in a preferred language other than English; and

(iii) 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. Housing counselors and attorneys may assist you in meeting and conferring with your association to resolve the past due assessments, and based on the circumstances refer you to the foreclosure mediation program. 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) Notwithstanding any other provisions of this chapter, until the 15th day after providing an apartment owner with a notice of delinquency that meets the requirements in (a) of this subsection, an association may not:

(i) Take any other action to collect a delinquent assessment; or

(ii) Charge an apartment owner for any costs related to the collection of the delinquent assessment except for:

(A) The actual costs of printing and mailing the notice of delinquency;

(B) An administrative fee of no more than \$10 related to providing the notice of delinquency; and

(C) A single late fee of no more than \$50 or five percent of the amount of the unpaid assessment which triggered the fee, whichever is less.

(c) 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.

~~((e))~~ (d) 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.

(e) The association must maintain the preforeclosure information required under this section and make it available to apartment owners in accordance with RCW 64.32.170.

(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) \$2,000 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 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) If the apartment owner was referred to mediation pursuant to RCW 61.24.163, until the mediation is completed and the certification of mediation is issued or after 10 days from the date the mediator's certification was due to the association; and

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

(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. 12. RCW 64.34.364 and 2023 c 214 s 4 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 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))~~ No later than 30 days after an assessment becomes past due, an association must provide a notice of delinquency to a unit owner by first-class mail that meets the following criteria. The notice of delinquency must:

(i) Be mailed to the unit address and to any other address that a unit owner has provided to the association for the transmission of notice, and by email if the unit owner's electronic address is known to the association;

(ii) Be provided in English and any other language indicated as a preference for correspondence by a unit owner. Translation inaccuracies shall not diminish

a good faith effort to provide notice in a preferred language other than English; and

(iii) 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. Housing counselors and attorneys may assist you in meeting and
conferring with your association to resolve the past due assessments, and based
on the circumstances refer you to the foreclosure mediation program. 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) Notwithstanding any other provisions of this chapter, until the 15th day
after providing a unit owner with a notice of delinquency that meets the
requirements in (a) of this subsection, an association may not:

(i) Take any other action to collect a delinquent assessment; or

(ii) Charge a unit owner for any costs related to the collection of the
delinquent assessment except for:

(A) The actual costs of printing and mailing the notice of delinquency;

(B) An administrative fee of no more than \$10 related to providing the
notice of delinquency; and

(C) A single late fee of no more than \$50 or five percent of the amount of
the unpaid assessment which triggered the fee, whichever is less.

(c) 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.

~~((e))~~ (d) 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.

(e) The association must maintain the preforeclosure information required under this section and make it available to unit owners in accordance with RCW 64.34.372.

(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) \$2,000 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 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) If the unit owner has been referred to mediation pursuant to RCW 61.24.163, until the mediation is completed and the certification of mediation is issued or after 10 days from the date the mediator's certification was due to the association; and

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

(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. 13. RCW 64.38.100 and 2023 c 214 s 6 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))~~ no later than 30 days after an assessment becomes past due, an association must provide a notice of

delinquency to a lot owner by first-class mail that meets the following criteria. The notice of delinquency must:

(i) Be mailed to the lot address and to any other address that a lot owner has provided to the association for the transmission of notice, and by email if the lot owner's electronic address is known to the association;

(ii) Be provided in English and any other language indicated as a preference for correspondence by a lot owner. Translation inaccuracies shall not diminish a good faith effort to provide notice in a preferred language other than English; and

(iii) Include a first preforeclosure notice that states 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. Housing counselors and attorneys may assist you in meeting and conferring with your association to resolve the past due assessments, and based on the circumstances refer you to the foreclosure mediation program. 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) Notwithstanding any other provisions of this chapter, until the 15th day after providing a lot owner with a notice of delinquency that meets the requirements in (a) of this subsection, an association may not:

(i) Take any other action to collect a delinquent assessment; or

(ii) Charge a lot owner for any costs related to the collection of the delinquent assessment except for:

(A) The actual costs of printing and mailing the notice of delinquency;

(B) An administrative fee of no more than \$10 related to providing the notice of delinquency; and

(C) A single late fee of no more than \$50 or five percent of the amount of the unpaid assessment which triggered the fee, whichever is less.

(c) 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.

~~((e)))~~ (d) 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.

(e) The association must maintain the preforeclosure information required under this section and make it available to lot owners in accordance with RCW 64.38.045.

(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) \$2,000 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 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) If the lot owner was referred to mediation pursuant to RCW 61.24.163, until the mediation is completed and the certification of mediation is issued or after 10 days from the date the mediator's certification was due to the association;

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

(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. 14. RCW 64.90.485 and 2024 c 321 s 319 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 \$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 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 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 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.

(e) No member of the association's board, or their immediate family members or affiliates, are eligible to bid for or purchase, directly or indirectly, any interest in a unit at a foreclosure of the association's lien. For the purposes of this subsection, "immediate family member" includes spouses, domestic partners, children, siblings, parents, parents-in-law, and stepfamily members; and "affiliate" of a board member includes any person controlled by the board member, including any entity in which the board member is a general partner, managing member, majority member, officer, or director. Nothing in this subsection prohibits an association from bidding for or purchasing interest in a unit at a foreclosure of the association's lien.

(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))~~ No later than 30 days after

an assessment becomes past due, an association must provide a notice of delinquency to a unit owner by first-class mail that meets the following criteria. The notice of delinquency must:

(i) Be mailed to the unit address and to any other address that a unit owner has provided to the association for the transmission of notice, and by email if the unit owner's electronic address is known to the association;

(ii) Be provided in English and any other language indicated as a preference for correspondence by a unit owner. Translation inaccuracies shall not diminish a good faith effort to provide notice in a preferred language other than English; and

(iii) 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. Housing counselors and attorneys may assist you in meeting and conferring with your association to resolve the past due assessments, and based on the circumstances refer you to the foreclosure mediation program. 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) Notwithstanding any other provisions of this chapter, until the 15th day after providing a unit owner with a notice of delinquency that meets the requirements in (a) of this subsection, an association may not:

(i) Take any other action to collect a delinquent assessment; or

(ii) Charge a unit owner for any costs related to the collection of the delinquent assessment except for:

(A) The actual costs of printing and mailing the notice of delinquency;

(B) An administrative fee of no more than \$10 related to providing the notice of delinquency; and

(C) A single late fee of no more than \$50 or five percent of the amount of the unpaid assessment which triggered the fee, whichever is less.

(c) 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.

~~((e))~~ (d) 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.

(e) The association must maintain the preforeclosure information required under this section and make it available to unit owners in accordance with RCW 64.90.495.

(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) \$2,000 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 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) If the unit owner was referred to mediation pursuant to RCW 61.24.163, until the mediation is completed and the certification of mediation is issued or after 10 days from the date the mediator's certification was due to the association; and

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

(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. 15. RCW 64.32.170 and 2023 c 409 s 1 are each amended to read as follows:

(1) An association of apartment owners must retain the following:

(a) The current budget, detailed records of receipts and expenditures affecting the operation and administration of the association, and other appropriate accounting records within the last seven years;

(b) Minutes of all meetings of its apartment owners and board other than executive sessions, a record of all actions taken by the apartment owners or board without a meeting, and a record of all actions taken by a committee in place of the board on behalf of the association;

(c) The names of current apartment owners, addresses used by the association to communicate with them, and the number of votes allocated to each apartment;

(d) Its original or restated declaration, organizational documents, all amendments to the declaration and organizational documents, and all rules currently in effect;

(e) All financial statements and tax returns of the association for the past seven years;

(f) A list of the names and addresses of its current board members and officers;

(g) Its most recent annual report delivered to the secretary of state, if any;

(h) Copies of contracts to which it is or was a party within the last seven years;

(i) Materials relied upon by the board or any committee to approve or deny any requests for design or architectural approval for a period of seven years after the decision is made;

(j) Materials relied upon by the board or any committee concerning a decision to enforce the governing documents for a period of seven years after the decision is made;

(k) Copies of insurance policies under which the association is a named insured;

(l) Any current warranties provided to the association;

(m) Copies of all notices provided to apartment owners or the association in accordance with this chapter or the governing documents; ~~((and))~~

(n) Ballots, proxies, absentee ballots, and other records related to voting by apartment owners for one year after the election, action, or vote to which they relate; and

(o) The preforeclosure information required by RCW 64.32.200(4).

(2)(a) Subject to subsections (3) through (5) of this section, and except as provided in (b) of this subsection, all records required to be retained by an association of apartment owners must be made available for examination and copying by all apartment owners, holders of mortgages on the apartments, and their respective authorized agents as follows, unless agreed otherwise:

(i) During reasonable business hours or at a mutually convenient time and location; and

(ii) At the offices of the association or its managing agent.

(b) The list of apartment owners required to be retained by an association under subsection (1)(c) of this section is not required to be made available for examination and copying by holders of mortgages on the apartments.

(3) Records retained by an association of apartment owners must have the following information redacted or otherwise removed prior to disclosure:

- (a) Personnel and medical records relating to specific individuals;
- (b) Contracts, leases, and other commercial transactions to purchase or provide goods or services currently being negotiated;
- (c) Existing or potential litigation or mediation, arbitration, or administrative proceedings;
- (d) Existing or potential matters involving federal, state, or local administrative or other formal proceedings before a governmental tribunal for enforcement of the governing documents;
- (e) Legal advice or communications that are otherwise protected by the attorney-client privilege or the attorney work product doctrine, including communications with the managing agent or other agent of the association;
- (f) Information the disclosure of which would violate a court order or law;
- (g) Records of an executive session of the board;
- (h) Individual apartment files other than those of the requesting apartment owner;
- (i) Unlisted telephone number or electronic address of any apartment owner or resident;
- (j) Security access information provided to the association for emergency purposes; or
- (k) Agreements that for good cause prohibit disclosure to the members.

(4) In addition to the requirements in subsection (3) of this section, an association of apartment owners must, prior to disclosure of the list of apartment owners required to be retained by an association under subsection (1)(c) of this section, redact or otherwise remove the address of any apartment owner or resident who is known to the association to be a participant in the address confidentiality program described in chapter 40.24 RCW or any similar program established by law.

(5)(a) Except as provided in (b) and (c) of this subsection, an association of apartment owners may charge a reasonable fee for producing and providing copies of any records under this section and for supervising the apartment owner's inspection.

(b) An apartment owner is entitled to receive a free annual electronic or paper copy of the list retained under subsection (1)(c) of this section from the association.

(c) An apartment owner is entitled to receive a free electronic or paper copy of the preforeclosure information retained under subsection (1)(o) of this section from the association which must be provided in English and any other language indicated as a preference for correspondence by an apartment owner. Translation inaccuracies shall not diminish a good faith effort to provide preforeclosure information in a preferred language other than English.

(6) A right to copy records under this section includes the right to receive copies by photocopying or other means, including through an electronic transmission if available upon request by the apartment owner.

(7) An association of apartment owners is not obligated to compile or synthesize information.

(8) Information provided pursuant to this section may not be used for commercial purposes.

(9) An association of apartment owners' managing agent must deliver all of the association's original books and records to the association immediately upon termination of its management relationship with the association, or upon such other demand as is made by the board. An association managing agent may keep copies of the association records at its own expense.

(10) All books and records shall be kept in accordance with good accounting procedures and be audited at least once a year by an auditor outside of the organization.

(11) This section applies to records in the possession of the association on July 23, 2023, and to records created or maintained after July 23, 2023. An association has no liability under this section for records disposed of prior to July 23, 2023.

Sec. 16. RCW 64.34.372 and 2023 c 409 s 2 are each amended to read as follows:

(1) The association shall keep financial records sufficiently detailed to enable the association to comply with RCW 64.34.425. All financial and other records of the association, including but not limited to checks, bank records, and invoices, are the property of the association. At least annually, the association shall prepare, or cause to be prepared, a financial statement of the association in accordance with generally accepted accounting principles. The financial statements of condominiums consisting of 50 or more units shall be audited at least annually by a certified public accountant. In the case of a condominium consisting of fewer than 50 units, an annual audit is also required but may be waived annually by unit owners other than the declarant of units to which 60 percent of the votes are allocated, excluding the votes allocated to units owned by the declarant.

(2) The funds of an association shall be kept in accounts in the name of the association and shall not be commingled with the funds of any other association, nor with the funds of any manager of the association or any other person responsible for the custody of such funds. Any reserve funds of an association shall be kept in a segregated account and any transaction affecting such funds, including the issuance of checks, shall require the signature of at least two persons who are officers or directors of the association.

(3) An association must retain the following:

(a) The current budget, detailed records of receipts and expenditures affecting the operation and administration of the association, and other appropriate accounting records within the last seven years;

(b) Minutes of all meetings of its unit owners and board other than executive sessions, a record of all actions taken by the unit owners or board without a meeting, and a record of all actions taken by a committee in place of the board on behalf of the association;

(c) The names of current unit owners, addresses used by the association to communicate with them, and the number of votes allocated to each unit;

(d) Its original or restated declaration, organizational documents, all amendments to the declaration and organizational documents, and all rules currently in effect;

(e) All financial statements and tax returns of the association for the past seven years;

(f) A list of the names and addresses of its current board members and officers;

(g) Its most recent annual report delivered to the secretary of state, if any;

(h) Copies of contracts to which it is or was a party within the last seven years;

(i) Materials relied upon by the board or any committee to approve or deny any requests for design or architectural approval for a period of seven years after the decision is made;

(j) Materials relied upon by the board or any committee concerning a decision to enforce the governing documents for a period of seven years after the decision is made;

(k) Copies of insurance policies under which the association is a named insured;

(l) Any current warranties provided to the association;

(m) Copies of all notices provided to unit owners or the association in accordance with this chapter or the governing documents; ~~((and))~~

(n) Ballots, proxies, absentee ballots, and other records related to voting by unit owners for one year after the election, action, or vote to which they relate; and

(o) The preforeclosure information required by RCW 64.34.364(17).

(4)(a) Subject to subsections (5) through (7) of this section, and except as provided in (b) of this subsection, all records required to be retained by an association must be made available for examination and copying by all unit owners, holders of mortgages on the units, and their respective authorized agents as follows, unless agreed otherwise:

(i) During reasonable business hours or at a mutually convenient time and location; and

(ii) At the offices of the association or its managing agent.

(b) The list of unit owners required to be retained by an association under subsection (3)(c) of this section is not required to be made available for examination and copying by holders of mortgages on the units.

(5) Records retained by an association must have the following information redacted or otherwise removed prior to disclosure:

(a) Personnel and medical records relating to specific individuals;

(b) Contracts, leases, and other commercial transactions to purchase or provide goods or services currently being negotiated;

(c) Existing or potential litigation or mediation, arbitration, or administrative proceedings;

(d) Existing or potential matters involving federal, state, or local administrative or other formal proceedings before a governmental tribunal for enforcement of the governing documents;

(e) Legal advice or communications that are otherwise protected by the attorney-client privilege or the attorney work product doctrine, including communications with the managing agent or other agent of the association;

(f) Information the disclosure of which would violate a court order or law;

(g) Records of an executive session of the board;

(h) Individual unit files other than those of the requesting unit owner;

(i) Unlisted telephone number or electronic address of any unit owner or resident;

(j) Security access information provided to the association for emergency purposes; or

(k) Agreements that for good cause prohibit disclosure to the members.

(6) In addition to the requirements in subsection (5) of this section, an association must, prior to disclosure of the list of unit owners required to be retained by an association under subsection (3)(c) of this section, redact or otherwise remove the address of any unit owner or resident who is known to the association to be a participant in the address confidentiality program described in chapter 40.24 RCW or any similar program established by law.

(7)(a) Except as provided in (b) and (c) of this subsection, an association may charge a reasonable fee for producing and providing copies of any records under this section and for supervising the unit owner's inspection.

(b) A unit owner is entitled to receive a free annual electronic or paper copy of the list retained under subsection (3)(c) of this section from the association.

(c) A unit owner is entitled to receive a free electronic or paper copy of the preforeclosure information retained under subsection (3)(o) of this section from the association which must be provided in English and any other language indicated as a preference for correspondence by a unit owner. Translation inaccuracies shall not diminish a good faith effort to provide preforeclosure information in a preferred language other than English.

(8) A right to copy records under this section includes the right to receive copies by photocopying or other means, including through an electronic transmission if available upon request by the unit owner.

(9) An association is not obligated to compile or synthesize information.

(10) Information provided pursuant to this section may not be used for commercial purposes.

(11) An association's managing agent must deliver all of the association's original books and records to the association immediately upon termination of its management relationship with the association, or upon such other demand as is made by the board. An association managing agent may keep copies of the association records at its own expense.

(12) This section applies to records in the possession of the association on July 23, 2023, and to records created or maintained after July 23, 2023. An association has no liability under this section for records disposed of prior to July 23, 2023.

Sec. 17. RCW 64.38.045 and 2023 c 409 s 3 are each amended to read as follows:

(1) The association or its managing agent shall keep financial and other records sufficiently detailed to enable the association to fully declare to each owner the true statement of its financial status. All financial and other records of the association, including but not limited to checks, bank records, and invoices, in whatever form they are kept, are the property of the association. Each association managing agent shall turn over all original books and records to the association immediately upon termination of the management relationship with the association, or upon such other demand as is made by the board of directors. An association managing agent is entitled to keep copies of association records. All records which the managing agent has turned over to the association shall be made reasonably available for the examination and copying by the managing agent.

(2) At least annually, the association shall prepare, or cause to be prepared, a financial statement of the association. The financial statements of associations with annual assessments of \$50,000 or more shall be audited at least annually by an independent certified public accountant, but the audit may be waived if 67 percent of the votes cast by owners, in person or by proxy, at a meeting of the association at which a quorum is present, vote each year to waive the audit.

(3) The funds of the association shall be kept in accounts in the name of the association and shall not be commingled with the funds of any other association, nor with the funds of any manager of the association or any other person responsible for the custody of such funds.

(4) An association must retain the following:

(a) The current budget, detailed records of receipts and expenditures affecting the operation and administration of the association, and other appropriate accounting records within the last seven years;

(b) Minutes of all meetings of its owners and board other than executive sessions, a record of all actions taken by the owners or board without a meeting, and a record of all actions taken by a committee in place of the board on behalf of the association;

(c) The names of current owners, addresses used by the association to communicate with them, and the number of votes allocated to each lot;

(d) Its original or restated declaration, organizational documents, all amendments to the declaration and organizational documents, and all rules currently in effect;

(e) All financial statements and tax returns of the association for the past seven years;

(f) A list of the names and addresses of its current board members and officers;

(g) Its most recent annual report delivered to the secretary of state, if any;

(h) Copies of contracts to which it is or was a party within the last seven years;

(i) Materials relied upon by the board or any committee to approve or deny any requests for design or architectural approval for a period of seven years after the decision is made;

(j) Materials relied upon by the board or any committee concerning a decision to enforce the governing documents for a period of seven years after the decision is made;

(k) Copies of insurance policies under which the association is a named insured;

(l) Any current warranties provided to the association;

(m) Copies of all notices provided to owners or the association in accordance with this chapter or the governing documents; ~~((and))~~

(n) Ballots, proxies, absentee ballots, and other records related to voting by owners for one year after the election, action, or vote to which they relate; and

(o) The preforeclosure information required by RCW 64.38.100(1).

(5)(a) Subject to subsections (6) through (8) of this section, and except as provided in (b) of this subsection, all records required to be retained by an association must be made available for examination and copying by all owners, holders of mortgages on the lots, and their respective authorized agents as follows, unless agreed otherwise:

(i) During reasonable business hours or at a mutually convenient time and location; and

(ii) At the offices of the association or its managing agent.

(b) The list of owners required to be retained by an association under subsection (4)(c) of this section is not required to be made available for examination and copying by holders of mortgages on the lots.

(6) Records retained by an association must have the following information redacted or otherwise removed prior to disclosure:

(a) Personnel and medical records relating to specific individuals;

(b) Contracts, leases, and other commercial transactions to purchase or provide goods or services currently being negotiated;

(c) Existing or potential litigation or mediation, arbitration, or administrative proceedings;

(d) Existing or potential matters involving federal, state, or local administrative or other formal proceedings before a governmental tribunal for enforcement of the governing documents;

(e) Legal advice or communications that are otherwise protected by the attorney-client privilege or the attorney work product doctrine, including communications with the managing agent or other agent of the association;

(f) Information the disclosure of which would violate a court order or law;

(g) Records of an executive session of the board;

(h) Individual lot files other than those of the requesting owner;

(i) Unlisted telephone number or electronic address of any owner or resident;

(j) Security access information provided to the association for emergency purposes; or

(k) Agreements that for good cause prohibit disclosure to the members.

(7) In addition to the requirements in subsection (6) of this section, an association must, prior to disclosure of the list of owners required to be retained by an association under subsection (4)(c) of this section, redact or otherwise remove the address of any owner or resident who is known to the association to be a participant in the address confidentiality program described in chapter 40.24 RCW or any similar program established by law.

(8)(a) Except as provided in (b) and (c) of this subsection, an association may charge a reasonable fee for producing and providing copies of any records under this section and for supervising the owner's inspection.

(b) An owner is entitled to receive a free annual electronic or paper copy of the list retained under subsection (4)(c) of this section from the association.

(c) An owner is entitled to receive a free electronic or paper copy of the preforeclosure information retained under subsection (4)(o) of this section from the association which must be provided in English and any other language indicated as a preference for correspondence by an owner. Translation inaccuracies shall not diminish a good faith effort to provide preforeclosure information in a preferred language other than English.

(9) A right to copy records under this section includes the right to receive copies by photocopying or other means, including through an electronic transmission if available upon request by the owner.

(10) An association is not obligated to compile or synthesize information.

(11) Information provided pursuant to this section may not be used for commercial purposes.

(12) An association's managing agent must deliver all of the association's original books and records to the association immediately upon termination of its management relationship with the association, or upon such other demand as is made by the board. An association managing agent may keep copies of the association records at its own expense.

(13) This section applies to records in the possession of the association on July 23, 2023, and to records created or maintained after July 23, 2023. An association has no liability under this section for records disposed of prior to July 23, 2023.

Sec. 18. RCW 64.90.495 and 2024 c 321 s 320 are each amended to read as follows:

(1) An association must retain the following:

(a) The current budget, detailed records of receipts and expenditures affecting the operation and administration of the association, and other appropriate accounting records within the last seven years;

(b) Minutes of all meetings of its unit owners and board other than executive sessions, a record of all actions taken by the unit owners or board without a meeting, and a record of all actions taken by a committee in place of the board on behalf of the association;

(c) The names of current unit owners, addresses used by the association to communicate with them, and the number of votes allocated to each unit;

(d) Its original or restated declaration, organizational documents, all amendments to the declaration and organizational documents, and all rules currently in effect;

(e) All financial statements and tax returns of the association for the past seven years;

(f) A list of the names and addresses of its current board members and officers;

(g) Its most recent annual report delivered to the secretary of state, if any;

(h) Financial and other records sufficiently detailed to enable the association to comply with RCW 64.90.640;

(i) Copies of contracts to which it is or was a party within the last seven years;

(j) Materials relied upon by the board or any committee to approve or deny any requests for design or architectural approval for a period of seven years after the decision is made;

(k) Materials relied upon by the board or any committee concerning a decision to enforce the governing documents for a period of seven years after the decision is made;

(l) Copies of insurance policies under which the association is a named insured;

(m) Any current warranties provided to the association;

(n) Copies of all notices provided to unit owners or the association in accordance with this chapter or the governing documents;

(o) Ballots, proxies, absentee ballots, and other records related to voting by unit owners for one year after the election, action, or vote to which they relate;

(p) Originals or copies of any plans and specifications delivered by the declarant pursuant to RCW 64.90.420(1);

(q) Originals or copies of any instruments of conveyance for any common elements included within the common interest community but not appurtenant to the units delivered by the declarant pursuant to RCW 64.90.420(1); ~~((and))~~

(r) Originals or copies of any permits or certificates of occupancy for the common elements in the common interest community delivered by the declarant pursuant to RCW 64.90.420(1); and

(s) The preforeclosure information required by RCW 64.90.485 (21).

(2)(a) Subject to subsections (3) through (5) of this section, and except as provided in (b) of this subsection, all records required to be retained by an association must be made available for examination and copying by all unit owners, holders of mortgages on the units, and their respective authorized agents as follows, unless agreed otherwise:

(i) During reasonable business hours and at the offices of the association or its managing agent, or at a mutually convenient time and location; and

(ii) Upon 10 days' notice unless the size of the request or need to redact information reasonably requires a longer time, but in no event later than 21 days without a court order allowing a longer time.

(b) The list of unit owners required to be retained by an association under subsection (1)(c) of this section is not required to:

(i) Be made available for examination and copying by holders of mortgages on the units; or

(ii) Contain the electronic addresses of unit owners who have elected to keep such addresses confidential pursuant to RCW 64.90.515(3)(a).

(3) Records retained by an association must have the following information redacted or otherwise removed prior to disclosure:

(a) Personnel and medical records relating to specific individuals;

(b) Contracts, leases, and other commercial transactions to purchase or provide goods or services currently being negotiated;

(c) Existing or potential litigation or mediation, arbitration, or administrative proceedings;

(d) Existing or potential matters involving federal, state, or local administrative or other formal proceedings before a governmental tribunal for enforcement of the governing documents;

(e) Legal advice or communications that are otherwise protected by the attorney-client privilege or the attorney work product doctrine, including communications with the managing agent or other agent of the association;

(f) Information the disclosure of which would violate a court order or law;

(g) Records of an executive session of the board;

(h) Individual unit files other than those of the requesting unit owner;

(i) Unlisted telephone number of any unit owner or resident, electronic address of any unit owner that elects to keep such electronic address confidential, or electronic address of any resident;

(j) Security access information provided to the association for emergency purposes;

(k) Agreements that for good cause prohibit disclosure to the members; or

(l) Any information which would compromise the secrecy of a ballot cast under RCW 64.90.455(9).

(4) In addition to the requirements in subsection (3) of this section, an association must, prior to disclosure of the list of unit owners required to be retained by an association under subsection (1)(c) of this section, redact or otherwise remove the address of any unit owner or resident who is known to the association to be a participant in the address confidentiality program described in chapter 40.24 RCW or any similar program established by law.

(5)(a) Except as provided in (b) and (c) of this subsection, an association may charge a reasonable fee for producing and providing copies of any records under this section and for supervising the unit owner's inspection.

(b) A unit owner is entitled to receive a free annual electronic or written copy of the list retained under subsection (1)(c) of this section from the association.

(c) A unit owner is entitled to receive a free electronic or written copy of the preforeclosure information retained under subsection (1)(s) of this section from the association which must be provided in English and any other language indicated as a preference for correspondence by a unit owner. Translation inaccuracies shall not diminish a good faith effort to provide preforeclosure information in a preferred language other than English.

(6) A right to copy records under this section includes the right to receive copies by photocopying or other means, including through an electronic transmission if available upon request by the unit owner.

(7) An association is not obligated to compile or synthesize information.

(8) Information provided pursuant to this section may not be used for commercial purposes.

(9) An association's managing agent must deliver all of the association's original books and records to the association upon termination of its management relationship with the association, or upon such other demand as is made by the board. Electronic records must be provided within five business days of termination or the board's demand and written records must be provided within 10 business days of termination or the board's demand. An association managing agent may keep copies of the association records at its own expense.

NEW SECTION. Sec. 19. (1) Sections 1 through 4 and 11 through 14 of this act take effect January 1, 2026.

(2) Sections 5 through 7 of this act take effect January 1, 2028.

NEW SECTION. Sec. 20. Sections 1, 2, 4, 11 through 13, and 15 through 17 of this act expire January 1, 2028.

Passed by the Senate April 24, 2025.

Passed by the House April 23, 2025.

Approved by the Governor May 20, 2025.

Filed in Office of Secretary of State May 21, 2025.

CHAPTER 394

[Engrossed Senate Bill 5721]

AUTOMOBILE INSURANCE—APPRAISALS

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

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Sec. 1. A new section is added to chapter 48.18 RCW to read as follows:

(1) Every automobile insurance policy that includes first-party coverage for physical damage issued or renewed effective on or after January 1, 2026, must include a provision for the right to an appraisal to resolve disputes between the insurer and the insured regarding the actual cash value and amount of loss on the damaged automobile. The appraisal clause must include the following language, or corresponding language that the insurer certifies is at least as favorable to the insured:

"If . . . (the insurance company) . . . and . . . (the policyholder) . . . are unable to agree as to the amount of loss, either party may make a written demand for an appraisal, and within 10 days each party shall select a competent and disinterested appraiser and notify the other party of its selection.

The appraisers shall then each appraise the actual cash value and the amount of loss, make separate findings regarding the amount of loss for each element of loss, and exchange their completed appraisals. If the appraisers are unable to agree on the losses, the selected appraisers shall appoint a competent and disinterested umpire and submit their differences to the umpire. If the appraisers do not appoint a competent and disinterested umpire within 15 days, either appraiser may notify the commissioner, and the commissioner shall identify a registered competent and disinterested umpire that will be used according to the process that the commissioner specifies by rule.

The appraisers must make their appraisals within 30 calendar days of selection. If an appraiser needs more than 30 days, the appraiser shall provide a reasonable basis to the other appraiser before 25 days has passed. The appraiser must document the reason or reasons for the extension in their file.

The amount of loss must be determined either by agreement of the appraisers or by agreement of one appraiser and the umpire. An agreement of any two is binding.

Each party is responsible for their appraisal expenses, and each party is equally responsible for the cost of the umpire."

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

(a) "Appraiser" means a person selected by the insurer or the insured to place a value on or estimate the amount of loss under an appraisal clause in an insurance contract;

(b) "Competent" means the person has subject matter expertise, relevant training, and experience to make decisions and valuations relating to the amount of loss;

(c) "Disinterested" means the person does not have a direct financial interest in the outcome of the appraisal process; and

(d) "Umpire" means a person selected by the appraisers representing the insurer and the insured, or, if the appraisers cannot agree, by the commissioner, who is charged with resolving issues that the appraisers are unable to agree upon during the course of an appraisal.

(3) The commissioner may adopt rules as necessary to implement this section.

Passed by the Senate April 22, 2025.

Passed by the House April 14, 2025.

Approved by the Governor May 20, 2025.

Filed in Office of Secretary of State May 21, 2025.

CHAPTER 395

[Substitute Senate Bill 5785]

WASHINGTON COLLEGE GRANT AND COLLEGE BOUND SCHOLARSHIP— MODIFICATION

AN ACT Relating to amending the Washington college grant and college bound scholarship by codifying the Washington college grant maximum award eligibility to 60 percent of the state median family income, modifying grant award amounts and award terms, and limiting institutional eligibility; amending RCW 28B.92.030, 28B.92.205, and 28B.118.010; creating a new section; providing an effective date; and declaring an emergency.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Sec. 1. The legislature finds that postsecondary education is critical for the economic mobility of Washingtonians. The Washington college grant established an entitlement program to provide financial aid for low-income students. It is the intent of the legislature to continue assessing state financial aid offered to students attending institutions of higher education across all sectors in Washington in order to serve students pursuing postsecondary education. Further, it is the intent to continue assessing the college bound program available to students attending institutions of higher education across all sectors in Washington.

Sec. 2. RCW 28B.92.030 and 2022 c 166 s 1 are each amended to read as follows:

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

(1) "Council" means the student achievement council.

(2) "Financial aid" means either loans, grants, or both, to students who demonstrate financial need enrolled or accepted for enrollment as a student at institutions of higher education.

(3) "Financial need" means a demonstrated financial inability to bear the total cost of education as directed in rule by the office.

(4) "Institution" or "institutions of higher education" means:

(a) Any public university, college, community college, or technical college operated by the state of Washington or any political subdivision thereof; or

(b) Any other university, college, school, or institute in the state of Washington offering instruction beyond the high school level that is a member institution of an accrediting association recognized by rule of the council for the purposes of this section and that agrees to and complies with program rules adopted pursuant to RCW 28B.92.150. However, any institution, branch, extension or facility operating within the state of Washington that is affiliated with an institution operating in another state must be:

(i) A separately accredited member institution of any such accrediting association;

(ii) A branch of a member institution of an accrediting association recognized by rule of the council for purposes of this section, that is eligible for

federal student financial aid assistance and has operated as a nonprofit college or university delivering on-site classroom instruction for a minimum of ~~((twenty))~~ 20 consecutive years within the state of Washington, and has an annual enrollment of at least ~~((seven hundred))~~ 700 full-time equivalent students;

(iii) A nonprofit institution recognized by the state of Washington as provided in RCW 28B.77.240; or

(iv) An approved apprenticeship program under chapter 49.04 RCW.

(5) "Maximum Washington college grant":

(a) For students attending two or four-year institutions of higher education as defined in RCW 28B.10.016, is tuition and estimated fees for ~~((fifteen))~~ 15 quarter credit hours or the equivalent, as determined by the office, including operating fees, building fees, and services and activities fees.

(b) For students attending private four-year not-for-profit institutions of higher education in Washington~~((-in))~~:

(i) In the 2019-20 academic year, is ~~((nine thousand seven hundred thirty-nine dollars))~~ \$9,739 and may increase each year afterwards by no more than the tuition growth factor through the end of the 2025-26 academic year; and

(ii) Beginning in the 2026-27 academic year, is 50 percent of the average of awards for the same academic year granted to students at the public research institutions in Washington.

(c) For students attending two-year private not-for-profit institutions of higher education in Washington, in the 2019-20 academic year, is ~~((three thousand six hundred ninety-four dollars))~~ \$3,694 and may increase each year afterwards by no more than the tuition growth factor.

(d) For students attending four-year private for-profit institutions of higher education in Washington, in the 2019-20 academic year, is eight thousand five hundred seventeen dollars and may increase each year afterwards by no more than the tuition growth factor, until the end of the 2025-26 academic year.

(e) For students attending two-year private for-profit institutions of higher education in Washington, in the 2019-20 academic year, is two thousand eight hundred twenty-three dollars and may increase each year afterwards by no more than the tuition growth factor, until the end of the 2025-26 academic year.

(f) For students attending Western Governors University-Washington, as established in RCW 28B.77.240~~((-in))~~:

(i) In the 2019-20 academic year, is ~~((five thousand six hundred nineteen dollars))~~ \$5,619 and may increase each year afterwards by no more than the tuition growth factor through the 2025-26 academic year; and

(ii) Beginning in the 2026-27 academic year, is \$4,150 and may increase each year afterwards by no more than the tuition growth factor.

~~((g))~~ (c) For students attending approved apprenticeship programs~~((-beginning in))~~:

(i) In the 2022-23 academic year, is the same amount as the maximum Washington college grant for students attending two-year institutions of higher education as defined in (a) of this subsection to be used for tuition and fees, program supplies and equipment, and other costs that facilitate educational endeavors through the 2025-26 academic year; and

(ii) Beginning in the 2026-27 academic year, is 50 percent of the maximum Washington college grant award for students attending two-year institutions of higher education as defined in (a) of this subsection to be used for tuition and

fees, program supplies and equipment, and other costs that facilitate educational endeavors.

(6) "Office" means the office of student financial assistance.

(7) "Tuition growth factor" means an increase of no more than the average annual percentage growth rate of the median hourly wage for Washington for the previous ~~((fourteen))~~ 14 years as the wage is determined by the federal bureau of labor statistics.

Sec. 3. RCW 28B.92.205 and 2023 c 475 s 923 are each amended to read as follows:

In addition to other eligibility requirements outlined in this chapter, students who demonstrate financial need are eligible to receive the Washington college grant. ~~((Financial need is as follows:~~

~~(1) Until academic year 2020-21, students with family incomes between zero and fifty percent of the state median family income, adjusted for family size, shall receive the maximum Washington college grant as defined in RCW 28B.92.030. Grants for students with incomes between fifty one and seventy percent of the state median family income, adjusted for family size, shall be prorated at the following percentages of the maximum Washington college grant amount:~~

~~(a) Seventy percent for students with family incomes between fifty one and fifty five percent of the state median family income;~~

~~(b) Sixty five percent for students with family incomes between fifty six and sixty percent of the state median family income;~~

~~(c) Sixty percent for students with family incomes between sixty one and sixty five percent of the state median family income; and~~

~~(d) Fifty percent for students with family incomes between sixty six and seventy percent of the state median family income.~~

~~(2) Beginning with academic year 2020-21, except during the 2022-23, 2023-24, and 2024-25 academic years))~~ Beginning with the 2025-26 academic year, students with family incomes between zero and ~~((fifty five))~~ 60 percent of the state median family income, adjusted for family size, shall receive the maximum Washington college grant as defined in RCW 28B.92.030. ~~((During the 2022-23, 2023-24, and 2024-25 academic years, students with family incomes between zero and sixty percent of the state median family income, adjusted for family size, shall receive the maximum Washington college grant.))~~ Grants for students with incomes between ~~((fifty six))~~ 61 and ~~((one hundred))~~ 100 percent of the state median family income, adjusted for family size, shall be prorated at the following percentages of the maximum Washington college grant amount:

~~((a) Seventy percent for students with family incomes between fifty six and sixty percent of the state median family income, except during the 2022-23, 2023-24, and 2024-25 academic years;~~

~~((b) Sixty))~~ (1) 60 percent for students with family incomes between ~~((sixty one))~~ 61 and ~~((sixty five))~~ 65 percent of the state median family income~~((; except during the 2023-24 and 2024-25 academic years when student grant award shall not be prorated and students shall receive the maximum award));~~

~~((c) Fifty))~~ (2) 50 percent for students with family incomes between ~~((sixty six))~~ 66 and ~~((seventy))~~ 70 percent of the state median family income;

~~((d) Twenty-four and one-half))~~ (3) 24.5 percent for students with family incomes between ~~((seventy-one))~~ 71 and ~~((seventy-five))~~ 75 percent of the state median family income; and

~~((e) Ten))~~ (4) 10 percent for students with family incomes between ~~((seventy-six))~~ 76 and ~~((one hundred))~~ 100 percent of the state median family income.

Sec. 4. RCW 28B.118.010 and 2024 c 323 s 2 are each amended to read as follows:

The office of student financial assistance shall design the Washington college bound scholarship program in accordance with this section and in alignment with the Washington college grant program in chapter 28B.92 RCW unless otherwise provided in this section. The right of an eligible student to receive a college bound scholarship vest upon enrollment in the program that is earned by meeting the requirements of this section as it exists at the time of the student's enrollment under subsection (2) of this section.

(1) "Eligible students" are those students who:

(a) Qualify for free or reduced-price lunches.

(i) If a student qualifies in the seventh or eighth grade, the student remains eligible even if the student does not receive free or reduced-price lunches thereafter.

(ii) Beginning in the 2019-20 academic year, if a student qualifies for free or reduced-price lunches in the ninth grade and was previously ineligible during the seventh or eighth grade while he or she was a student in Washington, the student is eligible for the college bound scholarship program;

(b) Are dependent pursuant to chapter 13.34 RCW and:

(i) In grade seven through 12; or

(ii) Are between the ages of 18 and 21 and have not graduated from high school; or

(c) Were dependent pursuant to chapter 13.34 RCW and were adopted between the ages of 14 and 18 with a negotiated adoption agreement that includes continued eligibility for the Washington state college bound scholarship program pursuant to RCW 74.13A.025.

(2)(a) Every eligible student shall be automatically enrolled by the office of student financial assistance, with no action necessary by the student, student's family, or student's guardians.

(b) Eligible students and the students' parents or guardians shall be notified of the student's enrollment in the Washington college bound scholarship program and the requirements for award of the scholarship by the office of student financial assistance. To the maximum extent practicable, an eligible student must acknowledge enrollment in the college bound scholarship program and receipt of the requirements for award of the scholarship.

(c) The office of the superintendent of public instruction and the department of children, youth, and families must provide the office of student financial assistance with a list of eligible students when requested. The office of student financial assistance must determine the most effective methods, including timing and frequency, to notify eligible students of enrollment in the Washington college bound scholarship program. The office of student financial assistance must take reasonable steps to ensure that eligible students acknowledge enrollment in the college bound scholarship program and receipt of the

requirements for award of the scholarship. The office of student financial assistance shall also make available to every school district information, brochures, and posters to increase awareness and to enable school districts to notify eligible students directly or through school teachers, counselors, or school activities.

(3) Except as provided in subsection (4) of this section, an eligible student must:

(a)(i) Graduate from a public high school under RCW 28A.150.010, an approved private high school under chapter 28A.195 RCW in Washington, or have received home-based instruction under chapter 28A.200 RCW; and

(ii) For eligible students enrolling in a postsecondary educational institution for the first time beginning with the 2023-24 academic year, graduate with at least a "C" average for consideration of direct admission to a public or private four-year institution of higher education;

(b) Have no felony convictions;

(c) Be a resident student as defined in RCW 28B.15.012(2) (a) through (e); and

(d) Have a family income that does not exceed 65 percent of the state median family income at the time of high school graduation.

(4)(a) An eligible student who is a resident student under RCW 28B.15.012(2)(e) must also provide the institution, as defined in RCW 28B.15.012, an affidavit indicating that the individual will file an application to become a permanent resident at the earliest opportunity the individual is eligible to do so and a willingness to engage in any other activities necessary to acquire citizenship, including but not limited to citizenship or civics review courses.

(b) For eligible students as defined in subsection (1)(b) and (c) of this section, a student may also meet the requirement in subsection (3)(a) of this section by receiving a high school equivalency certificate as provided in RCW 28B.50.536.

(5)(a) For students attending two or four-year institutions of higher education as defined in RCW 28B.10.016, the value of the award shall be (i) the difference between the student's tuition and required fees, less the value of any state-funded grant, scholarship, or waiver assistance the student receives; (ii) plus (~~five hundred dollars~~) \$500 for books and materials.

(b)(i) For students attending private four-year institutions of higher education in Washington, the award amount shall be the (~~representative~~) average of awards granted to students in public research universities in Washington or the (~~representative~~) average of awards granted to students in public research universities in Washington in the 2014-15 academic year, whichever is greater, through the 2026-27 academic year.

(ii) Beginning in the 2027-28 academic year, for students attending private four-year not-for-profit institutions of higher education in Washington, the award amount shall be 50 percent of the average of awards for the same academic year granted to students in public research universities in Washington.

(c)(i) For students attending private vocational schools in Washington, the award amount shall be the (~~representative~~) average of awards granted to students in public community and technical colleges in Washington or the (~~representative~~) average of awards granted to students in public community

and technical colleges in Washington in the 2014-15 academic year, whichever is greater, through the 2026-27 academic year.

(ii) Beginning in the 2027-28 academic year, for students attending two-year private not-for-profit schools in Washington, the award amount shall be the average of awards granted in the same academic year to students in public community and technical colleges in Washington, or the average of awards granted to students in public community and technical colleges in Washington in the 2014-15 academic year, whichever is greater.

(d) Beginning in the 2027-28 academic year, for students attending Western Governors University-Washington, as established in RCW 28B.77.240, the award shall be \$4,650.

(6) Eligible students must enroll no later than the fall term, as defined by the institution of higher education, one academic year following high school graduation. College bound scholarship eligibility may not extend beyond six years or 150 percent of the published length of the program in which the student is enrolled or the credit or clock-hour equivalent.

(7) Institutions of higher education shall award the student all need-based and merit-based financial aid for which the student would otherwise qualify. The Washington college bound scholarship is intended to replace unmet need, loans, and, at the student's option, work-study award before any other grants or scholarships are reduced.

(8) The first scholarships shall be awarded to students graduating in 2012.

(9) The eligible student has a property right in the award, but the state of Washington retains legal ownership of tuition units awarded as scholarships under this chapter until the tuition units are redeemed. These tuition units shall remain separately held from any tuition units owned under chapter 28B.95 RCW by a Washington college bound scholarship recipient.

(10)(a) The scholarship award must be used within six years of receipt. Any unused scholarship tuition units revert to the Washington college bound scholarship account.

(b) Should the recipient terminate his or her enrollment for any reason during the academic year, the unused portion of the scholarship tuition units shall revert to the Washington college bound scholarship account.

NEW SECTION. Sec. 5. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect July 1, 2025.

Passed by the Senate April 25, 2025.

Passed by the House April 24, 2025.

Approved by the Governor May 20, 2025.

Filed in Office of Secretary of State May 21, 2025.

CHAPTER 396

[Senate Bill 5807]

PUBLIC AND SCHOOL EMPLOYEE HEALTH BENEFIT PLANS—WELLNESS INCENTIVES

AN ACT Relating to wellness incentives for public and school employee health benefit plans; and amending RCW 41.05.065 and 41.05.740.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. RCW 41.05.065 and 2018 c 260 s 12 are each amended to read as follows:

(1) The public employees' benefits board shall study all matters connected with the provision of health care coverage, life insurance, liability insurance, accidental death and dismemberment insurance, and disability income insurance or any of, or a combination of, the enumerated types of insurance for employees and their dependents on the best basis possible with relation both to the welfare of the employees and to the state. However, liability insurance shall not be made available to dependents.

(2) The public employees' benefits board shall develop employee benefit plans that include comprehensive health care benefits for employees. In developing these plans, the public employees' benefits board shall consider the following elements:

(a) Methods of maximizing cost containment while ensuring access to quality health care;

(b) Development of provider arrangements that encourage cost containment and ensure access to quality care, including but not limited to prepaid delivery systems and prospective payment methods;

(c)(i) Wellness ((incentives)) initiatives that focus on proven strategies, such as smoking cessation, injury and accident prevention, reduction of alcohol misuse, appropriate weight reduction, exercise, automobile and motorcycle safety, blood cholesterol reduction, and nutrition education.

(ii)(A) As of January 1, 2028, the public employees' benefits board shall no longer offer the smart health program, which includes the wellness incentive and the smart health online portal.

(B) Employees who have met the eligibility requirements to receive a wellness incentive by December 31, 2027, will still receive the wellness incentive in plan year 2028.

(C) Employees are not eligible to earn a wellness incentive as of January 1, 2028;

(d) Utilization review procedures including, but not limited to a cost-efficient method for prior authorization of services, hospital inpatient length of stay review, requirements for use of outpatient surgeries and second opinions for surgeries, review of invoices or claims submitted by service providers, and performance audit of providers;

(e) Effective coordination of benefits; and

(f) Minimum standards for insuring entities.

(3) To maintain the comprehensive nature of employee health care benefits, benefits provided to employees shall be substantially equivalent to the state employees' health benefit plan in effect on January 1, 1993. Nothing in this subsection shall prohibit changes or increases in employee point-of-service payments or employee premium payments for benefits or the administration of a high deductible health plan in conjunction with a health savings account. The public employees' benefits board may establish employee eligibility criteria which are not substantially equivalent to employee eligibility criteria in effect on January 1, 1993.

(4) Except if bargained for under chapter 41.80 RCW, the public employees' benefits board shall design benefits and determine the terms and conditions of employee and retired or disabled school employee participation and coverage,

including establishment of eligibility criteria subject to the requirements of this chapter. Employer groups obtaining benefits through contractual agreement with the authority for employees defined in RCW 41.05.011(6)(a) (i) through (vi) may contractually agree with the authority to benefits eligibility criteria which differs from that determined by the public employees' benefits board. The eligibility criteria established by the public employees' benefits board shall be no more restrictive than the following:

(a) Except as provided in (b) through (e) of this subsection, an employee is eligible for benefits from the date of employment if the employing agency anticipates he or she will work an average of at least eighty hours per month and for at least eight hours in each month for more than six consecutive months. An employee determined ineligible for benefits at the beginning of his or her employment shall become eligible in the following circumstances:

(i) An employee who works an average of at least eighty hours per month and for at least eight hours in each month and whose anticipated duration of employment is revised from less than or equal to six consecutive months to more than six consecutive months becomes eligible when the revision is made.

(ii) An employee who works an average of at least eighty hours per month over a period of six consecutive months and for at least eight hours in each of those six consecutive months becomes eligible at the first of the month following the six-month averaging period.

(b) A seasonal employee is eligible for benefits from the date of employment if the employing agency anticipates that he or she will work an average of at least eighty hours per month and for at least eight hours in each month of the season. A seasonal employee determined ineligible at the beginning of his or her employment who works an average of at least eighty hours per month over a period of six consecutive months and at least eight hours in each of those six consecutive months becomes eligible at the first of the month following the six-month averaging period. A benefits-eligible seasonal employee who works a season of less than nine months shall not be eligible for the employer contribution during the off season, but may continue enrollment in benefits during the off season by self-paying for the benefits. A benefits-eligible seasonal employee who works a season of nine months or more is eligible for the employer contribution through the off season following each season worked.

(c) Faculty are eligible as follows:

(i) Faculty who the employing agency anticipates will work half-time or more for the entire instructional year or equivalent nine-month period are eligible for benefits from the date of employment. Eligibility shall continue until the beginning of the first full month of the next instructional year, unless the employment relationship is terminated, in which case eligibility shall cease the first month following the notice of termination or the effective date of the termination, whichever is later.

(ii) Faculty who the employing agency anticipates will not work for the entire instructional year or equivalent nine-month period are eligible for benefits at the beginning of the second consecutive quarter or semester of employment in which he or she is anticipated to work, or has actually worked, half-time or more. Such an employee shall continue to receive uninterrupted employer contributions for benefits if the employee works at least half-time in a quarter or semester. Faculty who the employing agency anticipates will not work for the

entire instructional year or equivalent nine-month period, but who actually work half-time or more throughout the entire instructional year, are eligible for summer or off-quarter or off-semester coverage. Faculty who have met the criteria of this subsection (4)(c)(ii), who work at least two quarters or two semesters of the academic year with an average academic year workload of half-time or more for three quarters or two semesters of the academic year, and who have worked an average of half-time or more in each of the two preceding academic years shall continue to receive uninterrupted employer contributions for benefits if he or she works at least half-time in a quarter or semester or works two quarters or two semesters of the academic year with an average academic workload each academic year of half-time or more for three quarters or two semesters. Eligibility under this section ceases immediately if this criteria is not met.

(iii) Faculty may establish or maintain eligibility for benefits by working for more than one institution of higher education. When faculty work for more than one institution of higher education, those institutions shall prorate the employer contribution costs, or if eligibility is reached through one institution, that institution will pay the full employer contribution. Faculty working for more than one institution must alert his or her employers to his or her potential eligibility in order to establish eligibility.

(iv) The employing agency must provide written notice to faculty who are potentially eligible for benefits under this subsection (4)(c) of their potential eligibility.

(v) To be eligible for maintenance of benefits through averaging under (c)(ii) of this subsection, faculty must provide written notification to his or her employing agency or agencies of his or her potential eligibility.

(vi) For the purposes of this subsection (4)(c):

(A) "Academic year" means summer, fall, winter, and spring quarters or summer, fall, and spring semesters;

(B) "Half-time" means one-half of the full-time academic workload as determined by each institution; except that for community and technical college faculty, half-time academic workload is calculated according to RCW 28B.50.489.

(d) A legislator is eligible for benefits on the date his or her term begins. All other elected and full-time appointed officials of the legislative and executive branches of state government are eligible for benefits on the date his or her term begins or they take the oath of office, whichever occurs first.

(e) A justice of the supreme court and judges of the court of appeals and the superior courts become eligible for benefits on the date he or she takes the oath of office.

(f) Except as provided in (c)(i) and (ii) of this subsection, eligibility ceases for any employee the first of the month following termination of the employment relationship.

(g) In determining eligibility under this section, the employing agency may disregard training hours, standby hours, or temporary changes in work hours as determined by the authority under this section.

(h) Insurance coverage for all eligible employees begins on the first day of the month following the date when eligibility for benefits is established. If the

date eligibility is established is the first working day of a month, insurance coverage begins on that date.

(i) Eligibility for an employee whose work circumstances are described by more than one of the eligibility categories in (a) through (e) of this subsection shall be determined solely by the criteria of the category that most closely describes the employee's work circumstances.

(j) Except for an employee eligible for benefits under (b) or (c)(ii) of this subsection, an employee who has established eligibility for benefits under this section shall remain eligible for benefits each month in which he or she is in pay status for eight or more hours, if (i) he or she remains in a benefits-eligible position and (ii) leave from the benefits-eligible position is approved by the employing agency. A benefits-eligible seasonal employee is eligible for the employer contribution in any month of his or her season in which he or she is in pay status eight or more hours during that month. Eligibility ends if these conditions are not met, the employment relationship is terminated, or the employee voluntarily transfers to a noneligible position.

(k) For the purposes of this subsection, the public employees' benefits board shall define "benefits-eligible position."

(5) The public employees' benefits board may authorize premium contributions for an employee and the employee's dependents in a manner that encourages the use of cost-efficient managed health care systems.

(6)(a) For any open enrollment period following August 24, 2011, the public employees' benefits board shall offer a health savings account option for employees that conforms to section 223, Part VII of subchapter B of chapter 1 of the internal revenue code of 1986. The public employees' benefits board shall comply with all applicable federal standards related to the establishment of health savings accounts.

(b) By November 30, 2015, and each year thereafter, the authority shall submit a report to the relevant legislative policy and fiscal committees that includes the following:

(i) Public employees' benefits board health plan cost and service utilization trends for the previous three years, in total and for each health plan offered to employees;

(ii) For each health plan offered to employees, the number and percentage of employees and dependents enrolled in the plan, and the age and gender demographics of enrollees in each plan;

(iii) Any impact of enrollment in alternatives to the most comprehensive plan, including the high deductible health plan with a health savings account, upon the cost of health benefits for those employees who have chosen to remain enrolled in the most comprehensive plan.

(7) Notwithstanding any other provision of this chapter, for any open enrollment period following August 24, 2011, the public employees' benefits board shall offer a high deductible health plan in conjunction with a health savings account developed under subsection (6) of this section.

(8) Employees shall choose participation in one of the health care benefit plans developed by the public employees' benefits board and may be permitted to waive coverage under terms and conditions established by the public employees' benefits board.

(9) The public employees' benefits board shall review plans proposed by insuring entities that desire to offer property insurance and/or accident and casualty insurance to state employees through payroll deduction. The public employees' benefits board may approve any such plan for payroll deduction by insuring entities holding a valid certificate of authority in the state of Washington and which the public employees' benefits board determines to be in the best interests of employees and the state. The public employees' benefits board shall adopt rules setting forth criteria by which it shall evaluate the plans.

(10) Before January 1, 1998, the public employees' benefits board shall make available one or more fully insured long-term care insurance plans that comply with the requirements of chapter 48.84 RCW. Such programs shall be made available to eligible employees, retired employees, and retired school employees as well as eligible dependents which, for the purpose of this section, includes the parents of the employee or retiree and the parents of the spouse of the employee or retiree. Employees of local governments, political subdivisions, and tribal governments not otherwise enrolled in the public employees' benefits board sponsored medical programs may enroll under terms and conditions established by the director, if it does not jeopardize the financial viability of the public employees' benefits board's long-term care offering.

(a) Participation of eligible employees or retired employees and retired school employees in any long-term care insurance plan made available by the public employees' benefits board is voluntary and shall not be subject to binding arbitration under chapter 41.56 RCW. Participation is subject to reasonable underwriting guidelines and eligibility rules established by the public employees' benefits board and the health care authority.

(b) The employee, retired employee, and retired school employee are solely responsible for the payment of the premium rates developed by the health care authority. The health care authority is authorized to charge a reasonable administrative fee in addition to the premium charged by the long-term care insurer, which shall include the health care authority's cost of administration, marketing, and consumer education materials prepared by the health care authority and the office of the insurance commissioner.

(c) To the extent administratively possible, the state shall establish an automatic payroll or pension deduction system for the payment of the long-term care insurance premiums.

(d) The public employees' benefits board and the health care authority shall establish a technical advisory committee to provide advice in the development of the benefit design and establishment of underwriting guidelines and eligibility rules. The committee shall also advise the public employees' benefits board and authority on effective and cost-effective ways to market and distribute the long-term care product. The technical advisory committee shall be comprised, at a minimum, of representatives of the office of the insurance commissioner, providers of long-term care services, licensed insurance agents with expertise in long-term care insurance, employees, retired employees, retired school employees, and other interested parties determined to be appropriate by the public employees' benefits board.

(e) The health care authority shall offer employees, retired employees, and retired school employees the option of purchasing long-term care insurance through licensed agents or brokers appointed by the long-term care insurer. The

authority, in consultation with the public employees' benefits board, shall establish marketing procedures and may consider all premium components as a part of the contract negotiations with the long-term care insurer.

(f) In developing the long-term care insurance benefit designs, the public employees' benefits board shall include an alternative plan of care benefit, including adult day services, as approved by the office of the insurance commissioner.

(g) The health care authority, with the cooperation of the office of the insurance commissioner, shall develop a consumer education program for the eligible employees, retired employees, and retired school employees designed to provide education on the potential need for long-term care, methods of financing long-term care, and the availability of long-term care insurance products including the products offered by the public employees' benefits board.

(11) The public employees' benefits board may establish penalties to be imposed by the authority when the eligibility determinations of an employing agency fail to comply with the criteria under this chapter.

Sec. 2. RCW 41.05.740 and 2023 c 13 s 7 are each amended to read as follows:

(1) The school employees' benefits board is created within the authority. The function of the school employees' benefits board is to design and approve insurance benefit plans for school employees and to establish eligibility criteria for participation in insurance benefit plans.

(2) By September 30, 2017, the governor shall appoint the following voting members to the school employees' benefits board as follows:

- (a) Two members from associations representing certificated employees;
- (b) Two members from associations representing classified employees;
- (c) Four members with expertise in employee health benefits policy and administration, one of which is nominated by an association representing school business officials; and
- (d) The director of the authority or his or her designee.

(3) Initial members of the school employees' benefits board shall serve staggered terms not to exceed four years. Members appointed thereafter shall serve two-year terms.

(4) Compensation and reimbursement related to school employees' benefits board member service are as follows:

(a) Members of the school employees' benefits board must be compensated in accordance with RCW 43.03.250 and must be reimbursed for their travel expenses while on official business in accordance with RCW 43.03.050 and 43.03.060.

(b) While school employees' benefits board members are carrying out their powers and duties under this chapter, if the service of any certificated or classified employee results in a need for a school employees' benefits board organization to employ a substitute for such certificated or classified employee during such service, payment for such a substitute may be made by the authority from funds appropriated by the legislature for the school employees' benefits board program. If such substitute is paid by the authority, no deduction shall be made from the salary of the certificated or classified employee. In no event shall a school employees' benefits board organization deduct from the salary of a certificated or classified employee serving on the school employees' benefits

board more than the amount paid the substitute employed by the school employees' benefits board organization.

(5) The director of the authority or his or her designee shall be the chair and another member shall be selected by the school employees' benefits board as vice chair. The chair shall conduct meetings of the school employees' benefits board. The vice chair shall preside over meetings in the absence of the chair. The school employees' benefits board shall develop bylaws for the conduct of its business.

(6) The school employees' benefits board shall:

(a) Study all matters connected with the provision of health care coverage, life insurance, liability insurance, accidental death and dismemberment, and disability insurance, or any of, or combination of, the enumerated types of insurance for eligible school employees and their dependents on the best basis possible with relation both to the welfare of the school employees and the state. However, liability insurance should not be made available to dependents;

(b) Develop school employee benefit plans that include comprehensive, evidence-based health care benefits for school employees. In developing these plans, the school employees' benefits board shall consider the following elements:

(i) Methods of maximizing cost containment while ensuring access to quality health care;

(ii) Development of provider arrangements that encourage cost containment and ensure access to quality care including, but not limited to, prepaid delivery systems and prospective payment methods;

(iii)(A) Wellness, preventive care, chronic disease management, and other ~~(incentives)~~ initiatives that focus on proven strategies.

(B)(I) As of January 1, 2028, the school employees' benefits board shall no longer offer the smart health program, which includes the wellness incentive and the smart health online portal.

(II) Employees who have met the eligibility requirements to receive a wellness incentive by December 31, 2027, will still receive the wellness incentive in plan year 2028.

(III) Employees are not eligible to earn a wellness incentive as of January 1, 2028;

(iv) Utilization review procedures to support cost-effective benefits delivery;

(v) Ways to leverage efficient purchasing by coordinating with the public employees' benefits board;

(vi) Effective coordination of benefits; and

(vii) Minimum standards for insuring entities;

(c) Authorize premium contributions for a school employee and the employee's dependents in a manner that encourages the use of cost-efficient health care systems. For participating school employees, the required school employee share of the cost for family coverage premiums may not exceed three times the premiums for a school employee purchasing single coverage for the same coverage plan;

(d) Determine the terms and conditions of school employee and dependent eligibility criteria, enrollment policies, and scope of coverage. Employer groups obtaining benefits through contractual agreement with the authority for school

employees defined in RCW 41.05.011(6)(b)(iv) may contractually agree with the authority to benefits eligibility criteria which differs from that determined by the school employees' benefits board. At a minimum, the eligibility criteria established by the school employees' benefits board shall address the following:

(i) The effective date of coverage following hire;

(ii) The benefits eligibility criteria, but the school employees' benefits board's criteria shall be no more restrictive than requiring that a school employee be anticipated to work at least six hundred thirty hours per school year to be benefits eligible; and

(iii) Coverage for dependents, including criteria for legal spouses; children up to age twenty-six; children of any age with disabilities, mental illness, or intellectual or other developmental disabilities; and state registered domestic partners, as defined in RCW 26.60.020, and others authorized by the legislature;

(e) Establish terms and conditions for a school employees' benefits board organization to have the ability to locally negotiate eligibility criteria for a school employee who is anticipated to work less than six hundred thirty hours in a school year. A school employees' benefits board organization that elects to use a lower threshold of hours for benefits eligibility must use benefits authorized by the school employees' benefits board and shall do so as an enrichment to the state's definition of basic education;

(f) Establish penalties to be imposed when a school employees' benefits board organization fails to comply with established participation criteria; and

(g) Participate with the authority in the preparation of specifications and selection of carriers contracted for school employee benefit plan coverage of eligible school employees in accordance with the criteria set forth in rules. To the extent possible, the school employees' benefits board shall leverage efficient purchasing by coordinating with the public employees' benefits board.

(7) School employees shall choose participation in one of the health care benefit plans developed by the school employees' benefits board. Individual school employees eligible for benefits under subsection (6)(d) of this section may be permitted to waive coverage under terms and conditions established by the school employees' benefits board.

(8) By November 30, 2021, the authority shall review the benefit plans provided through the school employees' benefits board, complete an analysis of the benefits provided and the administration of the benefits plans, and determine whether provisions in chapter 13, Laws of 2017 3rd sp. sess. have resulted in cost savings to the state. The authority shall submit a report to the relevant legislative policy and fiscal committees summarizing the results of the review and analysis.

Passed by the Senate April 19, 2025.

Passed by the House April 24, 2025.

Approved by the Governor May 20, 2025.

Filed in Office of Secretary of State May 21, 2025.

CHAPTER 397

[Engrossed Substitute House Bill 1119]

DEPARTMENT OF CORRECTIONS—SUPERVISION COMPLIANCE CREDIT—
MODIFICATION

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

Be it enacted by the Legislature of the State of Washington:

Sec. 1. RCW 9.94A.717 and 2020 c 275 s 2 are each amended to read as follows:

(1) If an offender sentenced under this chapter or chapter 9.94B RCW is supervised by the department, the offender may earn supervision compliance credit in accordance with procedures that are developed and adopted by the department. Such procedures shall be available on the department's website.

(a) The supervision compliance credit shall be awarded to offenders who are in compliance with supervision terms ~~((and are making progress towards the goals of their individualized supervision case plan, including: Participation in specific targeted interventions, risk-related programming, or treatment; or completing steps towards specific targeted goals that enhance protective factors and stability))~~, as determined by the department.

(b) For each month in compliance with ~~((community custody conditions))~~ supervision terms in accordance with (a) of this subsection, an offender may earn supervision compliance credit of ~~((ten))~~ 10 days.

(c) Supervision compliance credit is accrued monthly and time shall not be applied to an offender's term of supervision prior to the earning of the time.

(d) An offender shall lose the ability to earn supervision compliance credits if the offender is sanctioned by a court for noncompliance with community custody requirements.

(2) An offender is not eligible to earn supervision compliance credit if he or she:

(a) Was sentenced under RCW 9.94A.507 or 10.95.030;

(b) Was sentenced to any sentencing alternative under ~~((RCW 9.94A.650, 9.94A.655, 9.94A.660, or 9.94A.670))~~ this chapter;

(c) Is subject to supervision pursuant to RCW 9.94A.745;

(d) Is subject to a governor's conditional commutation;

(e) Has an indeterminate sentence and is subject to parole pursuant to RCW 9.95.017; or

~~((f))~~ (f) Is serving community custody pursuant to early release under RCW 9.94A.730.

Passed by the House April 18, 2025.

Passed by the Senate April 26, 2025.

Approved by the Governor May 20, 2025.

Filed in Office of Secretary of State May 21, 2025.

CHAPTER 398

[Engrossed House Bill 1219]

INTERBRANCH ADVISORY COMMITTEE—MODIFICATION

AN ACT Relating to the interbranch advisory committee; amending RCW 2.76.010 and 2.76.900; adding a new section to chapter 2.76 RCW; repealing RCW 2.76.800; and providing an expiration date.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Sec. 1. A new section is added to chapter 2.76 RCW to read as follows:

(1) The interbranch advisory committee may set its own meeting schedule. The committee shall discuss issues of mutual concern between the branches. Examples include, but are not limited to:

- (a) Funding legislative mandates;
- (b) Initiatives related to access to justice;
- (c) Issues of local concern;
- (d) Courthouse security; and
- (e) Court technology infrastructure.

(2) Staff support for the committee will be provided by the administrative office of the courts.

Sec. 2. RCW 2.76.010 and 2022 c 284 s 1 are each amended to read as follows:

There is created an interbranch advisory committee consisting of the following members:

(1) Two legislative members, one from each of the two largest caucuses of the house of representatives, appointed by the speaker of the house of representatives. One member shall be a member of a committee having jurisdiction over general civil or criminal law matters and the other member shall be a member of a committee having jurisdiction over the state operating budget;

(2) Two legislative members, one from each of the two largest caucuses of the senate, appointed by the president of the senate. One member shall be a member of a committee having jurisdiction over general civil or criminal law matters and the other member shall be a member of a committee having jurisdiction over the state operating budget;

(3) One person representing the governor's office, appointed by the governor;

(4) One person representing the attorney general's office, appointed by the attorney general;

(5) One person representing cities, appointed by the association of Washington cities;

(6) One person who is an elected county councilmember representing counties, appointed by the Washington state association of counties;

(7) One person representing court clerks, appointed by the Washington state association of county clerks;

(8) ~~((Eight))~~ Nine members from the judicial branch, appointed by the chief justice in consultation with the board of judicial administration, supreme court, court of appeals, superior court judges association, association of Washington superior court administrators, Washington association of juvenile court

administrators, district and municipal court judges association, district and municipal court management association, administrative office of the courts, and access to justice board; and

(9) One person representing the office of public defense and one person representing the office of civil legal aid, who shall serve as nonvoting members. Nonvoting members must be consulted by the interbranch advisory committee as needed.

NEW SECTION. Sec. 3. RCW 2.76.800 (Recommendations to legislature) and 2022 c 284 s 4 are each repealed.

Sec. 4. RCW 2.76.900 and 2022 c 284 s 5 are each amended to read as follows:

This chapter expires January 1, ((2026)) 2031.

Passed by the House April 21, 2025.

Passed by the Senate April 16, 2025.

Approved by the Governor May 20, 2025.

Filed in Office of Secretary of State May 21, 2025.

CHAPTER 399

[Engrossed Substitute House Bill 1468]

ACCOUNTS—VARIOUS PROVISIONS

AN ACT Relating to accounts; amending RCW 18.79.202, 19.285.060, 28A.505.130, 43.07.370, 43.330.400, 48.160.020, 69.51A.230, and 72.09.095; amending 1931 c 97 s 2 (uncodified); reenacting and amending RCW 43.79A.040, 43.79A.040, 43.84.092, and 43.84.092; adding new sections to chapter 72.09 RCW; creating a new section; repealing RCW 13.40.560, 19.385.030, 28B.50.286, 43.07.388, 43.19.035, 43.63A.766, 43.79.574, 43.79A.041, 43.83.360, 43.135.045, 47.76.450, 48.160.005, 82.32.800, and 82.45.240; providing effective dates; providing expiration dates; and declaring an emergency.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Sec. 1. The following acts or parts of acts are each repealed:

(1) RCW 13.40.560 (Juvenile accountability incentive account) and 2017 3rd sp.s. c 6 s 624 & 1999 c 182 s 1;

(2) RCW 19.385.030 (Internet consumer access account) and 2018 c 5 s 3;

(3) RCW 28B.50.286 (Opportunity express account) and 2010 1st sp.s. c 24 s 5;

(4) RCW 43.07.388 (Washington state flag account) and 2009 c 71 s 2;

(5) RCW 43.19.035 (Commemorative works account) and 2011 1st sp.s. c 43 s 203 & 2005 c 16 s 1;

(6) RCW 43.63A.766 (Building communities fund account) and 2008 c 327 s 14;

(7) RCW 43.79.574 (Stadium world cup capital account—Loans for capital improvements for 2026 world cup) and 2024 c 168 s 9;

(8) RCW 43.79A.041 (Millersylvania park trust fund—Investment authority) and 2012 c 187 s 12;

(9) RCW 43.83.360 (State social and health services construction account—Definition) and 2015 1st sp.s. c 4 s 36, 1991 sp.s. c 13 s 56, 1985 c 57 s 49, & 1975-'76 2nd ex.s. c 125 s 3;

(10) RCW 43.135.045 (Education construction fund—Appropriation conditions) and 2016 sp.s. c 36 s 934 & 2013 2nd sp.s. c 9 s 5;

(11) RCW 47.76.450 (Produce railcar pool account) and 2003 c 191 s 6;

(12) RCW 48.160.005 (Guaranteed asset protection waiver account) and 2009 c 334 s 10;

(13) RCW 82.32.800 (Contributions of high-technology research and development tax credit—Opportunity expansion account) and 2011 1st sp.s. c 13 s 10; and

(14) RCW 82.45.240 (Down payment assistance account) and 2024 c 168 s 1 & 2023 c 337 s 9.

Sec. 2. RCW 18.79.202 and 2023 c 123 s 18 are each amended to read as follows:

(1) In addition to the licensing fee for registered nurses and licensed practical nurses licensed under this chapter and for nurses who hold a valid multistate license issued by the state of Washington under chapter 18.80 RCW, the department shall impose an additional surcharge of eight dollars per year on all initial licenses and renewal licenses for registered nurses and licensed practical nurses issued under this chapter. Advanced registered nurse practitioners are only required to pay the surcharge on their registered nurse licenses.

(2) The department, in consultation with the board and the workforce training and education coordinating board, shall use the proceeds from the surcharge imposed under subsection (1) of this section to provide grants to a central nursing resource center. The grants may be awarded only to a not-for-profit central nursing resource center that is comprised of and led by nurses. The central nursing resource center will demonstrate coordination with relevant nursing constituents including professional nursing organizations, groups representing nursing educators, staff nurses, nurse managers or executives, and labor organizations representing nurses. The central nursing resource center shall have as its mission to contribute to the health and wellness of Washington state residents by ensuring that there is an adequate nursing workforce to meet the current and future health care needs of the citizens of the state of Washington. The grants may be used to fund the following activities of the central nursing resource center:

(a) Maintain information on the current and projected supply and demand of nurses through the collection and analysis of data regarding the nursing workforce, including but not limited to education level, race and ethnicity, employment settings, nursing positions, reasons for leaving the nursing profession, and those leaving Washington state to practice elsewhere. This data collection and analysis must complement other state activities to produce data on the nursing workforce and the central nursing resource center shall work collaboratively with other entities in the data collection to ensure coordination and avoid duplication of efforts;

(b) Monitor and validate trends in the applicant pool for programs in nursing. The central nursing resource center must work with nursing leaders to identify approaches to address issues arising related to the trends identified, and collect information on other states' approaches to addressing these issues;

(c) Facilitate partnerships between the nursing community and other health care providers, licensing authority, business and industry, consumers, legislators,

and educators to achieve policy consensus, promote diversity within the profession, and enhance nursing career mobility and nursing leadership development;

(d) Evaluate the effectiveness of nursing education and articulation among programs to increase access to nursing education and enhance career mobility, especially for populations that are underrepresented in the nursing profession;

(e) Provide consultation, technical assistance, data, and information related to Washington state and national nursing resources;

(f) Promote strategies to enhance patient safety and quality patient care including encouraging a safe and healthy workplace environment for nurses; and

(g) Educate the public including students in K-12 about opportunities and careers in nursing.

(3) The nursing resource center account is created in the custody of the state treasurer. All receipts from the surcharge in subsection (1) of this section must be deposited in the account. Expenditures from the account may be used only for grants to an organization to conduct the specific activities listed in subsection (2) of this section and to compensate the department for the reasonable costs associated with the collection and distribution of the surcharge and the administration of the grant provided for in subsection (2) of this section. No money from this account may be used by the recipient towards administrative costs of the central nursing resource center not associated with the specific activities listed in subsection (2) of this section. No money from this account may be used by the recipient toward lobbying. Only the secretary or the secretary's designee may authorize expenditures from the account. The account is subject to allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures. Grants will be awarded on an annual basis and funds will be distributed quarterly. The department shall distribute the funds no more than 30 days after the central nursing resource center submits to the department an invoice and any additional documentation required by the department. The first distribution after awarding the first grant shall be made no later than six months after July 24, 2005. The central nursing resource center shall report to the department on meeting the grant objectives annually.

(4) The central nursing resource center shall submit a report of all progress, collaboration with other organizations and government entities, and activities conducted by the center to the relevant committees of the legislature by November 30, 2011. The department shall conduct a review of the program to collect funds to support the activities of a nursing resource center and make recommendations on the effectiveness of the program and whether it should continue. The review shall be paid for with funds from the nursing resource center account. The review must be completed by June 30, 2012.

(5) The department may adopt rules as necessary to implement chapter 268, Laws of 2005.

Sec. 3. RCW 19.285.060 and 2021 c 79 s 2 are each amended to read as follows:

(1) Except as provided in subsection (2) of this section, a qualifying utility that fails to comply with the energy conservation or renewable energy targets established in RCW 19.285.040 shall pay an administrative penalty to the state of Washington in the amount of fifty dollars for each megawatt-hour of shortfall.

Beginning in 2007, this penalty shall be adjusted annually according to the rate of change of the inflation indicator, gross domestic product-implicit price deflator, as published by the bureau of economic analysis of the United States department of commerce or its successor.

(2) A qualifying utility that does not meet an annual renewable energy target established in RCW 19.285.040(2) or biennial acquisition target for cost-effective conservation in RCW 19.285.040(1) is exempt from the administrative penalty in subsection (1) of this section for that year if the commission for investor-owned utilities or the auditor for all other qualifying utilities determines that the utility complied with RCW 19.285.040 (1)(e) or (2) (d) or (i) or 19.285.050(1).

(3) A qualifying utility must notify its retail electric customers in published form within three months of incurring a penalty regarding the size of the penalty and the reason it was incurred.

(4) The commission shall determine if an investor-owned utility may recover the cost of this administrative penalty in electric rates, and may consider providing positive incentives for an investor-owned utility to exceed the targets established in RCW 19.285.040.

~~((5)) ((Administrative penalties collected under this chapter shall be deposited into the energy independence act special account which is hereby created. All receipts from administrative penalties collected under this chapter must be deposited into the account. Expenditures from the account may be used only for the purchase of renewable energy credits or for energy conservation projects at public facilities, local government facilities, community colleges, or state universities. The state shall own and retire any renewable energy credits purchased using moneys from the account. Only the director of enterprise services or the director's designee may authorize expenditures from the account. The account is subject to allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures.))~~

~~((6)))~~ For a qualifying utility that is an investor-owned utility, the commission shall determine compliance with the provisions of this chapter and assess penalties for noncompliance as provided in subsection (1) of this section.

~~((7)))~~ (6) For qualifying utilities that are not investor-owned utilities, the auditor is responsible for auditing compliance with this chapter and rules adopted under this chapter that apply to those utilities and the attorney general is responsible for enforcing that compliance.

Sec. 4. RCW 28A.505.130 and 2023 c 435 s 11 are each amended to read as follows:

For each fund contained in the school district budget the estimated expenditures for the budgeted fiscal year must not be greater than the total of the estimated revenues for the budgeted fiscal year, the estimated fund balance at the beginning of the budgeted fiscal year less the estimated reserve fund balance at the end of the budgeted fiscal year, and the projected revenue from receivables collectible on future years as approved by the superintendent of public instruction for inclusion in the budget.

The proceeds of any interfund loan must not be used to balance the budget of the borrowing fund, except in fiscal year 2024 when such loans may be used to address budget destabilization in the aftermath of the COVID-19 pandemic. Interfund loans in fiscal year 2024 may be for a duration of ~~((two))~~ four years.

Sec. 5. RCW 43.07.370 and 2019 c 448 s 8 are each amended to read as follows:

(1) The secretary of state may solicit and accept gifts, grants, conveyances, bequests, and devises of real or personal property, or both, in trust or otherwise, and sell, lease, exchange, invest, or expend these donations or the proceeds, rents, profits, and income from the donations except as limited by the donor's terms.

(2) Moneys received under this section may be used only for the following purposes:

- (a) Conducting the Washington state legacy project;
- (b) Archival activities;
- (c) Washington state library activities;
- (d) Development, construction, and operation of the Washington state library-archives building; and
- (e) Donation of Washington state flags.

(3)(a) Moneys received under subsection (2)(a) through (c) of this section must be deposited in the Washington state legacy project, state library, and archives account established in RCW 43.07.380.

(b) Moneys received under subsection (2)(d) of this section must be deposited in the Washington state library-archives building account created in RCW 43.07.410.

(c) Moneys received under subsection (2)(e) of this section must be deposited in the ~~((Washington state flag account))~~ secretary of state's revolving fund created in RCW ~~((43.07.388))~~ 43.07.130.

(4) The secretary of state shall adopt rules to govern and protect the receipt and expenditure of the proceeds.

Sec. 6. RCW 43.330.400 and 2011 1st sp.s. c 43 s 603 are each amended to read as follows:

(1) The federal broadband ~~((mapping))~~ account is ~~((established))~~ created in the ~~((custody of the state treasurer))~~ state treasury. ~~((The department shall deposit into the account such))~~ All receipts from funds received from legislative appropriation or transfer, federal funding, and ~~((donated funds from private and public sources))~~ moneys directed to the account from any other lawful source, must be deposited in the account. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only for ~~((the purposes of RCW 43.330.403 through 43.330.409. Only the director of the department or the director's designee may authorize expenditures from the account. The account is subject to the allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures))~~ broadband activities authorized under federal law and for nonfederal match requirements.

(2) ~~((The department is the single eligible entity in the state for purposes of the federal broadband mapping activities.~~

(3)) Federal funding received by the department from the broadband equity, access, and deployment state grants program in section 60102 of P.L. 117-58 (the infrastructure investment and jobs act) or a substantially similar successor federal program, must be deposited into the account for broadband ~~((mapping))~~ activities and must be used in accordance with any federal requirements and, subject to those requirements, may be distributed by the department on a competitive basis to other entities in the state.

~~((4) The department shall consult with the office of financial management and the utilities and transportation commission in coordinating broadband mapping activities. In carrying out any broadband mapping activities, the provisions of P.L. 110-385, Title I, regarding trade secrets, commercial or financial information, and privileged or confidential information submitted by the federal communications commission or a broadband provider are deemed to encompass the consulted agencies.))~~

Sec. 7. RCW 48.160.020 and 2009 c 334 s 3 are each amended to read as follows:

(1) This chapter applies only to guaranteed asset protection waivers for financing of motor vehicles as defined in this chapter. Any person or entity must register with the commissioner before marketing, offering for sale or selling a guaranteed asset protection waiver, and before acting as an obligor for a guaranteed asset protection waiver, in this state. However, a retail seller of motor vehicles that assigns more than eighty-five percent of guaranteed asset protection waiver agreements within thirty days of such agreements' effective date, or an insurer authorized to transact such insurance business in this state, are not required to register pursuant to this section. Failure of any retail seller of motor vehicles to assign one hundred percent of guaranteed asset protection waiver agreements within forty-five days of such agreements' effective date will result in that retail seller being required to comply with the registration requirements of this chapter.

(2) No person may market, offer for sale, or sell a guaranteed asset protection waiver, or act as an obligor on a guaranteed asset protection waiver in this state without a registration as provided in this chapter, except as set forth in subsection (1) of this section.

(3) The application for registration must include the following:

(a) The applicant's name, address, and telephone number;

(b) The identities of the applicant's executive officers or other officers directly responsible for the waiver business;

(c) An application fee of two hundred fifty dollars, which shall be deposited into the ~~((guaranteed asset protection waiver account))~~ general fund;

(d) A copy filed by the applicant with the commissioner of the waivers the applicant intends to offer in this state;

(e) A list of all unregistered marketers of guaranteed asset protection waivers on which the applicant will be the obligor;

(f) Such additional information as the commissioner may reasonably require.

(4) Once registered, the applicant shall keep the information required for registration current by reporting changes within thirty days after the end of the month in which the change occurs.

Sec. 8. RCW 69.51A.230 and 2022 c 16 s 127 are each amended to read as follows:

(1) The department must contract with an entity to create, administer, and maintain a secure and confidential medical cannabis authorization database that allows:

(a) A cannabis retailer with a medical cannabis endorsement to add a qualifying patient or designated provider and include the amount of cannabis

concentrates, useable cannabis, cannabis-infused products, or plants for which the qualifying patient is authorized under RCW 69.51A.210;

(b) Persons authorized to prescribe or dispense controlled substances to access health care information on their patients for the purpose of providing medical or pharmaceutical care for their patients;

(c) A qualifying patient or designated provider to request and receive his or her own health care information or information on any person or entity that has queried their name or information;

(d) Appropriate local, state, tribal, and federal law enforcement or prosecutorial officials who are engaged in a bona fide specific investigation of suspected cannabis-related activity that may be illegal under Washington state law to confirm the validity of the recognition card of a qualifying patient or designated provider;

(e) A cannabis retailer holding a medical cannabis endorsement to confirm the validity of the recognition card of a qualifying patient or designated provider;

(f) The department of revenue to verify tax exemptions under chapters 82.08 and 82.12 RCW;

(g) The department and the health care professional's disciplining authorities to monitor authorizations and ensure compliance with this chapter and chapter 18.130 RCW by their licensees; and

(h) Authorizations to expire six months or one year after entry into the medical cannabis authorization database, depending on whether the authorization is for a minor or an adult.

(2) A qualifying patient and his or her designated provider, if any, may be placed in the medical cannabis authorization database at a cannabis retailer with a medical cannabis endorsement. After a qualifying patient or designated provider is placed in the medical cannabis authorization database, he or she must be provided with a recognition card that contains identifiers required in subsection (3) of this section.

(3) The recognition card requirements must be developed by the department in rule and include:

(a) A randomly generated and unique identifying number;

(b) For designated providers, the unique identifying number of the qualifying patient whom the provider is assisting;

(c) A photograph of the qualifying patient's or designated provider's face taken by an employee of the cannabis retailer with a medical cannabis endorsement at the same time that the qualifying patient or designated provider is being placed in the medical cannabis authorization database in accordance with rules adopted by the department;

(d) The amount of cannabis concentrates, useable cannabis, cannabis-infused products, or plants for which the qualifying patient is authorized under RCW 69.51A.210;

(e) The effective date and expiration date of the recognition card;

(f) The name of the health care professional who authorized the qualifying patient or designated provider; and

(g) For the recognition card, additional security features as necessary to ensure its validity.

(4)(a) For qualifying patients who are eighteen years of age or older and their designated providers, recognition cards are valid for one year from the date the health care professional issued the authorization. For qualifying patients who are under the age of eighteen and their designated providers, recognition cards are valid for six months from the date the health care professional issued the authorization. Qualifying patients may not be reentered into the medical cannabis authorization database until they have been reexamined by a health care professional and determined to meet the definition of qualifying patient. After reexamination, a cannabis retailer with a medical cannabis endorsement must reenter the qualifying patient or designated provider into the medical cannabis authorization database and a new recognition card will then be issued in accordance with department rules.

(b) A qualifying patient's registration in the medical cannabis authorization database and his or her recognition card may be renewed by a qualifying patient's designated provider without the physical presence of the qualifying patient at the retailer if the authorization from the health care professional indicates that the qualifying patient qualifies for a compassionate care renewal, as provided in RCW 69.51A.030. A qualifying patient receiving renewals under the compassionate care renewal provisions is exempt from the photograph requirements under subsection (3)(c) of this section.

(5) If a recognition card is lost or stolen, a cannabis retailer with a medical cannabis endorsement, in conjunction with the database administrator, may issue a new card that will be valid for six months to one year if the patient is reexamined by a health care professional and determined to meet the definition of qualifying patient and depending on whether the patient is under the age of eighteen or eighteen years of age or older as provided in subsection (4) of this section. If a reexamination is not performed, the expiration date of the replacement recognition card must be the same as the lost or stolen recognition card.

(6) The database administrator must remove qualifying patients and designated providers from the medical cannabis authorization database upon expiration of the recognition card. Qualifying patients and designated providers may request to remove themselves from the medical cannabis authorization database before expiration of a recognition card and health care professionals may request to remove qualifying patients and designated providers from the medical cannabis authorization database if the patient or provider no longer qualifies for the medical use of cannabis. The database administrator must retain database records for at least five calendar years to permit the state liquor and cannabis board and the department of revenue to verify eligibility for tax exemptions.

(7) During development of the medical cannabis authorization database, the database administrator must consult with the department, stakeholders, and persons with relevant expertise to include, but not be limited to, qualifying patients, designated providers, health care professionals, state and local law enforcement agencies, and the University of Washington computer science and engineering security and privacy research lab or a certified cybersecurity firm, vendor, or service.

(8) The medical cannabis authorization database must meet the following requirements:

(a) Any personally identifiable information included in the database must be nonreversible, pursuant to definitions and standards set forth by the national institute of standards and technology;

(b) Any personally identifiable information included in the database must not be susceptible to linkage by use of data external to the database;

(c) The database must incorporate current best differential privacy practices, allowing for maximum accuracy of database queries while minimizing the chances of identifying the personally identifiable information included therein; and

(d) The database must be upgradable and updated in a timely fashion to keep current with state of the art privacy and security standards and practices.

(9)(a) Personally identifiable information of qualifying patients and designated providers included in the medical cannabis authorization database is confidential and exempt from public disclosure, inspection, or copying under chapter 42.56 RCW.

(b) Information contained in the medical cannabis authorization database may be released in aggregate form, with all personally identifiable information redacted, for the purpose of statistical analysis and oversight of agency performance and actions.

(c) Information contained in the medical cannabis authorization database shall not be shared with the federal government or its agents unless the particular qualifying patient or designated provider is convicted in state court for violating this chapter or chapter 69.50 RCW.

(10) The department must charge a one dollar fee for each initial and renewal recognition card issued by a cannabis retailer with a medical cannabis endorsement. The cannabis retailer with a medical cannabis endorsement shall collect the fee from the qualifying patient or designated provider at the time that he or she is entered into the database and issued a recognition card. The department shall establish a schedule for cannabis retailers with a medical cannabis endorsement to remit the fees collected. Fees collected under this subsection shall be deposited into the dedicated cannabis account created under RCW 69.50.530.

(11) If the database administrator fails to comply with this section, the department may cancel any contracts with the database administrator and contract with another database administrator to continue administration of the database. A database administrator who fails to comply with this section is subject to a fine of up to five thousand dollars in addition to any penalties established in the contract. Fines collected under this section must be deposited into the ~~((health professions))~~ dedicated cannabis account created under RCW ~~((43.70.320))~~ 69.50.530.

(12) The department may adopt rules to implement this section.

Sec. 9. RCW 72.09.095 and 1995 c 234 s 2 are each amended to read as follows:

Each year the ~~((department))~~ state treasurer shall transfer ~~((twenty-five))~~ 25 percent of the total annual revenues and receipts received in ~~((each institutional betterment fund subaccount))~~ the institutional welfare account, created in section 10 of this act, to the department of labor and industries for the purpose of providing direct benefits to crime victims through the crime victims' compensation program as outlined in chapter 7.68 RCW. ~~((This transfer takes~~

~~priority over any expenditure of betterment funds and shall be reflected on the monthly financial statements of each institution's betterment fund subaccount.)) For purposes of this section, revenues and receipts exclude those amounts transferred on July 1, 2025, from the incarcerated individual betterment fund established outside the state treasury provided those moneys have already been subject to the 25 percent transfer requirement contained herein.~~

Any funds so transferred to the department of labor and industries shall be in addition to the crime victims' compensation amount provided in an omnibus appropriation bill. It is the intent of the legislature that the funds forecasted or transferred pursuant to this section shall not reduce the funding levels provided by appropriation.

NEW SECTION. **Sec. 10.** A new section is added to chapter 72.09 RCW to read as follows:

The institutional welfare account is created in the state treasury. Moneys in the account may be spent only after appropriation. The account shall consist of all moneys in the incarcerated individual betterment fund held by the department as of July 1, 2025, and any revenue and receipts into the incarcerated individual betterment fund on or after July 1, 2025. Expenditures from the account may be used only for the benefit of incarcerated individuals within the department. Such benefits include, but are not limited to, support for family visitation, prison visiting areas and extended family visit programs, family-centered activities, law library books, subscriptions, recreation and hobby expenditures, reentry services, and television system, phone, and computer communication expenditures.

NEW SECTION. **Sec. 11.** A new section is added to chapter 72.09 RCW to read as follows:

Effective July 1, 2025, the moneys in the incarcerated individual betterment fund established outside the state treasury and held by the department must be deposited into the institutional welfare account created in section 10 of this act. On and after July 1, 2025, all revenues and receipts of the incarcerated individual betterment fund must be deposited into the institutional welfare account created in section 10 of this act. Beginning July 1, 2025, the department may not make expenditures or transfers from the incarcerated individual betterment fund, except to deposit moneys into the institutional welfare account created in section 10 of this act.

Sec. 12. 1931 c 97 s 2 (uncodified) is amended to read as follows:

That said park shall constitute, be held and maintained as a part of the state parks system, with management and control of the same vested in the state parks committee. Said bonds and any other bonds purchased with said cash or with the principal proceeds of such bonds as mature shall be placed in the custody of the state treasurer. ~~((Said cash and any proceeds or income from said cash or bonds shall be placed in a special fund of the state treasury hereby created to be known as the Millersylvania Park trust fund, the moneys of which shall be deposited in a state depository bank.))~~ Said cash and the principal proceeds from said bonds may be invested in the same manner and same class of bonds as the moneys of the common school fund; but such bonds and cash shall constitute a permanent, irreducible fund, the interest, income and earnings therefrom to be expended by

the state parks committee for the improvement, maintenance and upkeep of said park in accordance with the terms of said will.

Sec. 13. RCW 43.79A.040 and 2024 c 327 s 16 and 2024 c 168 s 10 are each reenacted and amended to read as follows:

(1) Money in the treasurer's trust fund may be deposited, invested, and reinvested by the state treasurer in accordance with RCW 43.84.080 in the same manner and to the same extent as if the money were in the state treasury, and may be commingled with moneys in the state treasury for cash management and cash balance purposes.

(2) All income received from investment of the treasurer's trust fund must be set aside in an account in the treasury trust fund to be known as the investment income account.

(3) The investment income account may be utilized for the payment of purchased banking services on behalf of treasurer's trust funds including, but not limited to, depository, safekeeping, and disbursement functions for the state treasurer or affected state agencies. The investment income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for payments to financial institutions. Payments must occur prior to distribution of earnings set forth in subsection (4) of this section.

(4)(a) Monthly, the state treasurer must distribute the earnings credited to the investment income account to the state general fund except under (b), (c), and (d) of this subsection.

(b) The following accounts and funds must receive their proportionate share of earnings based upon each account's or fund's average daily balance for the period: The 24/7 sobriety account, the Washington promise scholarship account, the Gina Grant Bull memorial legislative page scholarship account, the Rosa Franklin legislative internship program scholarship account, the Washington advanced college tuition payment program account, the Washington college savings program account, the accessible communities account, the Washington achieving a better life experience program account, the Washington career and college pathways innovation challenge program account, the community and technical college innovation account, the agricultural local fund, the American Indian scholarship endowment fund, the behavioral health loan repayment and scholarship program account, the Billy Frank Jr. national statuary hall collection fund, the foster care scholarship endowment fund, the foster care endowed scholarship trust fund, the contract harvesting revolving account, the Washington state combined fund drive account, ~~((the commemorative works account,))~~ the county 911 excise tax account, the county road administration board emergency loan account, the toll collection account, the developmental disabilities endowment trust fund, the energy account, the energy facility site evaluation council account, the fair fund, the family and medical leave insurance account, the Fern Lodge maintenance account, the fish and wildlife federal lands revolving account, the natural resources federal lands revolving account, the food animal veterinarian conditional scholarship account, the forest health revolving account, the fruit and vegetable inspection account, the educator conditional scholarship account, the game farm alternative account, the GET ready for math and science scholarship account, the Washington global health technologies and product development account, the grain inspection revolving fund, the Washington history day account, the industrial insurance rainy day

fund, ~~((the juvenile accountability incentive account,))~~ the law enforcement officers' and firefighters' plan 2 expense fund, the local tourism promotion account, the low-income home rehabilitation account, the medication for people living with HIV rebate revenue account, the homeowner recovery account, the multiagency permitting team account, the northeast Washington wolf-livestock management account, the pollution liability insurance program trust account, ~~((the produce railcar pool account,))~~ the public use general aviation airport loan revolving account, the regional transportation investment district account, the rural rehabilitation account, the Washington sexual assault kit account, the stadium and exhibition center account, the youth athletic facility account, the self-insurance revolving fund, the children's trust fund, the Washington horse racing commission Washington bred owners' bonus fund and breeder awards account, the Washington horse racing commission class C purse fund account, the individual development account program account, the Washington horse racing commission operating account, the life sciences discovery fund, the Washington state library-archives building account, the reduced cigarette ignition propensity account, the center for deaf and hard of hearing youth account, the school for the blind account, ~~((the Millersylvania park trust fund,))~~ the public employees' and retirees' insurance reserve fund, the school employees' benefits board insurance reserve fund, the public employees' and retirees' insurance account, the school employees' insurance account, the long-term services and supports trust account, the radiation perpetual maintenance fund, the Indian health improvement reinvestment account, the department of licensing tuition recovery trust fund, the student achievement council tuition recovery trust fund, the tuition recovery trust fund, the industrial insurance premium refund account, the mobile home park relocation fund, the natural resources deposit fund, the Washington state health insurance pool account, the federal forest revolving account, the Washington saves administrative treasury trust account, and the library operations account.

(c) The following accounts and funds must receive 80 percent of their proportionate share of earnings based upon each account's or fund's average daily balance for the period: The advance right-of-way revolving fund, the advanced environmental mitigation revolving account, the federal narcotics asset forfeitures account, the high occupancy vehicle account, the local rail service assistance account, and the miscellaneous transportation programs account.

(d) Any state agency that has independent authority over accounts or funds not statutorily required to be held in the custody of the state treasurer that deposits funds into a fund or account in the custody of the state treasurer pursuant to an agreement with the office of the state treasurer shall receive its proportionate share of earnings based upon each account's or fund's average daily balance for the period.

(5) In conformance with Article II, section 37 of the state Constitution, no trust accounts or funds shall be allocated earnings without the specific affirmative directive of this section.

Sec. 14. RCW 43.79A.040 and 2024 c 327 s 17 and 2024 c 168 s 11 are each reenacted and amended to read as follows:

(1) Money in the treasurer's trust fund may be deposited, invested, and reinvested by the state treasurer in accordance with RCW 43.84.080 in the same

manner and to the same extent as if the money were in the state treasury, and may be commingled with moneys in the state treasury for cash management and cash balance purposes.

(2) All income received from investment of the treasurer's trust fund must be set aside in an account in the treasury trust fund to be known as the investment income account.

(3) The investment income account may be utilized for the payment of purchased banking services on behalf of treasurer's trust funds including, but not limited to, depository, safekeeping, and disbursement functions for the state treasurer or affected state agencies. The investment income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for payments to financial institutions. Payments must occur prior to distribution of earnings set forth in subsection (4) of this section.

(4)(a) Monthly, the state treasurer must distribute the earnings credited to the investment income account to the state general fund except under (b), (c), and (d) of this subsection.

(b) The following accounts and funds must receive their proportionate share of earnings based upon each account's or fund's average daily balance for the period: The 24/7 sobriety account, the Washington promise scholarship account, the Gina Grant Bull memorial legislative page scholarship account, the Rosa Franklin legislative internship program scholarship account, the Washington advanced college tuition payment program account, the Washington college savings program account, the accessible communities account, the Washington achieving a better life experience program account, the Washington career and college pathways innovation challenge program account, the community and technical college innovation account, the agricultural local fund, the American Indian scholarship endowment fund, the behavioral health loan repayment and scholarship program account, the Billy Frank Jr. national statutory hall collection fund, the foster care scholarship endowment fund, the foster care endowed scholarship trust fund, the contract harvesting revolving account, the Washington state combined fund drive account, ~~((the commemorative works account,))~~ the county 911 excise tax account, the county road administration board emergency loan account, the toll collection account, the developmental disabilities endowment trust fund, the energy account, the energy facility site evaluation council account, the fair fund, the family and medical leave insurance account, the Fern Lodge maintenance account, the fish and wildlife federal lands revolving account, the natural resources federal lands revolving account, the food animal veterinarian conditional scholarship account, the forest health revolving account, the fruit and vegetable inspection account, the educator conditional scholarship account, the game farm alternative account, the GET ready for math and science scholarship account, the Washington global health technologies and product development account, the grain inspection revolving fund, the Washington history day account, the industrial insurance rainy day fund, ~~((the juvenile accountability incentive account,))~~ the law enforcement officers' and firefighters' plan 2 expense fund, the local tourism promotion account, the low-income home rehabilitation account, the medication for people living with HIV rebate revenue account, the homeowner recovery account, the multiagency permitting team account, the northeast Washington wolf-livestock management account, ~~((the produce railcar pool account,))~~ the public use general

aviation airport loan revolving account, the regional transportation investment district account, the rural rehabilitation account, the Washington sexual assault kit account, the stadium and exhibition center account, the youth athletic facility account, the self-insurance revolving fund, the children's trust fund, the Washington horse racing commission Washington bred owners' bonus fund and breeder awards account, the Washington horse racing commission class C purse fund account, the individual development account program account, the Washington horse racing commission operating account, the life sciences discovery fund, the Washington state library-archives building account, the reduced cigarette ignition propensity account, the center for deaf and hard of hearing youth account, the school for the blind account, ~~((the Miller-Sylvan park trust fund,))~~ the public employees' and retirees' insurance reserve fund, the school employees' benefits board insurance reserve fund, the public employees' and retirees' insurance account, the school employees' insurance account, the long-term services and supports trust account, the radiation perpetual maintenance fund, the Indian health improvement reinvestment account, the department of licensing tuition recovery trust fund, the student achievement council tuition recovery trust fund, the tuition recovery trust fund, the industrial insurance premium refund account, the mobile home park relocation fund, the natural resources deposit fund, the Washington state health insurance pool account, the federal forest revolving account, the Washington saves administrative treasury trust account, and the library operations account.

(c) The following accounts and funds must receive 80 percent of their proportionate share of earnings based upon each account's or fund's average daily balance for the period: The advance right-of-way revolving fund, the advanced environmental mitigation revolving account, the federal narcotics asset forfeitures account, the high occupancy vehicle account, the local rail service assistance account, and the miscellaneous transportation programs account.

(d) Any state agency that has independent authority over accounts or funds not statutorily required to be held in the custody of the state treasurer that deposits funds into a fund or account in the custody of the state treasurer pursuant to an agreement with the office of the state treasurer shall receive its proportionate share of earnings based upon each account's or fund's average daily balance for the period.

(5) In conformance with Article II, section 37 of the state Constitution, no trust accounts or funds shall be allocated earnings without the specific affirmative directive of this section.

Sec. 15. RCW 43.84.092 and 2024 c 210 s 4 and 2024 c 168 s 12 are each reenacted and amended to read as follows:

(1) All earnings of investments of surplus balances in the state treasury shall be deposited to the treasury income account, which account is hereby established in the state treasury.

(2) The treasury income account shall be utilized to pay or receive funds associated with federal programs as required by the federal cash management improvement act of 1990. The treasury income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for refunds or allocations of interest earnings required by the cash management improvement act. Refunds of interest to the federal treasury required under the cash management

improvement act fall under RCW 43.88.180 and shall not require appropriation. The office of financial management shall determine the amounts due to or from the federal government pursuant to the cash management improvement act. The office of financial management may direct transfers of funds between accounts as deemed necessary to implement the provisions of the cash management improvement act, and this subsection. Refunds or allocations shall occur prior to the distributions of earnings set forth in subsection (4) of this section.

(3) Except for the provisions of RCW 43.84.160, the treasury income account may be utilized for the payment of purchased banking services on behalf of treasury funds including, but not limited to, depository, safekeeping, and disbursement functions for the state treasury and affected state agencies. The treasury income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for payments to financial institutions. Payments shall occur prior to distribution of earnings set forth in subsection (4) of this section.

(4) Monthly, the state treasurer shall distribute the earnings credited to the treasury income account. The state treasurer shall credit the general fund with all the earnings credited to the treasury income account except:

(a) The following accounts and funds shall receive their proportionate share of earnings based upon each account's and fund's average daily balance for the period: The abandoned recreational vehicle disposal account, the aeronautics account, the Alaskan Way viaduct replacement project account, the ambulance transport fund, the budget stabilization account, the capital vessel replacement account, the capitol building construction account, the Central Washington University capital projects account, the charitable, educational, penal and reformatory institutions account, the Chehalis basin account, the Chehalis basin taxable account, the clean fuels credit account, the clean fuels transportation investment account, the cleanup settlement account, the climate active transportation account, the climate transit programs account, the Columbia river basin water supply development account, the Columbia river basin taxable bond water supply development account, the Columbia river basin water supply revenue recovery account, the common school construction fund, the community forest trust account, the connecting Washington account, the county arterial preservation account, the county criminal justice assistance account, the covenant homeownership account, the deferred compensation administrative account, the deferred compensation principal account, the department of licensing services account, the department of retirement systems expense account, the developmental disabilities community services account, the diesel idle reduction account, the opioid abatement settlement account, the drinking water assistance account, the administrative subaccount of the drinking water assistance account, the early learning facilities development account, the early learning facilities revolving account, the Eastern Washington University capital projects account, ~~((the education construction fund,))~~ the education legacy trust account, the election account, the electric vehicle account, the energy freedom account, the energy recovery act account, the essential rail assistance account, The Evergreen State College capital projects account, the fair start for kids account, the family medicine workforce development account, the ferry bond retirement fund, the fish, wildlife, and conservation account, the freight mobility investment account, the freight mobility multimodal account, the grade crossing protective fund, the higher education retirement plan supplemental benefit fund,

the Washington student loan account, the highway bond retirement fund, the highway infrastructure account, the highway safety fund, the hospital safety net assessment fund, the Interstate 5 bridge replacement project account, the Interstate 405 and state route number 167 express toll lanes account, the judges' retirement account, the judicial retirement administrative account, the judicial retirement principal account, the limited fish and wildlife account, the local leasehold excise tax account, the local real estate excise tax account, the local sales and use tax account, the marine resources stewardship trust account, the medical aid account, the money-purchase retirement savings administrative account, the money-purchase retirement savings principal account, the motor vehicle fund, the motorcycle safety education account, the move ahead WA account, the move ahead WA flexible account, the multimodal transportation account, the multiuse roadway safety account, the municipal criminal justice assistance account, the oyster reserve land account, the pension funding stabilization account, the perpetual surveillance and maintenance account, the pilotage account, the pollution liability insurance agency underground storage tank revolving account, the public employees' retirement system plan 1 account, the public employees' retirement system combined plan 2 and plan 3 account, the public facilities construction loan revolving account, the public health supplemental account, the public works assistance account, the Puget Sound capital construction account, the Puget Sound ferry operations account, the Puget Sound Gateway facility account, the Puget Sound taxpayer accountability account, the real estate appraiser commission account, the recreational vehicle account, the regional mobility grant program account, the reserve officers' relief and pension principal fund, the resource management cost account, the rural arterial trust account, the rural mobility grant program account, the rural Washington loan fund, the second injury fund, the sexual assault prevention and response account, the site closure account, the skilled nursing facility safety net trust fund, the small city pavement and sidewalk account, the special category C account, the special wildlife account, the state hazard mitigation revolving loan account, the state investment board expense account, the state investment board commingled trust fund accounts, the state patrol highway account, the state reclamation revolving account, the state route number 520 civil penalties account, the state route number 520 corridor account, the statewide broadband account, the statewide tourism marketing account, the supplemental pension account, the Tacoma Narrows toll bridge account, the teachers' retirement system plan 1 account, the teachers' retirement system combined plan 2 and plan 3 account, the tobacco prevention and control account, the tobacco settlement account, the toll facility bond retirement account, the transportation 2003 account (nickel account), the transportation equipment fund, the JUDY transportation future funding program account, the transportation improvement account, the transportation improvement board bond retirement account, the transportation infrastructure account, the transportation partnership account, the traumatic brain injury account, the tribal opioid prevention and treatment account, the University of Washington bond retirement fund, the University of Washington building account, the voluntary cleanup account, the volunteer firefighters' relief and pension principal fund, the volunteer firefighters' and reserve officers' administrative fund, the vulnerable roadway user education account, the Washington judicial retirement system account, the Washington law

enforcement officers' and firefighters' system plan 1 retirement account, the Washington law enforcement officers' and firefighters' system plan 2 retirement account, the Washington public safety employees' plan 2 retirement account, the Washington school employees' retirement system combined plan 2 and 3 account, the Washington state patrol retirement account, the Washington State University building account, the Washington State University bond retirement fund, the water pollution control revolving administration account, the water pollution control revolving fund, the Western Washington University capital projects account, the Yakima integrated plan implementation account, the Yakima integrated plan implementation revenue recovery account, and the Yakima integrated plan implementation taxable bond account. Earnings derived from investing balances of the agricultural permanent fund, the normal school permanent fund, the permanent common school fund, the scientific permanent fund, and the state university permanent fund shall be allocated to their respective beneficiary accounts.

(b) Any state agency that has independent authority over accounts or funds not statutorily required to be held in the state treasury that deposits funds into a fund or account in the state treasury pursuant to an agreement with the office of the state treasurer shall receive its proportionate share of earnings based upon each account's or fund's average daily balance for the period.

(5) In conformance with Article II, section 37 of the state Constitution, no treasury accounts or funds shall be allocated earnings without the specific affirmative directive of this section.

Sec. 16. RCW 43.84.092 and 2024 c 210 s 5 and 2024 c 168 s 13 are each reenacted and amended to read as follows:

(1) All earnings of investments of surplus balances in the state treasury shall be deposited to the treasury income account, which account is hereby established in the state treasury.

(2) The treasury income account shall be utilized to pay or receive funds associated with federal programs as required by the federal cash management improvement act of 1990. The treasury income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for refunds or allocations of interest earnings required by the cash management improvement act. Refunds of interest to the federal treasury required under the cash management improvement act fall under RCW 43.88.180 and shall not require appropriation. The office of financial management shall determine the amounts due to or from the federal government pursuant to the cash management improvement act. The office of financial management may direct transfers of funds between accounts as deemed necessary to implement the provisions of the cash management improvement act, and this subsection. Refunds or allocations shall occur prior to the distributions of earnings set forth in subsection (4) of this section.

(3) Except for the provisions of RCW 43.84.160, the treasury income account may be utilized for the payment of purchased banking services on behalf of treasury funds including, but not limited to, depository, safekeeping, and disbursement functions for the state treasury and affected state agencies. The treasury income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for payments to financial institutions. Payments shall occur prior to distribution of earnings set forth in subsection (4) of this section.

(4) Monthly, the state treasurer shall distribute the earnings credited to the treasury income account. The state treasurer shall credit the general fund with all the earnings credited to the treasury income account except:

(a) The following accounts and funds shall receive their proportionate share of earnings based upon each account's and fund's average daily balance for the period: The abandoned recreational vehicle disposal account, the aeronautics account, the Alaskan Way viaduct replacement project account, the budget stabilization account, the capital vessel replacement account, the capitol building construction account, the Central Washington University capital projects account, the charitable, educational, penal and reformatory institutions account, the Chehalis basin account, the Chehalis basin taxable account, the clean fuels credit account, the clean fuels transportation investment account, the cleanup settlement account, the climate active transportation account, the climate transit programs account, the Columbia river basin water supply development account, the Columbia river basin taxable bond water supply development account, the Columbia river basin water supply revenue recovery account, the common school construction fund, the community forest trust account, the connecting Washington account, the county arterial preservation account, the county criminal justice assistance account, the covenant homeownership account, the deferred compensation administrative account, the deferred compensation principal account, the department of licensing services account, the department of retirement systems expense account, the developmental disabilities community services account, the diesel idle reduction account, the opioid abatement settlement account, the drinking water assistance account, the administrative subaccount of the drinking water assistance account, the early learning facilities development account, the early learning facilities revolving account, the Eastern Washington University capital projects account, ~~((the education construction fund,))~~ the education legacy trust account, the election account, the electric vehicle account, the energy freedom account, the energy recovery act account, the essential rail assistance account, The Evergreen State College capital projects account, the fair start for kids account, the family medicine workforce development account, the ferry bond retirement fund, the fish, wildlife, and conservation account, the freight mobility investment account, the freight mobility multimodal account, the grade crossing protective fund, the higher education retirement plan supplemental benefit fund, the Washington student loan account, the highway bond retirement fund, the highway infrastructure account, the highway safety fund, the hospital safety net assessment fund, the Interstate 5 bridge replacement project account, the Interstate 405 and state route number 167 express toll lanes account, the judges' retirement account, the judicial retirement administrative account, the judicial retirement principal account, the limited fish and wildlife account, the local leasehold excise tax account, the local real estate excise tax account, the local sales and use tax account, the marine resources stewardship trust account, the medical aid account, the money-purchase retirement savings administrative account, the money-purchase retirement savings principal account, the motor vehicle fund, the motorcycle safety education account, the move ahead WA account, the move ahead WA flexible account, the multimodal transportation account, the multiuse roadway safety account, the municipal criminal justice assistance account, the oyster reserve land account, the pension funding

stabilization account, the perpetual surveillance and maintenance account, the pilotage account, the pollution liability insurance agency underground storage tank revolving account, the public employees' retirement system plan 1 account, the public employees' retirement system combined plan 2 and plan 3 account, the public facilities construction loan revolving account, the public health supplemental account, the public works assistance account, the Puget Sound capital construction account, the Puget Sound ferry operations account, the Puget Sound Gateway facility account, the Puget Sound taxpayer accountability account, the real estate appraiser commission account, the recreational vehicle account, the regional mobility grant program account, the reserve officers' relief and pension principal fund, the resource management cost account, the rural arterial trust account, the rural mobility grant program account, the rural Washington loan fund, the second injury fund, the sexual assault prevention and response account, the site closure account, the skilled nursing facility safety net trust fund, the small city pavement and sidewalk account, the special category C account, the special wildlife account, the state hazard mitigation revolving loan account, the state investment board expense account, the state investment board commingled trust fund accounts, the state patrol highway account, the state reclamation revolving account, the state route number 520 civil penalties account, the state route number 520 corridor account, the statewide broadband account, the statewide tourism marketing account, the supplemental pension account, the Tacoma Narrows toll bridge account, the teachers' retirement system plan 1 account, the teachers' retirement system combined plan 2 and plan 3 account, the tobacco prevention and control account, the tobacco settlement account, the toll facility bond retirement account, the transportation 2003 account (nickel account), the transportation equipment fund, the JUDY transportation future funding program account, the transportation improvement account, the transportation improvement board bond retirement account, the transportation infrastructure account, the transportation partnership account, the traumatic brain injury account, the tribal opioid prevention and treatment account, the University of Washington bond retirement fund, the University of Washington building account, the voluntary cleanup account, the volunteer firefighters' relief and pension principal fund, the volunteer firefighters' and reserve officers' administrative fund, the vulnerable roadway user education account, the Washington judicial retirement system account, the Washington law enforcement officers' and firefighters' system plan 1 retirement account, the Washington law enforcement officers' and firefighters' system plan 2 retirement account, the Washington public safety employees' plan 2 retirement account, the Washington school employees' retirement system combined plan 2 and 3 account, the Washington state patrol retirement account, the Washington State University building account, the Washington State University bond retirement fund, the water pollution control revolving administration account, the water pollution control revolving fund, the Western Washington University capital projects account, the Yakima integrated plan implementation account, the Yakima integrated plan implementation revenue recovery account, and the Yakima integrated plan implementation taxable bond account. Earnings derived from investing balances of the agricultural permanent fund, the normal school permanent fund, the permanent common school fund, the scientific permanent

fund, and the state university permanent fund shall be allocated to their respective beneficiary accounts.

(b) Any state agency that has independent authority over accounts or funds not statutorily required to be held in the state treasury that deposits funds into a fund or account in the state treasury pursuant to an agreement with the office of the state treasurer shall receive its proportionate share of earnings based upon each account's or fund's average daily balance for the period.

(5) In conformance with Article II, section 37 of the state Constitution, no treasury accounts or funds shall be allocated earnings without the specific affirmative directive of this section.

NEW SECTION. Sec. 17. Any residual balance of funds remaining in any account abolished in this act on July 1, 2025, shall be transferred by the state treasurer to the state general fund except for the following accounts:

(1) Any residual balance of funds remaining in the produce railcar pool account on July 1, 2025, shall be transferred by the state treasurer to the multimodal transportation account.

(2) Any residual balance of funds remaining in the commemorative works account on July 1, 2025, shall be transferred by the state treasurer to the enterprise services account.

(3) Any residual balance of funds remaining in the Millersylvania park trust fund on July 1, 2025, shall be transferred by the state treasurer to the Millersylvania park current account.

(4) Any residual balance of funds remaining in the education construction fund on July 1, 2025, shall be transferred by the state treasurer to the common school construction fund.

(5) Any residual balance of funds remaining in the opportunity express account on July 1, 2025, shall be transferred by the state treasurer to the employment service administration account.

NEW SECTION. Sec. 18. (1) Section 13 of this act expires July 1, 2030.

(2) Section 15 of this act expires July 1, 2028.

NEW SECTION. Sec. 19. (1) Section 14 of this act takes effect July 1, 2030.

(2) Section 16 of this act takes effect July 1, 2028.

NEW SECTION. Sec. 20. (1) Sections 1 through 5, 7 through 13, 15, and 17 of this act are necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and take effect July 1, 2025.

(2) Section 6 of this act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately.

Passed by the House April 18, 2025.

Passed by the Senate April 26, 2025.

Approved by the Governor May 20, 2025.

Filed in Office of Secretary of State May 21, 2025.

CHAPTER 400

[Substitute House Bill 1958]

INTERSTATE 5 BRIDGE REPLACEMENT PROJECT—TOLL BOND AUTHORITY

AN ACT Relating to the interstate bridge replacement toll bond authority; amending RCW 47.10.907; and adding new sections to chapter 47.10 RCW.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Sec. 1. The legislature recognizes that replacement of the aging Interstate 5 bridge across the Columbia river is a priority for the state of Washington. The interstate bridge replacement project will be completed in partnership with the state of Oregon, with equal sharing of bridge replacement costs and net toll revenues. The legislature finds that a variety of revenue sources and financing mechanisms will be required for Washington to provide its full share of the costs. The legislature intends to provide options for financing portions of the project while recognizing that no Washington state debt will be issued for this project until approved by the state financing committee, and only bonds necessary and supported by revenues will be issued.

As part of the financing plan for the project, Washington or Oregon may elect to pursue a federal transportation infrastructure finance and innovation act loan, repayable solely from toll revenues. The legislature intends for this act to support that application process.

NEW SECTION. Sec. 2. (1) In order to provide funds necessary for the design, right-of-way, and construction of the Interstate 5 bridge replacement project as allowed in RCW 47.56.902 and 47.56.904, there shall be issued and sold upon the request of the department up to \$2,500,000,000 of general obligation bonds of the state of Washington first payable from toll revenue and excise taxes on fuel and vehicle-related fees in accordance with section 5 of this act.

(2) For purposes of this act, "vehicle-related fees" means vehicle-related fees imposed under Title 46 RCW that constitute license fees for motor vehicles to be used for highway purposes.

NEW SECTION. Sec. 3. Upon the request of the department, the state finance committee shall supervise and provide for the issuance, sale, and retirement of bonds authorized by this act in accordance with chapter 39.42 RCW. Bonds authorized by this act shall be sold in the manner, at time or times, in amounts, and at the price as the state finance committee shall determine. No bonds may be offered for sale without prior legislative appropriation of the net proceeds of the sale of the bonds.

NEW SECTION. Sec. 4. (1) The proceeds from the sale of bonds authorized in section 2(1) of this act must be deposited in the Interstate 5 bridge replacement project account created in RCW 47.56.904.

(2) The bond proceeds must be available only for the purposes enumerated in section 2 of this act, for payment of bond anticipation notes or other interim financing, if any, capitalizing interest on the bonds, funding a debt service reserve fund, if any, and for the payment of bond issuance costs, including the costs of underwriting.

NEW SECTION. Sec. 5. Bonds issued under the authority of this section and sections 2, 7, and 8 of this act must distinctly state that they are a general obligation of the state of Washington, must pledge the full faith and credit of the state to the payment of the principal thereof and the interest thereon, and must contain an unconditional promise to pay such principal and interest as the same becomes due. The principal of and interest on the bonds must be first payable in the manner provided in this section and sections 2, 7, and 8 of this act from toll revenue and then from proceeds of excise taxes on fuel and vehicle-related fees to the extent toll revenue is not available for that purpose. Toll revenue and the state excise taxes on fuel imposed by chapter 82.38 RCW and vehicle-related fees are hereby pledged to the payment of any bonds and the interest thereon issued under the authority of this section and sections 2, 7, and 8 of this act, and the legislature agrees to continue to impose these toll charges on the Interstate 5 bridge replacement project, and on any other eligible toll facility designated by the legislature and on which the imposition of tolls is authorized by the legislature in respect of the bonds, and excise taxes on fuel and vehicle-related fees in amounts sufficient to pay, when due, the principal and interest on all bonds issued under the authority of this section and sections 2, 7, and 8 of this act.

NEW SECTION. Sec. 6. (1) If and to the extent that the state finance committee determines, in consultation with the department and the tolling authority, that it will be beneficial for the state to issue any bonds authorized in sections 2, 5, 7, and 8 of this act as toll revenue bonds rather than as general obligation bonds, the state finance committee is authorized to issue and sell, upon the request of the department, such bonds as toll revenue bonds and not as general obligation bonds. Notwithstanding section 5 of this act, each such bond must contain a recital that payment or redemption of the bond and payment of the interest and any premium thereon is payable solely from and secured solely by a direct pledge, charge, and lien upon toll revenue and is not a general obligation of the state to which the full faith and credit of the state or excise taxes on fuel or vehicle-related fees are pledged.

(2) Toll revenue is hereby pledged to the payment of any bonds and the interest thereon issued under the authority of this section, and the legislature agrees to continue to impose these toll charges on the Interstate 5 bridge replacement project, and on any other eligible toll facility designated by the legislature and on which the imposition of tolls is authorized by the legislature in respect of the bonds, in amounts sufficient to pay, when due, the principal and interest on all bonds issued under the authority of this section.

NEW SECTION. Sec. 7. (1) For bonds issued under the authority of this section and sections 2, 5, and 8 of this act, the state treasurer shall first withdraw toll revenue from the Interstate 5 bridge replacement project account, and, to the extent toll revenue is not available, excise taxes on fuel and vehicle-related fees and deposit in the Interstate 5 bridge replacement project toll facility bond retirement account, or a special subaccount in the account, such amounts, and at such times, as are required by the bond proceedings.

(2) Any excise taxes on fuel and vehicle-related fees required for bond retirement or interest on the bonds authorized by this section and sections 2, 5, and 8 of this act must be taken from that portion of the motor vehicle fund that

results from the imposition of excise taxes on fuel and vehicle-related fees and which is, or may be, appropriated to the department for state highway purposes. Funds required must never constitute a charge against any other allocations of fuel tax and vehicle-related fee revenues to the state, counties, cities, and towns unless the amount arising from excise taxes on fuel and vehicle-related fees distributed to the state in the motor vehicle fund proves insufficient to meet the requirements for bond retirement or interest on any such bonds.

(3) Any payments for bond retirement or interest on the bonds taken from allocations of other revenues from the fuel taxes and vehicle-related fees that are distributable to the state, counties, cities, and towns must be repaid from available toll revenue in the manner provided in the bond proceedings or, if toll revenue is not available for that purpose, from the first revenues from the excise taxes on fuel and vehicle-related fees distributed to the motor vehicle fund not required for bond retirement or interest on the bonds. Any excise taxes on fuel and vehicle-related fees required for bond retirement or interest on the bonds authorized by this section and sections 2, 5, and 8 of this act must be reimbursed to the motor vehicle fund from toll revenue in the manner and with the priority specified in the bond proceedings.

NEW SECTION. Sec. 8. Bonds issued under the authority of sections 2, 5, and 7 of this act and this section and any other general obligation bonds of the state of Washington that have been or that may be authorized and that pledge excise taxes on fuel and vehicle-related fees for the payment of principal and interest thereon must be an equal charge against the revenues from such excise taxes on fuel and vehicle-related fees.

NEW SECTION. Sec. 9. The Interstate 5 bridge replacement project toll facility bond retirement account is created in the state treasury for the purpose of payment of the principal of and interest and premium on bonds issued for the purposes of this act. Both principal of and interest on the bonds issued for the purposes of this act shall be payable from the Interstate 5 bridge replacement project toll facility bond retirement account. The state finance committee may provide that special subaccounts be created in the account to facilitate payment of the principal of and interest on the bonds. The state finance committee shall, on or before June 30th of each year, certify to the state treasurer the amount required for principal and interest on the bonds in accordance with the bond proceedings.

NEW SECTION. Sec. 10. The state finance committee may determine and include in any resolution authorizing the issuance of any bonds under this act such terms, provisions, covenants, and conditions as it may deem appropriate in order to assist with the marketing and sale of the bonds, confer rights upon the owners of bonds, and safeguard rights of the owners of bonds including, among other things:

(1) Provisions regarding the maintenance and operation of the Interstate 5 bridge replacement project as an eligible toll facility;

(2) The pledges, uses, and priorities of application of toll revenue;

(3) Provisions that bonds shall be payable from and secured solely by toll revenue as provided by RCW 47.10.886 and section 6 of this act, or shall be payable from and secured by both toll revenue and by a pledge of excise taxes on

motor vehicle fuel and vehicle-related fees and the full faith and credit of the state as provided in RCW 47.10.879 and 47.10.883 through 47.10.885;

(4) Provisions that bonds shall be payable from and secured by both toll revenue and by a pledge of excise taxes on fuel and vehicle-related fees and the full faith and credit of the state as provided in RCW 47.10.896 and 47.10.899 through 47.10.901 and sections 2, 5, 7, and 8 of this act;

(5) In consultation with the department of transportation and the tolling authority, financial covenants requiring that the eligible toll facilities must produce specified coverage ratios of toll revenue to debt service on bonds;

(6) The purposes and conditions that must be satisfied prior to the issuance of any additional bonds that are to be payable from and secured by any toll revenue on an equal basis with previously issued and outstanding bonds payable from and secured by toll revenue;

(7) Provisions that bonds for which any toll revenue are pledged, or for which a pledge of any toll revenue may be reserved, may be structured on a senior, parity, subordinate, or special lien basis in relation to any other bonds for which toll revenue is pledged, with respect to toll revenue only; and

(8) Provisions regarding reserves, credit enhancement, liquidity facilities, and payment agreements with respect to bonds.

Any of the foregoing, covenants and conditions detailing the character of the department's management, maintenance, and operation of eligible toll facilities, insurance for eligible toll facilities, internal financial management of toll revenue, and disposition of eligible toll facilities must be approved by the department of transportation.

The owner of any bond may by mandamus or other appropriate proceeding require and compel performance of any duties imposed upon the tolling authority and the department of transportation and their respective officials, including any duties imposed upon or undertaken by them or by their respective officers, agents, and employees, in connection with the construction, maintenance, and operation of eligible toll facilities and in connection with the collection, deposit, investment, application, and disbursement of the proceeds of the bonds and toll revenue.

Sec. 11. RCW 47.10.907 and 2019 c 421 s 10 are each amended to read as follows:

(1) For the purposes of chapter 498, Laws of 2009, chapter 377, Laws of 2011, ~~((and))~~ chapter 421, Laws of 2019, and chapter . . . , Laws of 2025 (this act), "toll revenue" means all toll receipts, all interest income derived from the investment of toll receipts, and any gifts, grants, or other funds received for the benefit of transportation facilities in the state, including eligible toll facilities. However, for the purpose of any pledge of toll revenue to the payment of particular bonds issued under chapter 498, Laws of 2009, chapter 377, Laws of 2011, ~~((and))~~ chapter 421, Laws of 2019, and chapter . . . , Laws of 2025 (this act), "toll revenue" means and includes only such toll revenue or portion thereof that is pledged to the payment of those bonds in the resolution authorizing the issuance of such bonds. Toll revenue constitutes "fees and revenues derived from the ownership or operation of any undertaking, facility, or project" as that phrase is used in Article VIII, section 1(c)(1) of the state Constitution.

(2) For the purposes of chapter 498, Laws of 2009, chapter 377, Laws of 2011, ~~((and))~~ chapter 421, Laws of 2019, and chapter . . . , Laws of 2025 (this act), "tolling authority" has the same meaning as in RCW 47.56.810.

NEW SECTION. Sec. 12. Sections 1 through 10 of this act are each added to chapter 47.10 RCW.

Passed by the House April 18, 2025.

Passed by the Senate April 23, 2025.

Approved by the Governor May 20, 2025.

Filed in Office of Secretary of State May 21, 2025.

CHAPTER 401

[Substitute House Bill 2020]

BUSINESS AND OCCUPATION TAX—PAYMENT CARD PROCESSING

AN ACT Relating to creating a business and occupation tax deduction and increasing the rate for persons conducting payment card processing activities; amending RCW 82.04.290 and 82.04.29004; reenacting and amending RCW 82.04.299; adding a new section to chapter 82.04 RCW; creating new sections; and providing an effective date.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Sec. 1. The unique nature of payment system arrangements distinguishes payment card processors from other taxpayers. Due to the unique nature of processors' activities related to interchange fees and network fees, the legislature intends to address the business and occupation taxation of processors' activities on a prospective basis through the deduction and rate authorized in this act. The legislature does not intend for inferences as to the taxability of prior periods to be drawn from the passage of this act.

NEW SECTION. Sec. 2. A new section is added to chapter 82.04 RCW to read as follows:

(1) In computing the tax under RCW 82.04.290(4), a processor may deduct from the measure of the tax amounts retained by persons other than the processor in the following forms:

- (a) Interchange fees;
- (b) Network fees; and
- (c) Portions of fees retained by other processors.

(2) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Acquirer" means a person that contracts directly or indirectly with a merchant to provide settlement for the merchant's electronic transactions over a payment card network. "Acquirer" does not include a person that acts only as a processor for the services it provides to the merchant.

(b) "Interchange fee" means an amount received by an issuer with respect to the interchange of a transaction conducted by a merchant.

(c) "Issuer" means any person that authorizes the use of a card to perform an electronic transaction.

(d) "Network fees" means fees received by payment networks associated with the processing of a transaction or with the acceptance of the payment network's brand.

(e) "Payment network" means an entity that directly or indirectly provides the proprietary services, infrastructure, and software that route information and data to an issuer from an acquirer to conduct the authorization, clearance, and settlement of electronic transactions; and a merchant uses in order to accept as a form of payment a brand of card or other device that may be used to carry out electronic transactions.

(f) "Processor" means a person, including an acquirer or issuer, that processes or routes electronic transactions for issuers, acquirers, or merchants.

Sec. 3. RCW 82.04.290 and 2020 c 2 s 3 are each amended to read as follows:

(1) Upon every person engaging within this state in the business of providing qualifying international investment management services, as to such persons, the amount of tax with respect to such business is equal to the gross income or gross proceeds of sales of the business multiplied by a rate of 0.275 percent.

(2)(a) Upon every person engaging within this state in any business activity other than or in addition to an activity taxed explicitly under ~~((another section in))~~ this chapter ~~((or subsection (1) or (3) of this section))~~; as to such persons the amount of tax on account of such activities is equal to the gross income of the business multiplied by the rate of:

(i) 1.75 percent; or

(ii) 1.5 percent for:

(A) Any person subject to the surcharge imposed under RCW 82.04.299;

(B) Any person whose gross income of the business subject to the tax imposed under this subsection (2), for the immediately preceding calendar year, was less than ~~((one million dollars))~~ \$1,000,000, unless (I) the person is affiliated with one or more other persons, and (II) the aggregate gross income of the business subject to the tax imposed under this subsection (2) for all affiliated persons was greater than or equal to ~~((one million dollars))~~ \$1,000,000 for the immediately preceding calendar year; and

(C) Hospitals as defined in RCW 70.41.020, including any hospital that comes within the scope of chapter 71.12 RCW if the hospital is also licensed under chapter 70.41 RCW. This subsection (2)(a)(ii)(C) must not be construed as modifying RCW 82.04.260(10).

(b) This subsection (2) includes, among others, and without limiting the scope hereof (whether or not title to materials used in the performance of such business passes to another by accession, confusion or other than by outright sale), persons engaged in the business of rendering any type of service which does not constitute a "sale at retail" or a "sale at wholesale." The value of advertising, demonstration, and promotional supplies and materials furnished to an agent by his or her principal or supplier to be used for informational, educational, and promotional purposes is not considered a part of the agent's remuneration or commission and is not subject to taxation under this section.

(c) 14.3 percent of the revenues collected under (a)(i) of this subsection (2) must be deposited into the workforce education investment account created in RCW 43.79.195.

(d)(i) To aid in the effective administration of this subsection (2), the department may require a person claiming to be subject to the 1.5 percent tax rate under (a)(ii)(B) of this subsection (2) to identify all of the person's affiliates,

including their department tax registration number or unified business identifier number, as may be applicable, or to certify that the person is not affiliated with any other person. Requests under this subsection (2)(d)(i) must be in writing and may be made electronically.

(ii) If the department establishes, by clear, cogent, and convincing evidence, that a person, with intent to evade the additional taxes due under the 1.75 percent tax rate in (a)(i) of this subsection (2), failed to provide the department with complete and accurate information in response to a written request under (d)(i) of this subsection (2) within ~~((thirty))~~ 30 days of such request, the person is ineligible for the 1.5 percent tax rate in (a)(ii) of this subsection (2) for the entire current calendar year and the following four calendar years. However, the department must waive the provisions of this subsection (2)(d)(ii) for any tax reporting period that the person is otherwise eligible for the 1.5 percent tax rate in (a)(ii) of this subsection (2) if (A) the department has not previously determined that the person failed to fully comply with (d)(i) of this subsection (2), and (B) within ~~((thirty))~~ 30 days of the notice of additional tax due as a result of the person's failure to fully comply with (d)(i) of this subsection (2) the department determines that the person has come into full compliance with (d)(i) of this subsection (2). This subsection (2)(d) applies only with respect to persons claiming entitlement to the 1.5 percent tax rate solely by reason of (a)(ii)(B) of this subsection (2).

(e) For the purposes of (a)(ii)(B) of this subsection (2), if a taxpayer is subject to the reconciliation provisions of RCW 82.04.462(4), and calculates gross income of the business subject to the tax imposed under this subsection (2) for the immediately preceding calendar year, or aggregate gross income of the business subject to the tax imposed under this subsection (2) for the immediately preceding calendar year for all affiliated persons, based on incomplete information, the taxpayer must correct the reporting for the current calendar year when complete information for the immediately preceding calendar year is available.

(f) For purposes of this subsection (2), the definitions in this subsection (2)(f) apply:

(i) "Affiliate" means a person that directly or indirectly, through one or more intermediaries, controls, is controlled by, or is under common control with another person; and

(ii) "Control" means the possession, directly or indirectly, of more than ~~((eighty))~~ 80 percent of the power to direct or cause the direction of the management and policies of a person, whether through the ownership of voting shares, by contract, or otherwise.

(3)(a) Until July 1, 2040, upon every person engaging within this state in the business of performing aerospace product development for others, as to such persons, the amount of tax with respect to such business is equal to the gross income of the business multiplied by a rate of 0.9 percent.

(b) A person reporting under the tax rate provided in this subsection (3) must file a complete annual report with the department under RCW 82.32.534.

(c) "Aerospace product development" has the meaning as provided in RCW 82.04.4461.

(4)(a) Except as provided in (b) of this subsection (4), upon every processor engaging within this state in payment card processing activities, as to such

persons, the amount of tax with respect to such business is equal to the gross income of the business from such payment card processing activities multiplied by the rate of 3.1 percent.

(b)(i) This subsection (4) does not apply to payment card processing activities involving credit, debit, or prepaid card transactions in which:

(A) The processor:

(I) Also operates the payment network or is affiliated with the operator of the payment network; and

(II) Makes related payments to an affiliated financial institution; or

(B) The payment card processing company is also the issuer.

(ii) Payment card processing activities excluded from this subsection (4) are subject to tax under subsection (2) of this section without any deduction under section 2 of this act.

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

(i) "Affiliated" has the same meaning as in RCW 82.04.299.

(ii) "Financial institution" has the same meaning as in RCW 82.04.080.

(iii) "Issuer" has the same meaning as in section 2 of this act.

(iv) "Payment card processing activities" means services related to directly or indirectly acquiring, processing, or routing electronic transactions for issuers, acquirers, payment networks, or merchants. "Payment card processing activities" does not include:

(A) Issuing and authorizing the use of payment cards;

(B) Authorization, clearance, and settlement of electronic transactions by a payment network; or

(C) Retail services or the retail sale of hardware or software.

(v) "Payment network" has the same meaning as in section 2 of this act.

(vi) "Processor" has the same meaning as in section 2 of this act.

Sec. 4. RCW 82.04.29004 and 2019 c 420 s 2 are each amended to read as follows:

(1) Beginning January 1, 2020, in addition to any other taxes imposed under this chapter, an additional tax is imposed on specified financial institutions. The additional tax is equal to the gross income of the business taxable under RCW 82.04.290 (2) and (4) multiplied by the rate of 1.2 percent.

(2) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Affiliated" means a person that directly or indirectly, through one or more intermediaries, controls, is controlled by, or is under common control with another person. For purposes of this subsection (2)(a), "control" means the possession, directly or indirectly, of more than ~~((fifty))~~ 50 percent of the power to direct or cause the direction of the management and policies of a person, whether through the ownership of voting shares, by contract, or otherwise.

(b) "Consolidated financial institution group" means all financial institutions that are affiliated with each other.

(c) "Consolidated financial statement" means a consolidated financial institution group's consolidated reports of condition and income filed with the federal financial institutions examination council, or successor agency.

(d) "Financial institution" means:

(i) Any corporation or other business entity chartered under Titles 30A, 30B, 31, 32, and 33 RCW, or registered under the federal bank holding company

act of 1956, as amended, or registered as a savings and loan holding company under the federal national housing act, as amended;

(ii) A national bank organized and existing as a national bank association pursuant to the provisions of the national bank act, 12 U.S.C. Sec. 21 et seq.;

(iii) A savings association or federal savings bank as defined in the federal deposit insurance act, 12 U.S.C. Sec. 1813(b)(1);

(iv) Any bank or thrift institution incorporated or organized under the laws of any state;

(v) Any corporation organized under the provisions of 12 U.S.C. Sec. 611 through 631;

(vi) Any agency or branch of a foreign depository as defined in 12 U.S.C. Sec. 3101 that is not exempt under RCW 82.04.315;

(vii) A production credit association organized under the federal farm credit act of 1933, all of whose stock held by the federal production credit corporation has been retired;

(viii) Any corporation or other business entity who receives gross income taxable under RCW 82.04.290, and whose voting interests are more than ~~((fifty))~~ 50 percent owned, directly or indirectly, by any person or business entity described in (d)(i) through (vii) of this subsection other than an insurance company liable for the insurance premiums tax under RCW 48.14.020 or any other company taxable under chapter 48.14 RCW;

(ix)(A) A corporation or other business entity that receives more than ~~((fifty))~~ 50 percent of its total gross income for federal income tax purposes from finance leases. For purposes of this subsection, a "finance lease" means a lease that meets two requirements:

(I) It is the type of lease permitted to be made by national banks (see 12 U.S.C. Sec. 24(7) and (10), comptroller of the currency regulations, part 23, leasing (added by 56 C.F.R. Sec. 28314, June 20, 1991, effective July 22, 1991), and regulation Y of the federal reserve system 12 C.F.R. Part 225.25, as amended); and

(II) It is the economic equivalent of an extension of credit, i.e., the lease is treated by the lessor as a loan for federal income tax purposes. In no event does a lease qualify as an extension of credit where the lessor takes depreciation on such property for federal income tax purposes.

(B) For this classification to apply, the average of the gross income in the current tax year and immediately preceding two tax years must satisfy the more than ~~((fifty))~~ 50 percent requirement;

(x) Any other person or business entity, other than an insurance general agent taxable under RCW 82.04.280(1)(e), an insurance business exempt from the business and occupation tax under RCW 82.04.320, a real estate broker taxable under RCW 82.04.255, a securities dealer or international investment management company taxable under RCW 82.04.290(2), that receives more than ~~((fifty))~~ 50 percent of its gross receipts from activities that a person described in (d)(ii) through (vii) and (ix) of this subsection is authorized to transact.

(e)(i) "Specified financial institution" means a financial institution that is a member of a consolidated financial institution group that reported on its consolidated financial statement for the previous calendar year annual net income of at least ~~((one billion dollars))~~ \$1,000,000,000, not including net

income attributable to noncontrolling interests, as the terms "net income" and "noncontrolling interest" are used in the consolidated financial statement.

(ii) If financial institutions are no longer required to file consolidated financial statements, "specified financial institution" means any person that was subject to the additional tax in this section in at least two of the previous four calendar years.

(3) The department must notify the fiscal committees of the legislature if financial institutions are no longer required to file consolidated financial statements.

(4) To aid in the effective administration of the additional tax imposed in this section, the department may require a person believed to be a specified financial institution to disclose whether it is a member of a consolidated financial institution group and, if so, to identify all other members of its consolidated financial institution group. A person failing to comply with this subsection is deemed to have intended to evade tax payable under this section and is subject to the penalty in RCW 82.32.090(7) on any tax due under this section by the person and any financial institution affiliated with the person.

(5) Taxes collected under this section must be deposited into the general fund.

Sec. 5. RCW 82.04.299 and 2022 c 170 s 1 and 2022 c 56 s 4 are each reenacted and amended to read as follows:

(1)(a) Beginning with business activities occurring on or after April 1, 2020, in addition to the taxes imposed under RCW 82.04.290 (2) and (4), a workforce education investment surcharge is imposed on select advanced computing businesses. The surcharge is equal to the gross income of the business subject to the tax under RCW 82.04.290 (2) and (4), multiplied by the rate of 1.22 percent.

(b) Except as provided in (e) of this subsection (1), in no case will the combined surcharge imposed under this subsection (1) paid by all members of an affiliated group be more than (~~nine million dollars~~) \$9,000,000 annually.

(c) For persons subject to the surcharge imposed under this subsection (1) that report under one or more tax classifications, the surcharge applies only to business activities taxed under RCW 82.04.290 (2) and (4).

(d) The surcharge imposed under this subsection (1) must be reported and paid on a quarterly basis in a manner as required by the department. Returns and amounts payable under this subsection (1) are due by the last day of the month immediately following the end of the reporting period covered by the return. All other taxes must be reported and paid as required under RCW 82.32.045.

(e)(i) To aid in the effective administration of the surcharge in this subsection (1), the department may require persons believed to be engaging in advanced computing or affiliated with a person believed to be engaging in advanced computing to disclose whether they are a member of an affiliated group and, if so, to identify all other members of the affiliated group subject to the surcharge.

(ii) If the department establishes, by clear, cogent, and convincing evidence, that one or more members of an affiliated group, with intent to evade the surcharge under this subsection (1), failed to fully comply with this subsection (1)(e), the department must assess against that person, or those persons collectively, a penalty equal to (~~fifty~~) 50 percent of the amount of the total surcharge payable by all members of that affiliated group for the calendar year

during which the person or persons failed to fully comply with this subsection (1)(e). The penalty under this subsection (1)(e) is in lieu of and not in addition to the evasion penalty under RCW 82.32.090(7).

(f) For the purposes of this subsection (1) the following definitions apply:

(i) "Advanced computing" means designing or developing computer software or computer hardware, whether directly or contracting with another person, including: Modifications to computer software or computer hardware; cloud computing services; or operating as a marketplace facilitator as defined by RCW 82.08.0531, an online search engine, or online social networking platform;

(ii) "Affiliate" and "affiliated" means a person that directly or indirectly, through one or more intermediaries, controls, is controlled by, or is under common control with another person;

(iii) "Affiliated group" means a group of two or more persons that are affiliated with each other;

(iv) "Cloud computing services" means on-demand delivery of computing resources, such as networks, servers, storage, applications, and services, over the internet;

(v) "Control" means the possession, directly or indirectly, of more than ~~((fifty))~~ 50 percent of the power to direct or cause the direction of the management and policies of a person, whether through the ownership of voting shares, by contract, or otherwise; and

(vi) "Select advanced computing business" means a person who is a member of an affiliated group with at least one member of the affiliated group engaging in the business of advanced computing, and the affiliated group has worldwide gross revenue of more than ~~((twenty-five billion dollars))~~ \$25,000,000,000 during the immediately preceding calendar year. A person who is primarily engaged within this state in the provision of commercial mobile service, as that term is defined in 47 U.S.C. Sec. 332(d)(1), shall not be considered a select advanced computing business. A person who is primarily engaged in this state in the operation and provision of access to transmission facilities and infrastructure that the person owns or leases for the transmission of voice, data, text, sound, and video using wired telecommunications networks shall not be considered a select advanced computing business. A person that is primarily engaged in business as a "financial institution" as defined in RCW 82.04.29004, as that section existed on January 1, 2020, shall not be considered a select advanced computing business. For purposes of this subsection (1)(f)(vi), "primarily" is determined based on gross income of the business.

(2)(a) The workforce education investment surcharge under this section does not apply to:

(i) Any hospital as defined in RCW 70.41.020, including any hospital that comes within the scope of chapter 71.12 RCW if the hospital is also licensed under chapter 70.41 RCW; or

(ii) A provider clinic offering primary care, multispecialty and surgical services, including behavioral health services, and any affiliate of the provider clinic if the affiliate is an organization that offers health care services or provides administrative support for a provider clinic, or is an independent practice association or accountable care organization.

(b) The exemptions under this subsection (2) do not apply to amounts received by any member of an affiliated group other than the businesses described in (a) of this subsection.

(c) For purposes of the exemption in (a)(ii) of this subsection:

(i) "Health care services" means services offered by health care providers relating to the prevention, cure, or treatment of illness, injury, or disease.

(ii) "Primary care" means wellness and prevention services and the diagnosis and treatment of health conditions.

(3) Revenues from the surcharge under this section must be deposited directly into the workforce education investment account established in RCW 43.79.195.

(4) The department has the authority to determine through an audit or other investigation whether a person is subject to the surcharge imposed in this section.

NEW SECTION. Sec. 6. RCW 82.32.805 and 82.32.808 do not apply to this act.

NEW SECTION. Sec. 7. This act takes effect January 1, 2026.

Passed by the House April 17, 2025.

Passed by the Senate April 26, 2025.

Approved by the Governor May 20, 2025.

Filed in Office of Secretary of State May 21, 2025.

CHAPTER 402

[House Bill 2039]

TEMPORARY ASSISTANCE FOR NEEDY FAMILIES—CHILD SUPPORT PASS THROUGH— DELAY

AN ACT Relating to child support pass through; and amending 2024 c 174 s 4 (uncodified).

Be it enacted by the Legislature of the State of Washington:

Sec. 1. 2024 c 174 s 4 (uncodified) is amended to read as follows:

This act takes effect ~~((January))~~ July 1, ((2026)) 2029.

Passed by the House April 17, 2025.

Passed by the Senate April 26, 2025.

Approved by the Governor May 20, 2025.

Filed in Office of Secretary of State May 21, 2025.

CHAPTER 403

[House Bill 2040]

AGED, BLIND, OR DISABLED ASSISTANCE PROGRAM—RECOVERIES ELIMINATION— DELAY

AN ACT Relating to the recovery of the aged, blind, or disabled assistance program; and amending RCW 74.62.030.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. RCW 74.62.030 and 2023 c 289 s 3 are each amended to read as follows:

(1)(a) The aged, blind, or disabled assistance program shall provide financial grants to persons in need who:

(i) Are not eligible to receive supplemental security income, refugee cash assistance, temporary assistance for needy families, or state family assistance benefits;

(ii) Meet the eligibility requirements of subsection (3) of this section; and

(iii) Are aged, blind, or disabled. For purposes of determining eligibility for assistance for the aged, blind, or disabled assistance program, the following definitions apply:

(A) "Aged" means age 65 or older.

(B) "Blind" means statutorily blind as defined for the purpose of determining eligibility for the federal supplemental security income program.

(C) "Disabled" means likely to meet the federal supplemental security income disability standard. In making this determination, the department should give full consideration to the cumulative impact of an applicant's multiple impairments, an applicant's age, and vocational and educational history.

In determining whether a person is disabled, the department may rely on, but is not limited to, the following:

(I) A previous disability determination by the social security administration or the disability determination service entity within the department; or

(II) A determination that an individual is eligible to receive optional categorically needy medicaid as a disabled person under the federal regulations at 42 C.F.R. Parts 435, Secs. 201(a)(3) and 210.

(b) The following persons are not eligible for the aged, blind, or disabled assistance program:

(i) Persons who are not able to engage in gainful employment due primarily to a substance use disorder. These persons shall be referred to appropriate assessment, treatment, or shelter services. Referrals shall be made at the time of application or at the time of eligibility review. This subsection may not be construed to prohibit the department from granting aged, blind, or disabled assistance benefits to persons with a substance use disorder who are incapacitated due to other physical or mental conditions that meet the eligibility criteria for the aged, blind, or disabled assistance program; or

(ii) Persons for whom there has been a final determination of ineligibility based on age, blindness, or disability for federal supplemental security income benefits.

(c) Persons may receive aged, blind, or disabled assistance benefits and essential needs and housing program support under RCW 43.185C.220 concurrently while pending application for federal supplemental security income benefits. Effective October 1, ~~((2025))~~ 2028, a person's receipt of supplemental security income received for the same period as aged, blind, or disabled program assistance as described in this section shall not be considered a debt due to the state and is not subject to recovery. However, the monetary value of aged, blind, or disabled cash assistance paid prior to October 1, ~~((2025))~~ 2028, that is duplicated by the person's receipt of supplemental security income for the same period shall be considered a debt due to the state and shall by operation of law be subject to recovery through all available legal remedies.

(2) The pregnant women assistance program shall provide financial grants to persons who:

(a) Are pregnant and in need, based upon the current income and resource standards of the federal temporary assistance for needy families program, but are ineligible for federal temporary assistance for needy families or state family assistance benefits for a reason other than failure to cooperate in program requirements; and

(b) Meet the eligibility requirements of subsection (3) of this section.

(3) To be eligible for the aged, blind, or disabled assistance program under subsection (1) of this section or the pregnant women assistance program under subsection (2) of this section, a person must:

(a) Be a citizen or alien lawfully admitted for permanent residence or otherwise residing in the United States under color of law, or be a victim of human trafficking as defined in RCW 74.04.005;

(b) Meet the income and resource standards described in RCW 74.04.805(1) (d) and (e);

(c)(i) Have furnished the department with their social security number. If the social security number cannot be furnished because it has not been issued or is not known, an application for a number shall be made prior to authorization of benefits, and the social security number shall be provided to the department upon receipt;

(ii) This requirement does not apply to victims of human trafficking as defined in RCW 74.04.005 if they have not been issued a social security number;

(d) Not have refused or failed without good cause to participate in substance use treatment if an assessment by a certified substance use disorder professional indicates a need for such treatment. Good cause must be found to exist when a person's physical or mental condition, as determined by the department, prevents the person from participating in substance use treatment, when needed outpatient treatment is not available to the person in the county of their residence, when needed inpatient treatment is not available in a location that is reasonably accessible for the person, or when the person is a parent or other relative personally providing care for a minor child or an incapacitated individual living in the same home as the person, and child care or day care would be necessary for the person to participate in substance use disorder treatment, and such care is not available; and

(e) Not have refused or failed to cooperate in obtaining federal aid assistance, without good cause.

(4) Referrals for essential needs and housing support under RCW 43.185C.220 shall be provided to persons found eligible under RCW 74.04.805.

(5) No person may be considered an eligible individual for benefits under this section with respect to any month if during that month the person:

(a) Is fleeing to avoid prosecution of, or to avoid custody or confinement for conviction of, a felony, or an attempt to commit a felony, under the laws of the state of Washington or the place from which the person flees; or

(b) Is violating a condition of probation, community supervision, or parole imposed under federal or state law for a felony or gross misdemeanor conviction.

(6) The department must share client data for individuals eligible for essential needs and housing support with the department of commerce and designated essential needs and housing support entities as required under RCW 43.185C.230.

Passed by the House April 17, 2025.

Passed by the Senate April 26, 2025.

Approved by the Governor May 20, 2025.

Filed in Office of Secretary of State May 21, 2025.

CHAPTER 404

[Engrossed Substitute House Bill 2049]

PUBLIC SCHOOLS—FUNDING

AN ACT Relating to investing in the state's paramount duty to fund K-12 education and build strong and safe communities by modifying the state and local property tax authority and adjusting the school funding formula; amending RCW 84.52.0531 and 28A.500.015; creating a new section; and providing an expiration date.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. RCW 84.52.0531 and 2022 c 108 s 3 are each amended to read as follows:

(1) Beginning with taxes levied for collection in 2020, the maximum dollar amount which may be levied by or for any school district for enrichment levies under RCW 84.52.053 is equal to the lesser of (~~((two dollars and fifty cents))~~) \$2.50 per (~~((thousand dollars))~~) \$1,000 of the assessed value of property in the school district or the maximum per-pupil limit. This maximum dollar amount shall be reduced accordingly as provided under RCW 43.09.2856(2).

(2) The definitions in this subsection apply to this section unless the context clearly requires otherwise.

(a) (~~((For the purpose of this section, "inflation"))~~) "Inflation" means the percentage change in the seasonally adjusted consumer price index for all urban consumers, Seattle area, for the most recent 12-month period as of September 25th of the year before the taxes are payable, using the official current base compiled by the United States bureau of labor statistics.

(b) "Inflation enhancement" means:

(i) \$500 in the 2026 calendar year; and

(ii) 3.33 percentage points added to inflation each year from the 2027 to 2030 calendar years.

(c) "Maximum per-pupil limit" means:

(i) (~~((Two thousand five hundred dollars))~~) Through the 2030 calendar year:

(A) \$2,500, as increased by inflation, plus inflation enhancements defined in (b) of this subsection, beginning with property taxes levied for collection in 2020, multiplied by the number of average annual full-time equivalent students enrolled in the school district in the prior school year, for school districts with fewer than (~~((forty thousand))~~) 40,000 annual full-time equivalent students enrolled in the school district in the prior school year; or

(~~((ii) Three thousand dollars))~~ (B) \$3,000, as increased by inflation plus the inflation enhancement defined in (b)(i) of this subsection, beginning with property taxes levied for collection in 2020, multiplied by the number of average annual full-time equivalent students enrolled in the school district in the prior school year, for school districts with (~~((forty thousand))~~) 40,000 or more annual full-time equivalent students enrolled in the school district in the prior school year.

~~((e) "Open for in-person instruction to all students" means that all students in all grades have the option to participate in at least 40 hours of planned in-person instruction per month and the school follows state department of health guidance and recommendations for resuming in-person instruction to the greatest extent practicable.)) (ii) Beginning with the 2031 calendar year, \$5,035, as increased by inflation beginning with property taxes levied for collection in 2032, multiplied by the number of average annual full-time equivalent students enrolled in the school district in the prior school year.~~

(d) "Prior school year" means the most recent school year completed prior to the year in which the levies are to be collected(~~, except as follows:~~

(i) ~~In the 2022 calendar year, if 2019-20 school year average annual full-time equivalent enrollment is greater than the school district's 2020-21 school year average annual full-time equivalent enrollment and the school district is open for in-person instruction to all students by the beginning of the 2021-22 school year, "prior school year" means the 2019-20 school year.~~

~~(ii) In the 2023 calendar year, if 2019-20 school year average annual full-time equivalent enrollment is greater than the school district's 2021-22 school year average annual full-time equivalent enrollment and the school district was open for in-person instruction to all students by the beginning of the 2021-22 school year, "prior school year" means the 2019-20 school year).~~

(3) For districts in a high/nonhigh relationship, the enrollments of the nonhigh students attending the high school shall only be counted by the nonhigh school districts for purposes of funding under this section.

(4) For school districts participating in an innovation academy cooperative established under RCW 28A.340.080, enrollments of students attending the academy shall be adjusted so that each participant district receives its proportional share of student enrollments for purposes of funding under this section.

(5) Beginning with propositions for enrichment levies for collection in calendar year 2020 and thereafter, a district must receive approval of an enrichment levy expenditure plan under RCW 28A.505.240 before submission of the proposition to the voters.

(6) The superintendent of public instruction shall develop rules and regulations and inform school districts of the pertinent data necessary to carry out the provisions of this section.

(7) Beginning with taxes levied for collection in 2018, enrichment levy revenues must be deposited in a separate subfund of the school district's general fund pursuant to RCW 28A.320.330, and for the 2018-19 school year are subject to the restrictions of RCW 28A.150.276 and the audit requirements of RCW 43.09.2856.

(8) Funds collected from levies for transportation vehicles, construction, modernization, or remodeling of school facilities as established in RCW 84.52.053 are not subject to the levy limitations in subsections (1) through (5) of this section.

Sec. 2. RCW 28A.500.015 and 2022 c 108 s 4 are each amended to read as follows:

(1) Beginning in calendar year 2020 and each calendar year thereafter, the state must provide state local effort assistance funding to supplement school district enrichment levies as provided in this section.

(2)(a) For an eligible school district with an actual enrichment levy rate that is less than ~~((one dollar and fifty cents))~~ \$1.50 per ~~((thousand dollars))~~ \$1,000 of assessed value in the school district, the annual local effort assistance funding is equal to the school district's maximum local effort assistance multiplied by a fraction equal to the school district's actual enrichment levy rate divided by ~~((one dollar and fifty cents))~~ \$1.50 per ~~((thousand dollars))~~ \$1,000 of assessed value in the school district.

(b) For an eligible school district with an actual enrichment levy rate that is equal to or greater than ~~((one dollar and fifty cents))~~ \$1.50 per ~~((thousand dollars))~~ \$1,000 of assessed value in the school district, the annual local effort assistance funding is equal to the school district's maximum local effort assistance.

(c) Beginning in calendar year 2022, for state-tribal education compact schools established under chapter 28A.715 RCW, the annual local effort assistance funding is equal to the actual enrichment levy per student as calculated by the superintendent of public instruction for the previous year for the school district in which the state-tribal education compact school is located, up to a maximum per-student amount of ~~((one thousand five hundred fifty dollars))~~ \$1,550 as increased by inflation from the 2019 calendar year, multiplied by the student enrollment of the state-tribal education compact school in the prior school year.

(3) The state local effort assistance funding provided under this section is not part of the state's program of basic education deemed by the legislature to comply with the requirements of Article IX, section 1 of the state Constitution.

(4) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Eligible school district" means a school district where the amount generated by a levy of ~~((one dollar and fifty cents))~~ \$1.50 per ~~((thousand dollars))~~ \$1,000 of assessed value in the school district, divided by the school district's total student enrollment in the prior school year, is less than the state local effort assistance threshold.

(b) ~~((For the purpose of this section, "inflation"))~~ "Inflation" means~~((, for any school year, the rate of the yearly increase of the previous calendar year's annual average consumer price index for all urban consumers, Seattle area, using the official current base compiled by the bureau of labor statistics, United States department of labor))~~ the implicit price deflator for the previous calendar year using the official current base, compiled by the bureau of economic analysis, United States department of commerce.

(c) "Maximum local effort assistance" means the difference between the following:

(i) The school district's actual prior school year enrollment multiplied by the state local effort assistance threshold; and

(ii) The amount generated by a levy of ~~((one dollar and fifty cents))~~ \$1.50 per ~~((thousand dollars))~~ \$1,000 of assessed value in the school district.

(d) "Prior school year" means the most recent school year completed prior to the year in which the state local effort assistance funding is to be distributed~~((; except as follows:~~

~~((i) In the 2022 calendar year, if 2019-20 school year average annual full-time equivalent enrollment is greater than the school district's 2020-21 school~~

~~year average annual full-time equivalent enrollment, "prior school year" means the 2019-20 school year.~~

~~(ii) In the 2023 calendar year, if 2019-20 school year average annual full-time equivalent enrollment is greater than the school district's 2021-22 school year average annual full-time equivalent enrollment, "prior school year" means the 2019-20 school year).~~

(e) "State local effort assistance threshold" means ~~((one thousand five hundred fifty dollars))~~ \$1,550 per student, increased for inflation beginning in calendar year 2020.

(f) "Student enrollment" means the average annual full-time equivalent student enrollment.

(5) For districts in a high/nonhigh relationship, the enrollments of the nonhigh students attending the high school shall only be counted by the nonhigh school districts for purposes of funding under this section.

(6) For school districts participating in an innovation academy cooperative established under RCW 28A.340.080, enrollments of students attending the academy shall be adjusted so that each participant district receives its proportional share of student enrollments for purposes of funding under this section.

NEW SECTION. Sec. 3. The superintendent of public instruction shall convene a K-12 funding equity work group to analyze K-12 funding formulas and revenue sources and explore options for revisions to the funding formula that are responsive to student needs, including economic, demographic, and geographic differences in student and community populations. The office of the superintendent of public instruction may contract with institutions of higher education and public, nonpartisan research entities to support the work group's analysis.

(1) At a minimum, the work group's analysis must include:

(a) Impacts of changes to per-pupil funding formulas and local revenue;

(b) Compensation factors described in RCW 28A.150.412;

(c) Funding distribution trends resulting from the prototypical school funding formula;

(d) Impacts of economic disparities on communities' access to resources for schools; and

(e) Current formulas that benefit specific populations of students including, but not limited to, the learning assistance program, local effort assistance, and small school funding.

(2) The superintendent of public instruction must use the work group's analysis conducted under subsection (1) of this section to consider options for revising state and local school funding formulas. By November 1, 2025, and annually thereafter through 2027, the superintendent of public instruction shall report the work group's progress and any proposed options to the education and fiscal committees of the legislature. The reports must include, but are not limited to, the following topics:

(a) Options for revisions to the funding formula that address system and resource inequities;

(b) Options that address state, local, and regional needs;

(c) The potential adoption of student weights to direct additional funding to students most in need;

(d) Modifications to state and local tax authority for schools; and
 (e) Metrics for monitoring and accountability related to equitable access to resources.

(3) The superintendent of public instruction may determine the size, membership, and meeting frequency of the work group. The work group must include representation from education and community partners that are demographically and geographically diverse including, but not limited to, groups representing educators, school and district administrators, labor unions, families, students, community partners who support groups disproportionately impacted by inequities, the department of revenue, and legislators.

(4) This section expires December 1, 2027.

Passed by the House April 22, 2025.

Passed by the Senate April 26, 2025.

Approved by the Governor May 20, 2025.

Filed in Office of Secretary of State May 21, 2025.

CHAPTER 405

[House Bill 2050]

PUBLIC SCHOOLS—LOCAL EFFORT ASSISTANCE—ALTERNATIVE LEARNING EXPERIENCE ENROLLMENT

AN ACT Relating to K-12 savings and efficiencies; amending RCW 28A.500.015; and providing an effective date.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. RCW 28A.500.015 and 2022 c 108 s 4 are each amended to read as follows:

(1) Beginning in calendar year 2020 and each calendar year thereafter, the state must provide state local effort assistance funding to supplement school district enrichment levies as provided in this section.

(2)(a) For an eligible school district with an actual enrichment levy rate that is less than ~~((one dollar and fifty cents))~~ \$1.50 per ~~((thousand dollars))~~ \$1,000 of assessed value in the school district, the annual local effort assistance funding is equal to the school district's maximum local effort assistance multiplied by a fraction equal to the school district's actual enrichment levy rate divided by ~~((one dollar and fifty cents))~~ \$1.50 per ~~((thousand dollars))~~ \$1,000 of assessed value in the school district.

(b) For an eligible school district with an actual enrichment levy rate that is equal to or greater than ~~((one dollar and fifty cents))~~ \$1.50 per ~~((thousand dollars))~~ \$1,000 of assessed value in the school district, the annual local effort assistance funding is equal to the school district's maximum local effort assistance.

(c) Beginning in calendar year 2022, for state-tribal education compact schools established under chapter 28A.715 RCW, the annual local effort assistance funding is equal to the actual enrichment levy per student as calculated by the superintendent of public instruction for the previous year for the school district in which the state-tribal education compact school is located, up to a maximum per student amount of ~~((one thousand five hundred fifty dollars))~~ \$1,550 as increased by inflation from the 2019 calendar year,

multiplied by the student enrollment of the state-tribal education compact school in the prior school year.

(3) The state local effort assistance funding provided under this section is not part of the state's program of basic education deemed by the legislature to comply with the requirements of Article IX, section 1 of the state Constitution.

(4) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Eligible school district" means a school district where the amount generated by a levy of ~~((one dollar and fifty cents))~~ \$1.50 per ~~((thousand dollars))~~ \$1,000 of assessed value in the school district, divided by the school district's total student enrollment in the prior school year, is less than the state local effort assistance threshold.

(b) ~~((For the purpose of this section, "inflation"))~~ "Inflation" means, for any school year, the rate of the yearly increase of the previous calendar year's annual average consumer price index for all urban consumers, Seattle area, using the official current base compiled by the bureau of labor statistics, United States department of labor.

(c) "Maximum local effort assistance" means the difference between the following:

(i) The school district's actual prior school year enrollment multiplied by the state local effort assistance threshold; and

(ii) The amount generated by a levy of ~~((one dollar and fifty cents))~~ \$1.50 per ~~((thousand dollars))~~ \$1,000 of assessed value in the school district.

(d) "Prior school year" means the most recent school year completed prior to the year in which the state local effort assistance funding is to be distributed(~~(; except as follows:~~

~~(i) In the 2022 calendar year, if 2019-20 school year average annual full-time equivalent enrollment is greater than the school district's 2020-21 school year average annual full-time equivalent enrollment, "prior school year" means the 2019-20 school year.~~

~~(ii) In the 2023 calendar year, if 2019-20 school year average annual full-time equivalent enrollment is greater than the school district's 2021-22 school year average annual full-time equivalent enrollment, "prior school year" means the 2019-20 school year).~~

(e) "State local effort assistance threshold" means ~~((one thousand five hundred fifty dollars))~~ \$1,550 per student, increased for inflation beginning in calendar year 2020.

(f) "Student enrollment" means the average annual full-time equivalent student enrollment, reduced by the alternative learning experience adjustment. Alternative learning experience adjustment equals (f)(i) of this subsection minus (f)(ii) of this subsection if a school district's full-time equivalent student enrollment in alternative learning experience courses exceeds 33 percent of average annual full-time equivalent student enrollment.

(i) The full-time equivalent students enrolled in an alternative learning experience course.

(ii) Average annual full-time equivalent student enrollment multiplied by 33 percent.

(5) For districts in a high/nonhigh relationship, the enrollments of the nonhigh students attending the high school shall only be counted by the nonhigh school districts for purposes of funding under this section.

(6) For school districts participating in an innovation academy cooperative established under RCW 28A.340.080, enrollments of students attending the academy shall be adjusted so that each participant district receives its proportional share of student enrollments for purposes of funding under this section.

NEW SECTION. Sec. 2. Section 1 of this act takes effect January 1, 2026.

Passed by the House April 26, 2025.

Passed by the Senate April 26, 2025.

Approved by the Governor May 20, 2025.

Filed in Office of Secretary of State May 21, 2025.

CHAPTER 406

[Engrossed Substitute House Bill 2061]

DUTY-FREE SALES ENTERPRISES—CONCESSION FEES

AN ACT Relating to concession fees by duty-free sales enterprises; amending RCW 43.384.040 and 14.08.330; adding a new section to chapter 43.31 RCW; adding a new chapter to Title 19 RCW; creating new sections; and providing an effective date.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Sec. 1. (1) The legislature finds that federal law in 19 U.S.C. Sec. 1555 recognizes the authority of states and governmental authorities, incident to their jurisdiction over any airport, seaport, or other exit point facility, to require a concession or other form of approval to be obtained with respect to the operation of a duty-free sales enterprise under which merchandise is delivered to or through such facility for exportation.

(2) The legislature finds that congress in enacting the omnibus trade and competitiveness act of 1988, H.R. 4848, specifically recognized that concession fees derived from the operations of authorized duty-free sales enterprises constitute an important source of revenue for the state and other governmental authorities that collect such fees.

(3) The legislature finds that duty-free sales enterprises operate in Washington including at airports and locations within Washington near international borders, and engage in sales of alcohol, cigarettes, other tobacco products, vapor products, nicotine products, and various kinds of merchandise. The legislature finds that Washington has jurisdiction over these facilities, locations, and duty-free sales enterprises operating in Washington, and that Washington does not currently require concession fees of duty-free sales enterprises to the extent authorized by federal law for collecting this important source of revenue.

(4) Therefore, the legislature intends to impose concession fees on duty-free sales enterprises operating within Washington as provided in this act.

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

(1) "Concession fee" means payment of a monetary fee by a duty-free sales enterprise to Washington state in relation to the sale of merchandise from a duty-free sales enterprise operating in Washington.

(2) "Department" means the department of revenue.

(3) "Duty-free sales enterprise" has the same meaning as in 19 U.S.C. Sec. 1555(b)(8), as it exists on the effective date of this section, or such subsequent date as may be provided by the department by rule, consistent with the purposes of this title.

(4) "Gross proceeds of sales" has the same meaning as in RCW 82.04.070.

(5) "Merchandise" means all items, goods, and products sold by a duty-free sales enterprise including but not limited to beer, wine, spirits, liquor, cigarettes, other tobacco products, vapor products, nicotine products, nonalcoholic beverages, food, clothing, jewelry, fragrances, cosmetics, accessories, electronics, books, magazines, souvenirs, and all other items, goods, and products whatsoever.

(6) "Sales" has the same meaning as in RCW 82.04.040.

NEW SECTION. Sec. 3. (1) Upon every duty-free sales enterprise operating in Washington, there is levied and collected a concession fee in an amount equal to the gross proceeds of sales of merchandise by the duty-free sales enterprise, multiplied by the rate of 0.10.

(2) The concession fee in this section is separate and in addition to business and occupation taxes and all other taxes and fees applicable to duty-free sales enterprises operating in Washington including a concession fee paid to a port authority or other governmental authority.

(3) The concession fee may be stated separately from the selling price. For purposes of determining the amount due from the buyer to the seller, it is conclusively presumed that the selling price quoted in any price list does not include concession fees imposed by this section.

(4) The moneys collected pursuant to this section shall be distributed as follows:

(a) For amounts appropriated to the department of revenue for the implementation and administration of this act; and

(b) Beginning July 1, 2025 and annually thereafter, the moneys remaining after the amounts appropriated pursuant to subsection (a) shall be deposited as follows:

(i) Fifty percent into the statewide tourism marketing account created in RCW 43.384.040; and

(ii) Fifty percent into the sustainable aviation fuel account created in section 4 of this act.

(5) The department shall implement this chapter and may establish procedures and requirements for the payment of concession fees by duty-free sales enterprises and the collection of such concession fees.

(6) All other administrative provisions of chapter 82.32 RCW have full force and application with respect to the fee imposed under this section.

NEW SECTION. Sec. 4. A new section is added to chapter 43.31 RCW to read as follows:

The sustainable aviation fuel account is created in the state treasury. The account shall consist of concession fees collected and deposited into the account

pursuant to section 3 of this act. Moneys in the account may be spent only after appropriation. Moneys in the account may be expended by the department for activities supporting research development, environmental review, and infrastructure to support the production of sustainable aviation fuel.

Sec. 5. RCW 43.384.040 and 2023 c 348 s 1 are each amended to read as follows:

The statewide tourism marketing account is created in the state treasury. All receipts from tax revenues under RCW 82.08.225 and moneys collected pursuant to section 3 of this act must be deposited into the account. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only for expenditures of the department that are related to implementation of a statewide tourism marketing program and operation of the authority. A one-to-one nonstate or state fund, other than general fund state, match must be provided for all expenditures from the account. A match may consist of nonstate or state fund, other than general fund state, cash contributions deposited in the private local account created under RCW 43.384.020(4), the value of an advertising equivalency contribution, or an in-kind contribution. The board must determine criteria for what qualifies as an in-kind contribution.

NEW SECTION. **Sec. 6.** The department may adopt rules to implement this chapter.

Sec. 7. RCW 14.08.330 and 1985 c 246 s 1 are each amended to read as follows:

Every airport and other air navigation facility controlled and operated by any municipality, or jointly controlled and operated pursuant to the provisions of this chapter, shall, subject to federal and state laws, rules, and regulations, including sections 2, 3, and 6 of this act, be under the exclusive jurisdiction and control of the municipality or municipalities controlling and operating it. The municipality or municipalities shall have concurrent jurisdiction over the adjacent territory described in RCW 14.08.120(~~((2))~~) (1)(b). No other municipality in which the airport or air navigation facility is located shall have any police jurisdiction of the same or any authority to charge or exact any license fees or occupation taxes for the operations. However, by agreement with the municipality operating and controlling the airport or air navigation facility, a municipality in which an airport or air navigation facility is located may be responsible for the administration and enforcement of the uniform fire code, as adopted by that municipality under RCW 19.27.040, on that portion of any airport or air navigation facility located within its jurisdictional boundaries.

NEW SECTION. **Sec. 8.** This act takes effect January 1, 2026.

NEW SECTION. **Sec. 9.** 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.

NEW SECTION. **Sec. 10.** Sections 2, 3, and 6 of this act constitute a new chapter in Title 19 RCW.

NEW SECTION. **Sec. 11.** If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2025, in the omnibus appropriations act, this act is null and void.

Passed by the House April 18, 2025.

Passed by the Senate April 26, 2025.

Approved by the Governor May 20, 2025.

Filed in Office of Secretary of State May 21, 2025.

CHAPTER 407

[Engrossed Substitute Senate Bill 5219]

DEPARTMENT OF CORRECTIONS—PARTIAL CONFINEMENT PROGRAMS— MODIFICATION

AN ACT Relating to partial confinement eligibility and alignment; amending RCW 9.94A.030, 9.94A.030, 9.94A.6551, 9.94A.733, 9.94A.728, and 72.65.210; creating new sections; providing an effective date; and providing an expiration date.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. **Sec. 1.** The legislature recognizes that partial confinement programs play a critical role in rehabilitation and the reduction of recidivism. The legislature finds that different partial confinement programs can meet the rehabilitative needs of different individuals. The legislature finds that aligning participation timelines for programs will allow incarcerated individuals to engage in the program best suited for their individual circumstances.

Sec. 2. RCW 9.94A.030 and 2022 c 231 s 11 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Board" means the indeterminate sentence review board created under chapter 9.95 RCW.

(2) "Collect," or any derivative thereof, "collect and remit," or "collect and deliver," when used with reference to the department, means that the department, either directly or through a collection agreement authorized by RCW 9.94A.760, is responsible for monitoring and enforcing the offender's sentence with regard to the legal financial obligation, receiving payment thereof from the offender, and, consistent with current law, delivering daily the entire payment to the superior court clerk without depositing it in a departmental account.

(3) "Commission" means the sentencing guidelines commission.

(4) "Community corrections officer" means an employee of the department who is responsible for carrying out specific duties in supervision of sentenced offenders and monitoring of sentence conditions.

(5) "Community custody" means that portion of an offender's sentence of confinement in lieu of earned release time or imposed as part of a sentence under this chapter and served in the community subject to controls placed on the offender's movement and activities by the department.

(6) "Community protection zone" means the area within 880 feet of the facilities and grounds of a public or private school.

(7) "Community restitution" means compulsory service, without compensation, performed for the benefit of the community by the offender.

(8) "Confinement" means total or partial confinement.

(9) "Conviction" means an adjudication of guilt pursuant to Title 10 or 13 RCW and includes a verdict of guilty, a finding of guilty, and acceptance of a plea of guilty.

(10) "Crime-related prohibition" means an order of a court prohibiting conduct that directly relates to the circumstances of the crime for which the offender has been convicted, and shall not be construed to mean orders directing an offender affirmatively to participate in rehabilitative programs or to otherwise perform affirmative conduct. However, affirmative acts necessary to monitor compliance with the order of a court may be required by the department.

(11) "Criminal history" means the list of a defendant's prior convictions and juvenile adjudications, whether in this state, in federal court, or elsewhere, and any issued certificates of restoration of opportunity pursuant to RCW 9.97.020.

(a) The history shall include, where known, for each conviction (i) whether the defendant has been placed on probation and the length and terms thereof; and (ii) whether the defendant has been incarcerated and the length of incarceration.

(b) A conviction may be removed from a defendant's criminal history only if it is vacated pursuant to RCW 9.96.060, 9.94A.640, 9.95.240, or a similar out-of-state statute, or if the conviction has been vacated pursuant to a governor's pardon. However, when a defendant is charged with a recidivist offense, "criminal history" includes a vacated prior conviction for the sole purpose of establishing that such vacated prior conviction constitutes an element of the present recidivist offense as provided in RCW 9.94A.640(4)(b) and 9.96.060((7)) (8)(c).

(c) The determination of a defendant's criminal history is distinct from the determination of an offender score. A prior conviction that was not included in an offender score calculated pursuant to a former version of the sentencing reform act remains part of the defendant's criminal history.

(12) "Criminal street gang" means any ongoing organization, association, or group of three or more persons, whether formal or informal, having a common name or common identifying sign or symbol, having as one of its primary activities the commission of criminal acts, and whose members or associates individually or collectively engage in or have engaged in a pattern of criminal street gang activity. This definition does not apply to employees engaged in concerted activities for their mutual aid and protection, or to the activities of labor and bona fide nonprofit organizations or their members or agents.

(13) "Criminal street gang associate or member" means any person who actively participates in any criminal street gang and who intentionally promotes, furthers, or assists in any criminal act by the criminal street gang.

(14) "Criminal street gang-related offense" means any felony or misdemeanor offense, whether in this state or elsewhere, that is committed for the benefit of, at the direction of, or in association with any criminal street gang, or is committed with the intent to promote, further, or assist in any criminal conduct by the gang, or is committed for one or more of the following reasons:

(a) To gain admission, prestige, or promotion within the gang;

(b) To increase or maintain the gang's size, membership, prestige, dominance, or control in any geographical area;

(c) To exact revenge or retribution for the gang or any member of the gang;

(d) To obstruct justice, or intimidate or eliminate any witness against the gang or any member of the gang;

(e) To directly or indirectly cause any benefit, aggrandizement, gain, profit, or other advantage for the gang, its reputation, influence, or membership; or

(f) To provide the gang with any advantage in, or any control or dominance over any criminal market sector, including, but not limited to, manufacturing, delivering, or selling any controlled substance (chapter 69.50 RCW); arson (chapter 9A.48 RCW); trafficking in stolen property (chapter 9A.82 RCW); promoting prostitution (chapter 9A.88 RCW); human trafficking (RCW 9A.40.100); promoting commercial sexual abuse of a minor (RCW 9.68A.101); or promoting pornography (chapter 9.68 RCW).

(15) "Day fine" means a fine imposed by the sentencing court that equals the difference between the offender's net daily income and the reasonable obligations that the offender has for the support of the offender and any dependents.

(16) "Day reporting" means a program of enhanced supervision designed to monitor the offender's daily activities and compliance with sentence conditions, and in which the offender is required to report daily to a specific location designated by the department or the sentencing court.

(17) "Department" means the department of corrections.

(18) "Determinate sentence" means a sentence that states with exactitude the number of actual years, months, or days of total confinement, of partial confinement, of community custody, the number of actual hours or days of community restitution work, or dollars or terms of a legal financial obligation. The fact that an offender through earned release can reduce the actual period of confinement shall not affect the classification of the sentence as a determinate sentence.

(19) "Disposable earnings" means that part of the earnings of an offender remaining after the deduction from those earnings of any amount required by law to be withheld. For the purposes of this definition, "earnings" means compensation paid or payable for personal services, whether denominated as wages, salary, commission, bonuses, or otherwise, and, notwithstanding any other provision of law making the payments exempt from garnishment, attachment, or other process to satisfy a court-ordered legal financial obligation, specifically includes periodic payments pursuant to pension or retirement programs, or insurance policies of any type, but does not include payments made under Title 50 RCW, except as provided in RCW 50.40.020 and 50.40.050, or Title 74 RCW.

(20)(a) "Domestic violence" has the same meaning as defined in RCW 10.99.020.

(b) "Domestic violence" also means: (i) Physical harm, bodily injury, assault, or the infliction of fear of imminent physical harm, bodily injury, or assault, sexual assault, or stalking, as defined in RCW 9A.46.110, of one intimate partner by another intimate partner as defined in RCW 10.99.020; or (ii) physical harm, bodily injury, assault, or the infliction of fear of imminent physical harm, bodily injury, or assault, sexual assault, or stalking, as defined in RCW 9A.46.110, of one family or household member by another family or household member as defined in RCW 10.99.020.

(21) "Drug offender sentencing alternative" is a sentencing option available to persons convicted of a felony offense who are eligible for the option under RCW 9.94A.660.

(22) "Drug offense" means:

(a) Any felony violation of chapter 69.50 RCW except possession of a controlled substance (RCW 69.50.4013) or forged prescription for a controlled substance (RCW 69.50.403);

(b) Any offense defined as a felony under federal law that relates to the possession, manufacture, distribution, or transportation of a controlled substance; or

(c) Any out-of-state conviction for an offense that under the laws of this state would be a felony classified as a drug offense under (a) of this subsection.

(23) "Earned release" means earned release from confinement as provided in RCW 9.94A.728.

(24) "Electronic monitoring" means tracking the location of an individual through the use of technology that is capable of determining or identifying the monitored individual's presence or absence at a particular location including, but not limited to:

(a) Radio frequency signaling technology, which detects if the monitored individual is or is not at an approved location and notifies the monitoring agency of the time that the monitored individual either leaves the approved location or tampers with or removes the monitoring device; or

(b) Active or passive global positioning system technology, which detects the location of the monitored individual and notifies the monitoring agency of the monitored individual's location and which may also include electronic monitoring with victim notification technology that is capable of notifying a victim or protected party, either directly or through a monitoring agency, if the monitored individual enters within the restricted distance of a victim or protected party, or within the restricted distance of a designated location.

(25) "Escape" means:

(a) Sexually violent predator escape (RCW 9A.76.115), escape in the first degree (RCW 9A.76.110), escape in the second degree (RCW 9A.76.120), willful failure to return from furlough (RCW 72.66.060), willful failure to return from work release (RCW 72.65.070), or willful failure to be available for supervision by the department while in community custody (RCW 72.09.310); or

(b) Any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as an escape under (a) of this subsection.

(26) "Felony traffic offense" means:

(a) Vehicular homicide (RCW 46.61.520), vehicular assault (RCW 46.61.522), eluding a police officer (RCW 46.61.024), felony hit-and-run injury-accident (RCW 46.52.020(4)), felony driving while under the influence of intoxicating liquor or any drug (RCW 46.61.502(6)), or felony physical control of a vehicle while under the influence of intoxicating liquor or any drug (RCW 46.61.504(6)); or

(b) Any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as a felony traffic offense under (a) of this subsection.

(27) "Fine" means a specific sum of money ordered by the sentencing court to be paid by the offender to the court over a specific period of time.

(28) "First-time offender" means any person who has no prior convictions for a felony and is eligible for the first-time offender waiver under RCW 9.94A.650.

(29) "Home detention" is a subset of electronic monitoring and means a program of partial confinement available to offenders wherein the offender is confined in a private residence 24 hours a day, unless an absence from the residence is approved, authorized, or otherwise permitted in the order by the court or other supervising agency that ordered home detention, and the offender is subject to electronic monitoring.

(30) "Homelessness" or "homeless" means a condition where an individual lacks a fixed, regular, and adequate nighttime residence and who has a primary nighttime residence that is:

(a) A supervised, publicly or privately operated shelter designed to provide temporary living accommodations;

(b) A public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings; or

(c) A private residence where the individual stays as a transient invitee.

(31) "Legal financial obligation" means a sum of money that is ordered by a superior court of the state of Washington for legal financial obligations which may include restitution to the victim, statutorily imposed crime victims' compensation fees as assessed pursuant to RCW 7.68.035, court costs, county or interlocal drug funds, court-appointed attorneys' fees, and costs of defense, fines, and any other financial obligation that is assessed to the offender as a result of a felony conviction. Upon conviction for vehicular assault while under the influence of intoxicating liquor or any drug, RCW 46.61.522(1)(b), or vehicular homicide while under the influence of intoxicating liquor or any drug, RCW 46.61.520(1)(a), legal financial obligations may also include payment to a public agency of the expense of an emergency response to the incident resulting in the conviction, subject to RCW 38.52.430.

(32) "Most serious offense" means any of the following felonies or a felony attempt to commit any of the following felonies:

(a) Any felony defined under any law as a class A felony or criminal solicitation of or criminal conspiracy to commit a class A felony;

(b) Assault in the second degree;

(c) Assault of a child in the second degree;

(d) Child molestation in the second degree;

(e) Controlled substance homicide;

(f) Extortion in the first degree;

(g) Incest when committed against a child under age 14;

(h) Indecent liberties;

(i) Kidnapping in the second degree;

(j) Leading organized crime;

(k) Manslaughter in the first degree;

(l) Manslaughter in the second degree;

(m) Promoting prostitution in the first degree;

(n) Rape in the third degree;

(o) Sexual exploitation;

(p) Vehicular assault, when caused by the operation or driving of a vehicle by a person while under the influence of intoxicating liquor or any drug or by the operation or driving of a vehicle in a reckless manner;

(q) Vehicular homicide, when proximately caused by the driving of any vehicle by any person while under the influence of intoxicating liquor or any drug as defined by RCW 46.61.502, or by the operation of any vehicle in a reckless manner;

(r) Any other class B felony offense with a finding of sexual motivation;

(s) Any other felony with a deadly weapon verdict under RCW 9.94A.825;

(t) Any felony offense in effect at any time prior to December 2, 1993, that is comparable to a most serious offense under this subsection, or any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as a most serious offense under this subsection;

(u)(i) A prior conviction for indecent liberties under RCW 9A.44.100(1) (a), (b), and (c), chapter 260, Laws of 1975 1st ex. sess. as it existed until July 1, 1979, RCW 9A.44.100(1) (a), (b), and (c) as it existed from July 1, 1979, until June 11, 1986, and RCW 9A.44.100(1) (a), (b), and (d) as it existed from June 11, 1986, until July 1, 1988;

(ii) A prior conviction for indecent liberties under RCW 9A.44.100(1)(c) as it existed from June 11, 1986, until July 1, 1988, if: (A) The crime was committed against a child under the age of 14; or (B) the relationship between the victim and perpetrator is included in the definition of indecent liberties under RCW 9A.44.100(1)(c) as it existed from July 1, 1988, through July 27, 1997, or RCW 9A.44.100(1) (d) or (e) as it existed from July 25, 1993, through July 27, 1997;

(v) Any out-of-state conviction for a felony offense with a finding of sexual motivation if the minimum sentence imposed was 10 years or more; provided that the out-of-state felony offense must be comparable to a felony offense under this title and Title 9A RCW and the out-of-state definition of sexual motivation must be comparable to the definition of sexual motivation contained in this section.

(33) "Nonviolent offense" means an offense which is not a violent offense.

(34) "Offender" means a person who has committed a felony established by state law and is 18 years of age or older or is less than 18 years of age but whose case is under superior court jurisdiction under RCW 13.04.030 or has been transferred by the appropriate juvenile court to a criminal court pursuant to RCW 13.40.110. In addition, for the purpose of community custody requirements under this chapter, "offender" also means a misdemeanor or gross misdemeanor probationer ordered by a superior court to probation pursuant to RCW 9.92.060, 9.95.204, or 9.95.210 and supervised by the department pursuant to RCW 9.94A.501 and 9.94A.5011. Throughout this chapter, the terms "offender" and "defendant" are used interchangeably.

(35) "Partial confinement" means confinement ~~((for no more than one year))~~ up to 18 months in a facility or institution operated or utilized under contract by the state or any other unit of government, or, if home detention, electronic monitoring, or work crew has been ordered by the court or home detention has been ordered by the department as part of the parenting program or the graduated reentry program, in an approved residence, for a substantial portion of each day with the balance of the day spent in the community. Partial

confinement includes work release, home detention, work crew, electronic monitoring, and a combination of work crew, electronic monitoring, and home detention.

(36) "Pattern of criminal street gang activity" means:

(a) The commission, attempt, conspiracy, or solicitation of, or any prior juvenile adjudication of or adult conviction of, two or more of the following criminal street gang-related offenses:

(i) Any "serious violent" felony offense as defined in this section, excluding Homicide by Abuse (RCW 9A.32.055) and Assault of a Child 1 (RCW 9A.36.120);

(ii) Any "violent" offense as defined by this section, excluding Assault of a Child 2 (RCW 9A.36.130);

(iii) Deliver or Possession with Intent to Deliver a Controlled Substance (chapter 69.50 RCW);

(iv) Any violation of the firearms and dangerous weapon act (chapter 9.41 RCW);

(v) Theft of a Firearm (RCW 9A.56.300);

(vi) Possession of a Stolen Firearm (RCW 9A.56.310);

(vii) Hate Crime (RCW 9A.36.080);

(viii) Harassment where a subsequent violation or deadly threat is made (RCW 9A.46.020(2)(b));

(ix) Criminal Gang Intimidation (RCW 9A.46.120);

(x) Any felony conviction by a person 18 years of age or older with a special finding of involving a juvenile in a felony offense under RCW 9.94A.833;

(xi) Residential Burglary (RCW 9A.52.025);

(xii) Burglary 2 (RCW 9A.52.030);

(xiii) Malicious Mischief 1 (RCW 9A.48.070);

(xiv) Malicious Mischief 2 (RCW 9A.48.080);

(xv) Theft of a Motor Vehicle (RCW 9A.56.065);

(xvi) Possession of a Stolen Motor Vehicle (RCW 9A.56.068);

(xvii) Taking a Motor Vehicle Without Permission 1 (RCW 9A.56.070);

(xviii) Taking a Motor Vehicle Without Permission 2 (RCW 9A.56.075);

(xix) Extortion 1 (RCW 9A.56.120);

(xx) Extortion 2 (RCW 9A.56.130);

(xxi) Intimidating a Witness (RCW 9A.72.110);

(xxii) Tampering with a Witness (RCW 9A.72.120);

(xxiii) Reckless Endangerment (RCW 9A.36.050);

(xxiv) Coercion (RCW 9A.36.070);

(xxv) Harassment (RCW 9A.46.020); or

(xxvi) Malicious Mischief 3 (RCW 9A.48.090);

(b) That at least one of the offenses listed in (a) of this subsection shall have occurred after July 1, 2008;

(c) That the most recent committed offense listed in (a) of this subsection occurred within three years of a prior offense listed in (a) of this subsection; and

(d) Of the offenses that were committed in (a) of this subsection, the offenses occurred on separate occasions or were committed by two or more persons.

(37) "Persistent offender" is an offender who:

(a)(i) Has been convicted in this state of any felony considered a most serious offense; and

(ii) Has, before the commission of the offense under (a) of this subsection, been convicted as an offender on at least two separate occasions, whether in this state or elsewhere, of felonies that under the laws of this state would be considered most serious offenses and would be included in the offender score under RCW 9.94A.525; provided that of the two or more previous convictions, at least one conviction must have occurred before the commission of any of the other most serious offenses for which the offender was previously convicted; or

(b)(i) Has been convicted of: (A) Rape in the first degree, rape of a child in the first degree, child molestation in the first degree, rape in the second degree, rape of a child in the second degree, or indecent liberties by forcible compulsion; (B) any of the following offenses with a finding of sexual motivation: Murder in the first degree, murder in the second degree, homicide by abuse, kidnapping in the first degree, kidnapping in the second degree, assault in the first degree, assault in the second degree, assault of a child in the first degree, assault of a child in the second degree, or burglary in the first degree; or (C) an attempt to commit any crime listed in this subsection (37)(b)(i); and

(ii) Has, before the commission of the offense under (b)(i) of this subsection, been convicted as an offender on at least one occasion, whether in this state or elsewhere, of an offense listed in (b)(i) of this subsection or any federal or out-of-state offense or offense under prior Washington law that is comparable to the offenses listed in (b)(i) of this subsection. A conviction for rape of a child in the first degree constitutes a conviction under (b)(i) of this subsection only when the offender was 16 years of age or older when the offender committed the offense. A conviction for rape of a child in the second degree constitutes a conviction under (b)(i) of this subsection only when the offender was 18 years of age or older when the offender committed the offense.

(38) "Predatory" means: (a) The perpetrator of the crime was a stranger to the victim, as defined in this section; (b) the perpetrator established or promoted a relationship with the victim prior to the offense and the victimization of the victim was a significant reason the perpetrator established or promoted the relationship; or (c) the perpetrator was: (i) A teacher, counselor, volunteer, or other person in authority in any public or private school and the victim was a student of the school under his or her authority or supervision. For purposes of this subsection, "school" does not include home-based instruction as defined in RCW 28A.225.010; (ii) a coach, trainer, volunteer, or other person in authority in any recreational activity and the victim was a participant in the activity under his or her authority or supervision; (iii) a pastor, elder, volunteer, or other person in authority in any church or religious organization, and the victim was a member or participant of the organization under his or her authority; or (iv) a teacher, counselor, volunteer, or other person in authority providing home-based instruction and the victim was a student receiving home-based instruction while under his or her authority or supervision. For purposes of this subsection: (A) "Home-based instruction" has the same meaning as defined in RCW 28A.225.010; and (B) "teacher, counselor, volunteer, or other person in authority" does not include the parent or legal guardian of the victim.

(39) "Private school" means a school regulated under chapter 28A.195 or 28A.205 RCW.

(40) "Public school" has the same meaning as in RCW 28A.150.010.

(41) "Recidivist offense" means a felony offense where a prior conviction of the same offense or other specified offense is an element of the crime including, but not limited to:

(a) Assault in the fourth degree where domestic violence is pleaded and proven, RCW 9A.36.041(3);

(b) Cyber harassment, RCW 9A.90.120(2)(b)(i);

(c) Harassment, RCW 9A.46.020(2)(b)(i);

(d) Indecent exposure, RCW 9A.88.010(2)(c);

(e) Stalking, RCW 9A.46.110(5)(b) (i) and (iii);

(f) Telephone harassment, RCW 9.61.230(2)(a); and

(g) Violation of a no-contact or protection order, RCW 7.105.450 or former RCW 26.50.110(5).

(42) "Repetitive domestic violence offense" means any:

(a)(i) Domestic violence assault that is not a felony offense under RCW 9A.36.041;

(ii) Domestic violence violation of a no-contact order under chapter 10.99 RCW that is not a felony offense;

(iii) Domestic violence violation of a protection order under chapter 26.09, 26.26A, or 26.26B RCW or former chapter 26.50 RCW, or violation of a domestic violence protection order under chapter 7.105 RCW, that is not a felony offense;

(iv) Domestic violence harassment offense under RCW 9A.46.020 that is not a felony offense; or

(v) Domestic violence stalking offense under RCW 9A.46.110 that is not a felony offense; or

(b) Any federal, out-of-state, tribal court, military, county, or municipal conviction for an offense that under the laws of this state would be classified as a repetitive domestic violence offense under (a) of this subsection.

(43) "Restitution" means a specific sum of money ordered by the sentencing court to be paid by the offender to the court over a specified period of time as payment of damages. The sum may include both public and private costs.

(44) "Risk assessment" means the application of the risk instrument recommended to the department by the Washington state institute for public policy as having the highest degree of predictive accuracy for assessing an offender's risk of reoffense.

(45) "Serious traffic offense" means:

(a) Nonfelony driving while under the influence of intoxicating liquor or any drug (RCW 46.61.502), nonfelony actual physical control while under the influence of intoxicating liquor or any drug (RCW 46.61.504), reckless driving (RCW 46.61.500), or hit-and-run an attended vehicle (RCW 46.52.020(5)); or

(b) Any federal, out-of-state, county, or municipal conviction for an offense that under the laws of this state would be classified as a serious traffic offense under (a) of this subsection.

(46) "Serious violent offense" is a subcategory of violent offense and means:

(a)(i) Murder in the first degree;

(ii) Homicide by abuse;

(iii) Murder in the second degree;

(iv) Manslaughter in the first degree;
(v) Assault in the first degree;
(vi) Kidnapping in the first degree;
(vii) Rape in the first degree;
(viii) Assault of a child in the first degree; or
(ix) An attempt, criminal solicitation, or criminal conspiracy to commit one of these felonies; or

(b) Any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as a serious violent offense under (a) of this subsection.

(47) "Sex offense" means:

(a)(i) A felony that is a violation of chapter 9A.44 RCW other than RCW 9A.44.132;

(ii) A violation of RCW 9A.64.020;

(iii) A felony that is a violation of chapter 9.68A RCW other than RCW 9.68A.080;

(iv) A felony that is, under chapter 9A.28 RCW, a criminal attempt, criminal solicitation, or criminal conspiracy to commit such crimes; or

(v) A felony violation of RCW 9A.44.132(1) (failure to register as a sex offender) if the person has been convicted of violating RCW 9A.44.132(1) (failure to register as a sex offender) or 9A.44.130 prior to June 10, 2010, on at least one prior occasion;

(b) Any conviction for a felony offense in effect at any time prior to July 1, 1976, that is comparable to a felony classified as a sex offense in (a) of this subsection;

(c) A felony with a finding of sexual motivation under RCW 9.94A.835 or 13.40.135; or

(d) Any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as a sex offense under (a) of this subsection.

(48) "Sexual motivation" means that one of the purposes for which the defendant committed the crime was for the purpose of his or her sexual gratification.

(49) "Standard sentence range" means the sentencing court's discretionary range in imposing a nonappealable sentence.

(50) "Statutory maximum sentence" means the maximum length of time for which an offender may be confined as punishment for a crime as prescribed in chapter 9A.20 RCW, RCW 9.92.010, the statute defining the crime, or other statute defining the maximum penalty for a crime.

(51) "Stranger" means that the victim did not know the offender 24 hours before the offense.

(52) "Total confinement" means confinement inside the physical boundaries of a facility or institution operated or utilized under contract by the state or any other unit of government for 24 hours a day, or pursuant to RCW 72.64.050 and 72.64.060.

(53) "Transition training" means written and verbal instructions and assistance provided by the department to the offender during the two weeks prior to the offender's successful completion of the work ethic camp program. The

transition training shall include instructions in the offender's requirements and obligations during the offender's period of community custody.

(54) "Victim" means any person who has sustained emotional, psychological, physical, or financial injury to person or property as a direct result of the crime charged.

(55) "Victim of domestic violence" means an intimate partner or household member who has been subjected to the infliction of physical harm or sexual and psychological abuse by an intimate partner or household member as part of a pattern of assaultive, coercive, and controlling behaviors directed at achieving compliance from or control over that intimate partner or household member. Domestic violence includes, but is not limited to, the offenses listed in RCW 10.99.020 and 26.50.010 committed by an intimate partner or household member against a victim who is an intimate partner or household member.

(56) "Victim of sex trafficking, prostitution, or commercial sexual abuse of a minor" means a person who has been forced or coerced to perform a commercial sex act including, but not limited to, being a victim of offenses defined in RCW 9A.40.100, 9A.88.070, 9.68A.101, and the trafficking victims protection act of 2000, 22 U.S.C. Sec. 7101 et seq.; or a person who was induced to perform a commercial sex act when they were less than 18 years of age including but not limited to the offenses defined in chapter 9.68A RCW.

(57) "Victim of sexual assault" means any person who is a victim of a sexual assault offense, nonconsensual sexual conduct, or nonconsensual sexual penetration and as a result suffers physical, emotional, financial, or psychological impacts. Sexual assault offenses include, but are not limited to, the offenses defined in chapter 9A.44 RCW.

(58) "Violent offense" means:

(a) Any of the following felonies:

(i) Any felony defined under any law as a class A felony or an attempt to commit a class A felony;

(ii) Criminal solicitation of or criminal conspiracy to commit a class A felony;

(iii) Manslaughter in the first degree;

(iv) Manslaughter in the second degree;

(v) Indecent liberties if committed by forcible compulsion;

(vi) Kidnapping in the second degree;

(vii) Arson in the second degree;

(viii) Assault in the second degree;

(ix) Assault of a child in the second degree;

(x) Extortion in the first degree;

(xi) Robbery in the second degree;

(xii) Drive-by shooting;

(xiii) Vehicular assault, when caused by the operation or driving of a vehicle by a person while under the influence of intoxicating liquor or any drug or by the operation or driving of a vehicle in a reckless manner; and

(xiv) Vehicular homicide, when proximately caused by the driving of any vehicle by any person while under the influence of intoxicating liquor or any drug as defined by RCW 46.61.502, or by the operation of any vehicle in a reckless manner;

(b) Any conviction for a felony offense in effect at any time prior to July 1, 1976, that is comparable to a felony classified as a violent offense in (a) of this subsection; and

(c) Any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as a violent offense under (a) or (b) of this subsection.

(59) "Work crew" means a program of partial confinement consisting of civic improvement tasks for the benefit of the community that complies with RCW 9.94A.725.

(60) "Work ethic camp" means an alternative incarceration program as provided in RCW 9.94A.690 designed to reduce recidivism and lower the cost of corrections by requiring offenders to complete a comprehensive array of real-world job and vocational experiences, character-building work ethics training, life management skills development, substance abuse rehabilitation, counseling, literacy training, and basic adult education.

(61) "Work release" means a program of partial confinement available to offenders who are employed or engaged as a student in a regular course of study at school.

Sec. 3. RCW 9.94A.030 and 2024 c 306 s 2 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Board" means the indeterminate sentence review board created under chapter 9.95 RCW.

(2) "Collect," or any derivative thereof, "collect and remit," or "collect and deliver," when used with reference to the department, means that the department, either directly or through a collection agreement authorized by RCW 9.94A.760, is responsible for monitoring and enforcing the offender's sentence with regard to the legal financial obligation, receiving payment thereof from the offender, and, consistent with current law, delivering daily the entire payment to the superior court clerk without depositing it in a departmental account.

(3) "Commission" means the sentencing guidelines commission.

(4) "Community corrections officer" means an employee of the department who is responsible for carrying out specific duties in supervision of sentenced offenders and monitoring of sentence conditions.

(5) "Community custody" means that portion of an offender's sentence of confinement in lieu of earned release time or imposed as part of a sentence under this chapter and served in the community subject to controls placed on the offender's movement and activities by the department.

(6) "Community protection zone" means the area within 880 feet of the facilities and grounds of a public or private school.

(7) "Community restitution" means compulsory service, without compensation, performed for the benefit of the community by the offender.

(8) "Confinement" means total or partial confinement.

(9) "Conviction" means an adjudication of guilt pursuant to Title 10 or 13 RCW and includes a verdict of guilty, a finding of guilty, and acceptance of a plea of guilty.

(10) "Crime-related prohibition" means an order of a court prohibiting conduct that directly relates to the circumstances of the crime for which the

offender has been convicted, and shall not be construed to mean orders directing an offender affirmatively to participate in rehabilitative programs or to otherwise perform affirmative conduct. However, affirmative acts necessary to monitor compliance with the order of a court may be required by the department.

(11) "Criminal history" means the list of a defendant's prior convictions and juvenile adjudications, whether in this state, in federal court, or elsewhere, and any issued certificates of restoration of opportunity pursuant to RCW 9.97.020.

(a) The history shall include, where known, for each conviction (i) whether the defendant has been placed on probation and the length and terms thereof; and (ii) whether the defendant has been incarcerated and the length of incarceration.

(b) A conviction may be removed from a defendant's criminal history only if it is vacated pursuant to RCW 9.96.060, 9.94A.640, 9.95.240, or a similar out-of-state statute, or if the conviction has been vacated pursuant to a governor's pardon. However, when a defendant is charged with a recidivist offense, "criminal history" includes a vacated prior conviction for the sole purpose of establishing that such vacated prior conviction constitutes an element of the present recidivist offense as provided in RCW 9.94A.640(4)(b) and 9.96.060((7)) (8)(c).

(c) The determination of a defendant's criminal history is distinct from the determination of an offender score. A prior conviction that was not included in an offender score calculated pursuant to a former version of the sentencing reform act remains part of the defendant's criminal history.

(12) "Criminal street gang" means any ongoing organization, association, or group of three or more persons, whether formal or informal, having a common name or common identifying sign or symbol, having as one of its primary activities the commission of criminal acts, and whose members or associates individually or collectively engage in or have engaged in a pattern of criminal street gang activity. This definition does not apply to employees engaged in concerted activities for their mutual aid and protection, or to the activities of labor and bona fide nonprofit organizations or their members or agents.

(13) "Criminal street gang associate or member" means any person who actively participates in any criminal street gang and who intentionally promotes, furthers, or assists in any criminal act by the criminal street gang.

(14) "Criminal street gang-related offense" means any felony or misdemeanor offense, whether in this state or elsewhere, that is committed for the benefit of, at the direction of, or in association with any criminal street gang, or is committed with the intent to promote, further, or assist in any criminal conduct by the gang, or is committed for one or more of the following reasons:

(a) To gain admission, prestige, or promotion within the gang;

(b) To increase or maintain the gang's size, membership, prestige, dominance, or control in any geographical area;

(c) To exact revenge or retribution for the gang or any member of the gang;

(d) To obstruct justice, or intimidate or eliminate any witness against the gang or any member of the gang;

(e) To directly or indirectly cause any benefit, aggrandizement, gain, profit, or other advantage for the gang, its reputation, influence, or membership; or

(f) To provide the gang with any advantage in, or any control or dominance over any criminal market sector, including, but not limited to, manufacturing, delivering, or selling any controlled substance (chapter 69.50 RCW); arson

(chapter 9A.48 RCW); trafficking in stolen property (chapter 9A.82 RCW); promoting prostitution (chapter 9A.88 RCW); human trafficking (RCW 9A.40.100); promoting commercial sexual abuse of a minor (RCW 9.68A.101); or promoting pornography (chapter 9.68 RCW).

(15) "Day fine" means a fine imposed by the sentencing court that equals the difference between the offender's net daily income and the reasonable obligations that the offender has for the support of the offender and any dependents.

(16) "Day reporting" means a program of enhanced supervision designed to monitor the offender's daily activities and compliance with sentence conditions, and in which the offender is required to report daily to a specific location designated by the department or the sentencing court.

(17) "Department" means the department of corrections.

(18) "Determinate sentence" means a sentence that states with exactitude the number of actual years, months, or days of total confinement, of partial confinement, of community custody, the number of actual hours or days of community restitution work, or dollars or terms of a legal financial obligation. The fact that an offender through earned release can reduce the actual period of confinement shall not affect the classification of the sentence as a determinate sentence.

(19) "Disposable earnings" means that part of the earnings of an offender remaining after the deduction from those earnings of any amount required by law to be withheld. For the purposes of this definition, "earnings" means compensation paid or payable for personal services, whether denominated as wages, salary, commission, bonuses, or otherwise, and, notwithstanding any other provision of law making the payments exempt from garnishment, attachment, or other process to satisfy a court-ordered legal financial obligation, specifically includes periodic payments pursuant to pension or retirement programs, or insurance policies of any type, but does not include payments made under Title 50 RCW, except as provided in RCW 50.40.020 and 50.40.050, or Title 74 RCW.

(20)(a) "Domestic violence" has the same meaning as defined in RCW 10.99.020.

(b) "Domestic violence" also means: (i) Physical harm, bodily injury, assault, or the infliction of fear of imminent physical harm, bodily injury, or assault, sexual assault, or stalking, as defined in RCW 9A.46.110, of one intimate partner by another intimate partner as defined in RCW 10.99.020; or (ii) physical harm, bodily injury, assault, or the infliction of fear of imminent physical harm, bodily injury, or assault, sexual assault, or stalking, as defined in RCW 9A.46.110, of one family or household member by another family or household member as defined in RCW 10.99.020.

(21) "Drug offender sentencing alternative" is a sentencing option available to persons convicted of a felony offense who are eligible for the option under RCW 9.94A.660.

(22) "Drug offender sentencing alternative for driving under the influence" is a sentencing option available to persons convicted of felony driving while under the influence of intoxicating liquor or any drug under RCW 46.61.502(6), or felony physical control of a vehicle while under the influence of intoxicating

liquor or any drug under RCW 46.61.504(6) who are eligible under RCW 9.94A.661.

(23) "Drug offense" means:

(a) Any felony violation of chapter 69.50 RCW except possession of a controlled substance (RCW 69.50.4013) or forged prescription for a controlled substance (RCW 69.50.403);

(b) Any offense defined as a felony under federal law that relates to the possession, manufacture, distribution, or transportation of a controlled substance; or

(c) Any out-of-state conviction for an offense that under the laws of this state would be a felony classified as a drug offense under (a) of this subsection.

(24) "Earned release" means earned release from confinement as provided in RCW 9.94A.728.

(25) "Electronic monitoring" means tracking the location of an individual through the use of technology that is capable of determining or identifying the monitored individual's presence or absence at a particular location including, but not limited to:

(a) Radio frequency signaling technology, which detects if the monitored individual is or is not at an approved location and notifies the monitoring agency of the time that the monitored individual either leaves the approved location or tampers with or removes the monitoring device; or

(b) Active or passive global positioning system technology, which detects the location of the monitored individual and notifies the monitoring agency of the monitored individual's location and which may also include electronic monitoring with victim notification technology that is capable of notifying a victim or protected party, either directly or through a monitoring agency, if the monitored individual enters within the restricted distance of a victim or protected party, or within the restricted distance of a designated location.

(26) "Escape" means:

(a) Sexually violent predator escape (RCW 9A.76.115), escape in the first degree (RCW 9A.76.110), escape in the second degree (RCW 9A.76.120), willful failure to return from furlough (RCW 72.66.060), willful failure to return from work release (RCW 72.65.070), or willful failure to be available for supervision by the department while in community custody (RCW 72.09.310); or

(b) Any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as an escape under (a) of this subsection.

(27) "Felony traffic offense" means:

(a) Vehicular homicide (RCW 46.61.520), vehicular assault (RCW 46.61.522), eluding a police officer (RCW 46.61.024), felony hit-and-run injury-accident (RCW 46.52.020(4)), felony driving while under the influence of intoxicating liquor or any drug (RCW 46.61.502(6)), or felony physical control of a vehicle while under the influence of intoxicating liquor or any drug (RCW 46.61.504(6)); or

(b) Any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as a felony traffic offense under (a) of this subsection.

(28) "Fine" means a specific sum of money ordered by the sentencing court to be paid by the offender to the court over a specific period of time.

(29) "First-time offender" means any person who has no prior convictions for a felony and is eligible for the first-time offender waiver under RCW 9.94A.650.

(30) "Home detention" is a subset of electronic monitoring and means a program of partial confinement available to offenders wherein the offender is confined in a private residence 24 hours a day, unless an absence from the residence is approved, authorized, or otherwise permitted in the order by the court or other supervising agency that ordered home detention, and the offender is subject to electronic monitoring.

(31) "Homelessness" or "homeless" means a condition where an individual lacks a fixed, regular, and adequate nighttime residence and who has a primary nighttime residence that is:

(a) A supervised, publicly or privately operated shelter designed to provide temporary living accommodations;

(b) A public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings; or

(c) A private residence where the individual stays as a transient invitee.

(32) "Legal financial obligation" means a sum of money that is ordered by a superior court of the state of Washington for legal financial obligations which may include restitution to the victim, statutorily imposed crime victims' compensation fees as assessed pursuant to RCW 7.68.035, court costs, county or interlocal drug funds, court-appointed attorneys' fees, and costs of defense, fines, and any other financial obligation that is assessed to the offender as a result of a felony conviction. Upon conviction for vehicular assault while under the influence of intoxicating liquor or any drug, RCW 46.61.522(1)(b), or vehicular homicide while under the influence of intoxicating liquor or any drug, RCW 46.61.520(1)(a), legal financial obligations may also include payment to a public agency of the expense of an emergency response to the incident resulting in the conviction, subject to RCW 38.52.430.

(33) "Most serious offense" means any of the following felonies or a felony attempt to commit any of the following felonies:

(a) Any felony defined under any law as a class A felony or criminal solicitation of or criminal conspiracy to commit a class A felony;

(b) Assault in the second degree;

(c) Assault of a child in the second degree;

(d) Child molestation in the second degree;

(e) Controlled substance homicide;

(f) Extortion in the first degree;

(g) Incest when committed against a child under age 14;

(h) Indecent liberties;

(i) Kidnapping in the second degree;

(j) Leading organized crime;

(k) Manslaughter in the first degree;

(l) Manslaughter in the second degree;

(m) Promoting prostitution in the first degree;

(n) Rape in the third degree;

(o) Sexual exploitation;

(p) Vehicular assault, when caused by the operation or driving of a vehicle by a person while under the influence of intoxicating liquor or any drug or by the operation or driving of a vehicle in a reckless manner;

(q) Vehicular homicide, when proximately caused by the driving of any vehicle by any person while under the influence of intoxicating liquor or any drug as defined by RCW 46.61.502, or by the operation of any vehicle in a reckless manner;

(r) Any other class B felony offense with a finding of sexual motivation;

(s) Any other felony with a deadly weapon verdict under RCW 9.94A.825;

(t) Any felony offense in effect at any time prior to December 2, 1993, that is comparable to a most serious offense under this subsection, or any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as a most serious offense under this subsection;

(u)(i) A prior conviction for indecent liberties under RCW 9A.44.100(1) (a), (b), and (c), chapter 260, Laws of 1975 1st ex. sess. as it existed until July 1, 1979, RCW 9A.44.100(1) (a), (b), and (c) as it existed from July 1, 1979, until June 11, 1986, and RCW 9A.44.100(1) (a), (b), and (d) as it existed from June 11, 1986, until July 1, 1988;

(ii) A prior conviction for indecent liberties under RCW 9A.44.100(1)(c) as it existed from June 11, 1986, until July 1, 1988, if: (A) The crime was committed against a child under the age of 14; or (B) the relationship between the victim and perpetrator is included in the definition of indecent liberties under RCW 9A.44.100(1)(c) as it existed from July 1, 1988, through July 27, 1997, or RCW 9A.44.100(1) (d) or (e) as it existed from July 25, 1993, through July 27, 1997;

(v) Any out-of-state conviction for a felony offense with a finding of sexual motivation if the minimum sentence imposed was 10 years or more; provided that the out-of-state felony offense must be comparable to a felony offense under this title and Title 9A RCW and the out-of-state definition of sexual motivation must be comparable to the definition of sexual motivation contained in this section.

(34) "Nonviolent offense" means an offense which is not a violent offense.

(35) "Offender" means a person who has committed a felony established by state law and is 18 years of age or older or is less than 18 years of age but whose case is under superior court jurisdiction under RCW 13.04.030 or has been transferred by the appropriate juvenile court to a criminal court pursuant to RCW 13.40.110. In addition, for the purpose of community custody requirements under this chapter, "offender" also means a misdemeanor or gross misdemeanor probationer ordered by a superior court to probation pursuant to RCW 9.92.060, 9.95.204, or 9.95.210 and supervised by the department pursuant to RCW 9.94A.501 and 9.94A.5011. Throughout this chapter, the terms "offender" and "defendant" are used interchangeably.

(36) "Partial confinement" means confinement (~~for no more than one year~~) up to 18 months in a facility or institution operated or utilized under contract by the state or any other unit of government, or, if home detention, electronic monitoring, or work crew has been ordered by the court or home detention has been ordered by the department as part of the parenting program or the graduated reentry program, in an approved residence, for a substantial portion of each day with the balance of the day spent in the community. Partial

confinement includes work release, home detention, work crew, electronic monitoring, and a combination of work crew, electronic monitoring, and home detention.

(37) "Pattern of criminal street gang activity" means:

(a) The commission, attempt, conspiracy, or solicitation of, or any prior juvenile adjudication of or adult conviction of, two or more of the following criminal street gang-related offenses:

(i) Any "serious violent" felony offense as defined in this section, excluding Homicide by Abuse (RCW 9A.32.055) and Assault of a Child 1 (RCW 9A.36.120);

(ii) Any "violent" offense as defined by this section, excluding Assault of a Child 2 (RCW 9A.36.130);

(iii) Deliver or Possession with Intent to Deliver a Controlled Substance (chapter 69.50 RCW);

(iv) Any violation of the firearms and dangerous weapon act (chapter 9.41 RCW);

(v) Theft of a Firearm (RCW 9A.56.300);

(vi) Possession of a Stolen Firearm (RCW 9A.56.310);

(vii) Hate Crime (RCW 9A.36.080);

(viii) Harassment where a subsequent violation or deadly threat is made (RCW 9A.46.020(2)(b));

(ix) Criminal Gang Intimidation (RCW 9A.46.120);

(x) Any felony conviction by a person 18 years of age or older with a special finding of involving a juvenile in a felony offense under RCW 9.94A.833;

(xi) Residential Burglary (RCW 9A.52.025);

(xii) Burglary 2 (RCW 9A.52.030);

(xiii) Malicious Mischief 1 (RCW 9A.48.070);

(xiv) Malicious Mischief 2 (RCW 9A.48.080);

(xv) Theft of a Motor Vehicle (RCW 9A.56.065);

(xvi) Possession of a Stolen Motor Vehicle (RCW 9A.56.068);

(xvii) Taking a Motor Vehicle Without Permission 1 (RCW 9A.56.070);

(xviii) Taking a Motor Vehicle Without Permission 2 (RCW 9A.56.075);

(xix) Extortion 1 (RCW 9A.56.120);

(xx) Extortion 2 (RCW 9A.56.130);

(xxi) Intimidating a Witness (RCW 9A.72.110);

(xxii) Tampering with a Witness (RCW 9A.72.120);

(xxiii) Reckless Endangerment (RCW 9A.36.050);

(xxiv) Coercion (RCW 9A.36.070);

(xxv) Harassment (RCW 9A.46.020); or

(xxvi) Malicious Mischief 3 (RCW 9A.48.090);

(b) That at least one of the offenses listed in (a) of this subsection shall have occurred after July 1, 2008;

(c) That the most recent committed offense listed in (a) of this subsection occurred within three years of a prior offense listed in (a) of this subsection; and

(d) Of the offenses that were committed in (a) of this subsection, the offenses occurred on separate occasions or were committed by two or more persons.

(38) "Persistent offender" is an offender who:

(a)(i) Has been convicted in this state of any felony considered a most serious offense; and

(ii) Has, before the commission of the offense under (a) of this subsection, been convicted as an offender on at least two separate occasions, whether in this state or elsewhere, of felonies that under the laws of this state would be considered most serious offenses and would be included in the offender score under RCW 9.94A.525; provided that of the two or more previous convictions, at least one conviction must have occurred before the commission of any of the other most serious offenses for which the offender was previously convicted; or

(b)(i) Has been convicted of: (A) Rape in the first degree, rape of a child in the first degree, child molestation in the first degree, rape in the second degree, rape of a child in the second degree, or indecent liberties by forcible compulsion; (B) any of the following offenses with a finding of sexual motivation: Murder in the first degree, murder in the second degree, homicide by abuse, kidnapping in the first degree, kidnapping in the second degree, assault in the first degree, assault in the second degree, assault of a child in the first degree, assault of a child in the second degree, or burglary in the first degree; or (C) an attempt to commit any crime listed in this subsection (38)(b)(i); and

(ii) Has, before the commission of the offense under (b)(i) of this subsection, been convicted as an offender on at least one occasion, whether in this state or elsewhere, of an offense listed in (b)(i) of this subsection or any federal or out-of-state offense or offense under prior Washington law that is comparable to the offenses listed in (b)(i) of this subsection. A conviction for rape of a child in the first degree constitutes a conviction under (b)(i) of this subsection only when the offender was 16 years of age or older when the offender committed the offense. A conviction for rape of a child in the second degree constitutes a conviction under (b)(i) of this subsection only when the offender was 18 years of age or older when the offender committed the offense.

(39) "Predatory" means: (a) The perpetrator of the crime was a stranger to the victim, as defined in this section; (b) the perpetrator established or promoted a relationship with the victim prior to the offense and the victimization of the victim was a significant reason the perpetrator established or promoted the relationship; or (c) the perpetrator was: (i) A teacher, counselor, volunteer, or other person in authority in any public or private school and the victim was a student of the school under his or her authority or supervision. For purposes of this subsection, "school" does not include home-based instruction as defined in RCW 28A.225.010; (ii) a coach, trainer, volunteer, or other person in authority in any recreational activity and the victim was a participant in the activity under his or her authority or supervision; (iii) a pastor, elder, volunteer, or other person in authority in any church or religious organization, and the victim was a member or participant of the organization under his or her authority; or (iv) a teacher, counselor, volunteer, or other person in authority providing home-based instruction and the victim was a student receiving home-based instruction while under his or her authority or supervision. For purposes of this subsection: (A) "Home-based instruction" has the same meaning as defined in RCW 28A.225.010; and (B) "teacher, counselor, volunteer, or other person in authority" does not include the parent or legal guardian of the victim.

(40) "Private school" means a school regulated under chapter 28A.195 or 28A.205 RCW.

(41) "Public school" has the same meaning as in RCW 28A.150.010.

(42) "Recidivist offense" means a felony offense where a prior conviction of the same offense or other specified offense is an element of the crime including, but not limited to:

(a) Assault in the fourth degree where domestic violence is pleaded and proven, RCW 9A.36.041(3);

(b) Cyber harassment, RCW 9A.90.120(2)(b)(i);

(c) Harassment, RCW 9A.46.020(2)(b)(i);

(d) Indecent exposure, RCW 9A.88.010(2)(c);

(e) Stalking, RCW 9A.46.110(5)(b) (i) and (iii);

(f) Telephone harassment, RCW 9.61.230(2)(a); and

(g) Violation of a no-contact or protection order, RCW 7.105.450 or former RCW 26.50.110(5).

(43) "Repetitive domestic violence offense" means any:

(a)(i) Domestic violence assault that is not a felony offense under RCW 9A.36.041;

(ii) Domestic violence violation of a no-contact order under chapter 10.99 RCW that is not a felony offense;

(iii) Domestic violence violation of a protection order under chapter 26.09, 26.26A, or 26.26B RCW or former chapter 26.50 RCW, or violation of a domestic violence protection order under chapter 7.105 RCW, that is not a felony offense;

(iv) Domestic violence harassment offense under RCW 9A.46.020 that is not a felony offense; or

(v) Domestic violence stalking offense under RCW 9A.46.110 that is not a felony offense; or

(b) Any federal, out-of-state, tribal court, military, county, or municipal conviction for an offense that under the laws of this state would be classified as a repetitive domestic violence offense under (a) of this subsection.

(44) "Restitution" means a specific sum of money ordered by the sentencing court to be paid by the offender to the court over a specified period of time as payment of damages. The sum may include both public and private costs.

(45) "Risk assessment" means the application of the risk instrument recommended to the department by the Washington state institute for public policy as having the highest degree of predictive accuracy for assessing an offender's risk of reoffense.

(46) "Serious traffic offense" means:

(a)(i) Nonfelony driving while under the influence of intoxicating liquor or any drug (RCW 46.61.502);

(ii) Nonfelony actual physical control while under the influence of intoxicating liquor or any drug (RCW 46.61.504);

(iii) Reckless driving (RCW 46.61.500);

(iv) Negligent driving if the conviction is the result of a charge that was originally filed as a violation of RCW 46.61.502 or 46.61.504, or an equivalent local ordinance, or of RCW 46.61.520 or 46.61.522 while under the influence of intoxicating liquor or any drug (RCW 46.61.5249);

(v) Reckless endangerment if the conviction is the result of a charge that was originally filed as a violation of RCW 46.61.502 or 46.61.504, or an

equivalent local ordinance, or of RCW 46.61.520 or 46.61.522 while under the influence of intoxicating liquor or any drug (RCW 9A.36.050); or

(vi) Hit-and-run an attended vehicle (RCW 46.52.020(5)); or

(b) Any federal, out-of-state, county, or municipal conviction for an offense that under the laws of this state would be classified as a serious traffic offense under (a) of this subsection.

(c) This definition applies for the purpose of a personal driver's license only and does not apply to violations related to a commercial motor vehicle under RCW 46.25.090.

(47) "Serious violent offense" is a subcategory of violent offense and means:

(a)(i) Murder in the first degree;

(ii) Homicide by abuse;

(iii) Murder in the second degree;

(iv) Manslaughter in the first degree;

(v) Assault in the first degree;

(vi) Kidnapping in the first degree;

(vii) Rape in the first degree;

(viii) Assault of a child in the first degree; or

(ix) An attempt, criminal solicitation, or criminal conspiracy to commit one of these felonies; or

(b) Any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as a serious violent offense under (a) of this subsection.

(48) "Sex offense" means:

(a)(i) A felony that is a violation of chapter 9A.44 RCW other than RCW 9A.44.132;

(ii) A violation of RCW 9A.64.020;

(iii) A felony that is a violation of chapter 9.68A RCW other than RCW 9.68A.080;

(iv) A felony that is, under chapter 9A.28 RCW, a criminal attempt, criminal solicitation, or criminal conspiracy to commit such crimes; or

(v) A felony violation of RCW 9A.44.132(1) (failure to register as a sex offender) if the person has been convicted of violating RCW 9A.44.132(1) (failure to register as a sex offender) or 9A.44.130 prior to June 10, 2010, on at least one prior occasion;

(b) Any conviction for a felony offense in effect at any time prior to July 1, 1976, that is comparable to a felony classified as a sex offense in (a) of this subsection;

(c) A felony with a finding of sexual motivation under RCW 9.94A.835 or 13.40.135; or

(d) Any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as a sex offense under (a) of this subsection.

(49) "Sexual motivation" means that one of the purposes for which the defendant committed the crime was for the purpose of his or her sexual gratification.

(50) "Standard sentence range" means the sentencing court's discretionary range in imposing a nonappealable sentence.

(51) "Statutory maximum sentence" means the maximum length of time for which an offender may be confined as punishment for a crime as prescribed in chapter 9A.20 RCW, RCW 9.92.010, the statute defining the crime, or other statute defining the maximum penalty for a crime.

(52) "Stranger" means that the victim did not know the offender 24 hours before the offense.

(53) "Total confinement" means confinement inside the physical boundaries of a facility or institution operated or utilized under contract by the state or any other unit of government for 24 hours a day, or pursuant to RCW 72.64.050 and 72.64.060.

(54) "Transition training" means written and verbal instructions and assistance provided by the department to the offender during the two weeks prior to the offender's successful completion of the work ethic camp program. The transition training shall include instructions in the offender's requirements and obligations during the offender's period of community custody.

(55) "Victim" means any person who has sustained emotional, psychological, physical, or financial injury to person or property as a direct result of the crime charged.

(56) "Victim of domestic violence" means an intimate partner or household member who has been subjected to the infliction of physical harm or sexual and psychological abuse by an intimate partner or household member as part of a pattern of assaultive, coercive, and controlling behaviors directed at achieving compliance from or control over that intimate partner or household member. Domestic violence includes, but is not limited to, the offenses listed in RCW 10.99.020 and 26.50.010 committed by an intimate partner or household member against a victim who is an intimate partner or household member.

(57) "Victim of sex trafficking, prostitution, or commercial sexual abuse of a minor" means a person who has been forced or coerced to perform a commercial sex act including, but not limited to, being a victim of offenses defined in RCW 9A.40.100, 9A.88.070, 9.68A.101, and the trafficking victims protection act of 2000, 22 U.S.C. Sec. 7101 et seq.; or a person who was induced to perform a commercial sex act when they were less than 18 years of age including but not limited to the offenses defined in chapter 9.68A RCW.

(58) "Victim of sexual assault" means any person who is a victim of a sexual assault offense, nonconsensual sexual conduct, or nonconsensual sexual penetration and as a result suffers physical, emotional, financial, or psychological impacts. Sexual assault offenses include, but are not limited to, the offenses defined in chapter 9A.44 RCW.

(59) "Violent offense" means:

(a) Any of the following felonies:

(i) Any felony defined under any law as a class A felony or an attempt to commit a class A felony;

(ii) Criminal solicitation of or criminal conspiracy to commit a class A felony;

(iii) Manslaughter in the first degree;

(iv) Manslaughter in the second degree;

(v) Indecent liberties if committed by forcible compulsion;

(vi) Kidnapping in the second degree;

(vii) Arson in the second degree;

- (viii) Assault in the second degree;
- (ix) Assault of a child in the second degree;
- (x) Extortion in the first degree;
- (xi) Robbery in the second degree;
- (xii) Drive-by shooting;

(xiii) Vehicular assault, when caused by the operation or driving of a vehicle by a person while under the influence of intoxicating liquor or any drug or by the operation or driving of a vehicle in a reckless manner; and

(xiv) Vehicular homicide, when proximately caused by the driving of any vehicle by any person while under the influence of intoxicating liquor or any drug as defined by RCW 46.61.502, or by the operation of any vehicle in a reckless manner;

(b) Any conviction for a felony offense in effect at any time prior to July 1, 1976, that is comparable to a felony classified as a violent offense in (a) of this subsection; and

(c) Any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as a violent offense under (a) or (b) of this subsection.

(60) "Work crew" means a program of partial confinement consisting of civic improvement tasks for the benefit of the community that complies with RCW 9.94A.725.

(61) "Work ethic camp" means an alternative incarceration program as provided in RCW 9.94A.690 designed to reduce recidivism and lower the cost of corrections by requiring offenders to complete a comprehensive array of real-world job and vocational experiences, character-building work ethics training, life management skills development, substance abuse rehabilitation, counseling, literacy training, and basic adult education.

(62) "Work release" means a program of partial confinement available to offenders who are employed or engaged as a student in a regular course of study at school.

Sec. 4. RCW 9.94A.6551 and 2024 c 193 s 1 are each amended to read as follows:

~~(1)((a) Except as provided in (b) of this subsection, for)) For an incarcerated individual not sentenced under RCW 9.94A.655, but otherwise eligible under this section, no more than the final ((42)) 18 months of the incarcerated individual's term of confinement may be served in partial confinement as home detention as part of the parenting program developed by the department.~~

~~((b) For an incarcerated individual not sentenced under RCW 9.94A.655, but otherwise eligible under this section, who is participating in the residential parenting program at the department, no more than the final 18 months of the incarcerated individual's term of confinement may be served in partial confinement as home detention as part of the parenting program developed by the department.))~~

(2) The secretary may transfer an incarcerated individual from a correctional facility to home detention in the community if it is determined that the parenting program is an appropriate placement and when all of the following conditions exist:

(a) The incarcerated individual is serving a sentence in which the high end of the range is greater than one year;

(b) The incarcerated individual has no current conviction for a felony that is classified as a sex offense or a serious violent offense;

(c) The incarcerated individual has no current conviction for a violent offense, or where the incarcerated individual has a current conviction for a violent offense, he or she has not been determined to be a high risk to reoffend;

(d) The incarcerated individual signs any release of information waivers required to allow information regarding current or prior child welfare cases to be shared with the department and the court;

(e) The incarcerated individual is:

(i) A parent with guardianship or legal custody of a minor child;

(ii) An expectant parent; ~~(or)~~

(iii) A biological parent, adoptive parent, custodian, caregiver, or stepparent with a proven, established, ongoing, and substantial relationship with a minor child that existed at the time of the offense; or

(iv) An individual expected to take over the duties of a caregiver or parent and be responsible for exercising the day-to-day care and control of a minor child, who has a proven, established, ongoing, and substantial relationship with the minor child, and who is not prohibited from contact with a minor child by any law, court order, or any other restriction; and

(f) The department determines that the incarcerated individual's participation in the parenting program is in the best interests of the child. Nothing in this section provides the department with authority to determine placement of a minor child.

(3) Except for sex offenses and serious violent offenses, prior juvenile adjudications are not considered offenses when considering eligibility for the parenting program developed by the department.

(4) When the department is considering partial confinement as part of the parenting program for an incarcerated individual, the department shall inquire of the individual and the department of children, youth, and families whether the agency has an open child welfare case or prior substantiated referral for abuse or neglect involving the incarcerated individual.

(5) If the department of children, youth, and families or a tribal jurisdiction has an open child welfare case, the department will seek input from the department of children, youth, and families or the involved tribal jurisdiction as to: (a) The status of the child welfare case; and (b) recommendations regarding placement of the incarcerated individual, services agreed to by the incarcerated individual working voluntarily with the department, or services ordered by the court within the incarcerated individual's child welfare case. The department and its officers, agents, and employees are not liable for the acts of incarcerated individuals participating in the parenting program unless the department or its officers, agents, and employees acted with willful and wanton disregard.

(6) All incarcerated individuals placed on home detention as part of the parenting program shall provide an approved residence and living arrangement prior to transfer to home detention.

(7) The department may not transfer an incarcerated individual to participate in the parenting program until the department has a clinically appropriate evaluation for substance use disorder. If the incarcerated individual

is diagnosed to have a substance use disorder, the department shall assist the incarcerated individual in enrolling in substance use disorder treatment services at the level deemed clinically appropriate. Individuals transferred to participate in the parenting program, and diagnosed with a substance use disorder, must begin receiving substance use disorder treatment services as soon as practicable after transfer to avoid any delays in treatment. Substance use disorder treatment services shall include, as deemed necessary by the evaluation, access to medication-assisted treatment and counseling programs. Upon transfer to the parenting program, when clinically appropriate, individuals must be provided with access to self-administered fentanyl testing supplies and medications designed to reverse the effects of opioid overdose.

(8) While in the community on home detention as part of the parenting program, the department shall:

(a) Require the individual to be placed on electronic home monitoring;

(b) Require the individual to participate in programming and treatment that the department determines is needed after consideration of the individual's stated needs;

(c) Assign a community corrections officer who will monitor the individual's compliance with conditions of partial confinement and programming requirements; and

(d) If the individual has an open child welfare case with the department of children, youth, and families, collaborate and communicate with the identified social worker in the provision of services.

~~((8))~~ (9) The department has the authority to return any incarcerated individual serving partial confinement in the parenting program to total confinement if the individual is not complying with sentence requirements.

~~((9))~~ (10) If the individual's earned release date changes after placement in partial confinement under this section, the department may extend the duration of participation in the alternative program by no more than six months or up to the earned release date, whichever comes first.

(11) For the purposes of this section:

(a) "Expectant parent" means a pregnant or other parent awaiting the birth of his or her child, or an adoptive parent or person in the process of a final adoption.

(b) "Minor child" means a child under the age of ~~((eighteen))~~ 18.

~~((c)) "Residential parenting program" means a correctional nursery program administered by the department that allows pregnant, minimum security incarcerated individuals that meet eligibility criteria established by the department to keep their newborn children with them after giving birth in a designated unit and receive support and education in alliance with skilled early childhood educators.))~~

Sec. 5. RCW 9.94A.733 and 2023 c 405 s 1 are each amended to read as follows:

(1)(a) Except as provided in (b) of this subsection, an ~~((offender))~~ incarcerated individual may not participate in the graduated reentry program under this subsection unless he or she has served at least six months in total confinement in a state correctional facility.

(i) An ~~((offender))~~ incarcerated individual subject to (a) of this subsection may serve no more than the final ~~((five))~~ nine months of the ~~((offender's))~~

incarcerated individual's term of confinement in partial confinement as home detention as part of the graduated reentry program developed by the department.

(ii) Home detention under (a) of this subsection may not be imposed for individuals subject to a deportation order, civil commitment, or the interstate compact for adult offender supervision under RCW 9.94A.745.

(b) For ~~((offenders))~~ incarcerated individuals who meet the requirements of (b)(iii) of this subsection, an ~~((offender))~~ incarcerated individual may not participate in the graduated reentry program unless he or she has served at least ~~((four))~~ three months in total confinement in a state correctional facility.

(i) An ~~((offender))~~ incarcerated individual under this subsection (1)(b) may serve no more than the final 18 months of the ~~((offender's))~~ incarcerated individual's term of confinement in partial confinement as home detention as part of the graduated reentry program developed by the department.

(ii) Home detention under this subsection (1)(b) may not be imposed for individuals subject to a deportation order or subject to the jurisdiction of the indeterminate sentence review board.

(iii) Home detention under this subsection (1)(b) may not be imposed for ~~((offenders))~~ incarcerated individuals currently serving a term of confinement for the following offenses:

(A) Any sex offense;

(B) Any violent offense; or

(C) Any crime against a person offense in accordance with the categorization of crimes against persons outlined in RCW 9.94A.411(2).

(2) The secretary of the department may transfer an ~~((offender))~~ incarcerated individual from a department correctional facility to home detention in the community if it is determined that the graduated reentry program is an appropriate placement and must assist the ~~((offender's))~~ incarcerated individual's transition from confinement to the community.

(3) The department and its officers, agents, and employees are not liable for the acts of ~~((offenders))~~ individuals participating in the graduated reentry program unless the department or its officers, agents, and employees acted with willful and wanton disregard.

(4)(a) All ~~((offenders))~~ incarcerated individuals placed on home detention as part of the graduated reentry program must provide an approved residence and living arrangement prior to transfer to home detention.

(b) The department may not transfer an ~~((offender))~~ incarcerated individual to participate in the graduated reentry program until the department has ~~((conducted))~~ a ~~((comprehensive assessment))~~ clinically appropriate evaluation for substance use disorder. If the ~~((offender))~~ incarcerated individual is ~~((assessed))~~ diagnosed to have a substance use disorder, the department shall assist the ~~((offender))~~ incarcerated individual in enrolling in substance use disorder treatment services at the level deemed clinically appropriate ~~((by the assessment))~~. ~~((Offenders))~~ Individuals transferred to participate in the graduated reentry program, and diagnosed with a substance use disorder, must begin receiving substance use disorder treatment services as soon as practicable after transfer to avoid any delays in treatment. Substance use disorder treatment services shall include, as deemed necessary by the ~~((assessment))~~ evaluation, access to medication-assisted treatment and counseling programs. Upon transfer to the graduated reentry program, when clinically appropriate, individuals must

be provided with access to self-administered fentanyl testing supplies and medications designed to reverse the effects of opioid overdose.

(5) While in the community on home detention as part of the graduated reentry program, the department must:

(a) Require the ((offender)) individual to be placed on electronic home monitoring;

(b) Require the ((offender)) individual to participate in programming and treatment that the department shall assign based on an ((offender's)) individual's assessed need; and

(c) Assign a community corrections officer who will monitor the ((offender's)) individual's compliance with conditions of partial confinement and programming requirements.

(6) The department retains the authority to return any ((offender)) individual serving partial confinement in the graduated reentry program to total confinement for any reason including, but not limited to, the ((offender's)) individual's noncompliance with any sentence requirement.

(7) The department may issue rental vouchers for a period not to exceed six months for those transferring to partial confinement under this section if an approved address cannot be obtained without the assistance of a voucher.

(8) In the selection of ((offenders)) incarcerated individuals to participate in the graduated reentry program, and in setting, modifying, and enforcing the requirements of the graduated reentry program, the department is deemed to be performing a quasi-judicial function.

(9) The department shall publish a monthly report on its website with the number of ((offenders)) incarcerated individuals who were transferred during the month to home detention as part of the graduated reentry program. The department shall submit an annual report by December 1st to the appropriate committees of the legislature with the number of ((offenders)) incarcerated individuals who were transferred to home detention as part of the graduated reentry program during the prior year.

(10)(a) Beginning July 1, 2023, the following data must be collected and posted to the department's website on a monthly basis:

(i) The number of ((offenders)) incarcerated individuals who were transferred to the graduated reentry program who were assessed to have a substance use disorder during the prior calendar month; and

(ii) The number of ((offenders)) individuals in the graduated reentry program who received during the prior 12 months:

(A) Outpatient substance use disorder treatment;

(B) Inpatient substance use disorder treatment; and

(C) Both outpatient and inpatient substance use disorder treatment.

(b) Beginning July 1, 2023, the health care authority must report monthly to the department on the number of ((offenders)) individuals in the graduated reentry program who received substance use disorder outpatient treatment, while in the community, during the prior 12 months.

(11) The department must share data with the health care authority on ((offenders)) individuals participating in the graduated reentry program.

Sec. 6. RCW 9.94A.728 and 2023 c 358 s 1 are each amended to read as follows:

(1) No incarcerated individual serving a sentence imposed pursuant to this chapter and committed to the custody of the department shall leave the confines of the correctional facility or be released prior to the expiration of the sentence except as follows:

(a) An incarcerated individual may earn early release time as authorized by RCW 9.94A.729;

(b) An incarcerated individual may leave a correctional facility pursuant to an authorized furlough or leave of absence. In addition, incarcerated individuals may leave a correctional facility when in the custody of a corrections officer or officers;

(c)(i) The secretary may authorize an extraordinary medical placement for an incarcerated individual when all of the following conditions exist:

(A) The incarcerated individual has been assessed by two physicians and is determined to be one of the following:

(I) Affected by a permanent or degenerative medical condition to such a degree that the individual does not presently, and likely will not in the future, pose a threat to public safety; or

(II) In ill health and is expected to die within six months and does not presently, and likely will not in the future, pose a threat to public safety;

(B) The incarcerated individual has been assessed as low risk to the community at the time of release; and

(C) It is expected that granting the extraordinary medical placement will result in a cost savings to the state.

(ii) An incarcerated individual sentenced to death or to life imprisonment without the possibility of release or parole is not eligible for an extraordinary medical placement.

(iii) The secretary shall require electronic monitoring for all individuals in extraordinary medical placement unless the electronic monitoring equipment is detrimental to the individual's health, interferes with the function of the individual's medical equipment, or results in the loss of funding for the individual's medical care, in which case, an alternative type of monitoring shall be utilized. The secretary shall specify who shall provide the monitoring services and the terms under which the monitoring shall be performed.

(iv) The secretary may revoke an extraordinary medical placement under this subsection (1)(c) at any time.

(v) Persistent offenders are not eligible for extraordinary medical placement;

(d) The governor, upon recommendation from the clemency and pardons board, may grant an extraordinary release for reasons of serious health problems, senility, advanced age, extraordinary meritorious acts, or other extraordinary circumstances;

(e) No more than the final ((42)) 18 months of the incarcerated individual's term of confinement may be served in partial confinement for aiding the incarcerated individual with: Finding work as part of the work release program under chapter 72.65 RCW; ((or)) reestablishing himself or herself in the community as part of the parenting program in RCW 9.94A.6551. This is in addition to that period of earned early release time that may be exchanged for partial confinement pursuant to RCW 9.94A.729(5)(d);

(f)(i) No more than the final (~~((five))~~) nine months of the incarcerated individual's term of confinement may be served in partial confinement as home detention as part of the graduated reentry program developed by the department under RCW 9.94A.733(1)(a);

(ii) For eligible incarcerated individuals under RCW 9.94A.733(1)(b), after serving at least (~~((four))~~) three months in total confinement in a state correctional facility, an incarcerated individual may serve no more than the final 18 months of the incarcerated individual's term of confinement in partial confinement as home detention as part of the graduated reentry program developed by the department;

(g) The governor may pardon any incarcerated individual;

(h) The department may release an incarcerated individual from confinement any time within 10 days before a release date calculated under this section;

(i) An incarcerated individual may leave a correctional facility prior to completion of his or her sentence if the sentence has been reduced as provided in RCW 9.94A.870;

(j) Notwithstanding any other provisions of this section, an incarcerated individual sentenced for a felony crime listed in RCW 9.94A.540 as subject to a mandatory minimum sentence of total confinement shall not be released from total confinement before the completion of the listed mandatory minimum sentence for that felony crime of conviction unless allowed under RCW 9.94A.540; and

(k) Any individual convicted of one or more crimes committed prior to the individual's 18th birthday may be released from confinement pursuant to RCW 9.94A.730.

(2) Notwithstanding any other provision of this section, an incarcerated individual entitled to vacation of a conviction or the recalculation of his or her offender score pursuant to *State v. Blake*, No. 96873-0 (Feb. 25, 2021), may be released from confinement pursuant to a court order if the incarcerated individual has already served a period of confinement that exceeds his or her new standard range. This provision does not create an independent right to release from confinement prior to resentencing.

(3) Individuals residing in a juvenile correctional facility placement pursuant to RCW 72.01.410(1)(a) are not subject to the limitations in this section.

Sec. 7. RCW 72.65.210 and 2023 c 470 s 2121 are each amended to read as follows:

(1) The department shall establish, by rule, (~~((inmate))~~) incarcerated individual eligibility standards for participation in the work release program.

(2) The department shall:

(a) Conduct an annual examination of each work release facility and its security procedures;

(b) Investigate and set standards for the (~~((inmate))~~) individual supervision policies of each work release facility;

(c) Establish physical standards for future work release structures to ensure the safety of (~~((inmates))~~) individuals, employees, and the surrounding communities;

(d) Evaluate its recordkeeping of serious infractions to determine if infractions are properly and consistently assessed against ~~((inmates))~~ individuals eligible for work release;

(e) Establish a written treatment plan best suited to the ~~((inmate's))~~ individual's needs, cost, and the relationship of community placement and community corrections officers to a system of case management;

(f) Adopt a policy to encourage businesses employing work release ~~((inmates))~~ individuals to contact the appropriate work release facility whenever an ~~((inmate))~~ individual is absent from his or her work schedule. The department of corrections shall provide each employer with written information and instructions on who should be called if a work release employee is absent from work or leaves the jobsite without authorization; and

(g) Develop a siting policy, in conjunction with cities, counties, community groups, and the department of commerce for the establishment of additional work release facilities. Such policy shall include at least the following elements:

(i) Guidelines for appropriate site selection of work-release facilities; (ii) notification requirements to local government and community groups of intent to site a work release facility; and (iii) guidelines for effective community relations by the work release program operator.

The department shall comply with the requirements of this section by July 1, 1990.

(3) The department may not transfer an incarcerated individual to participate in a work release program until the department has a clinically appropriate evaluation for substance use disorder. If the incarcerated individual is diagnosed to have a substance use disorder, the department shall assist the incarcerated individual in enrolling in substance use disorder treatment services at the level deemed clinically appropriate. Individuals transferred to participate in a work release program, and diagnosed with a substance use disorder, must begin receiving substance use disorder treatment services as soon as practicable after transfer to avoid any delays in treatment. Substance use disorder treatment services shall include, as deemed necessary by the evaluation, access to medication-assisted treatment and counseling programs. Upon transfer to a work release program, when clinically appropriate, individuals must be provided with access to self-administered fentanyl testing supplies and medications designed to reverse the effects of opioid overdose.

NEW SECTION. Sec. 8. The changes to restrictions on the community parenting alternative and partial confinement under sections 2 through 7 of this act apply prospectively and retroactively to persons currently serving a sentence in any facility or institution either operated by the state or utilized under contract.

NEW SECTION. Sec. 9. Section 2 of this act expires January 1, 2026.

NEW SECTION. Sec. 10. Section 3 of this act takes effect January 1, 2026.

Passed by the Senate April 18, 2025.

Passed by the House April 11, 2025.

Approved by the Governor May 20, 2025.

Filed in Office of Secretary of State May 21, 2025.

CHAPTER 408

[Engrossed Substitute Senate Bill 5232]

HOUSING AND ESSENTIAL NEEDS REFERRAL PROGRAM—VARIOUS PROVISIONS

AN ACT Relating to supporting economic security by updating provisions related to the home security fund and the essential needs and housing support program; and amending RCW 43.185C.220, 43.185C.230, 36.22.250, 74.04.005, 74.04.805, and 74.62.030.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. RCW 43.185C.220 and 2015 c 128 s 5 are each amended to read as follows:

(1) The department shall distribute funds for the essential needs and housing support program established under this section in a manner consistent with the requirements of this section and the biennial operating budget. The first distribution of funds must be completed by September 1, 2011. Essential needs or housing support is not an entitlement, and is only for ((persons));

(a) Persons found eligible for such services under RCW 74.04.805; and ~~((is not considered an entitlement))~~

(b) At the discretion of the department, low or extremely low-income elderly or disabled adults who are transitioning off benefits under RCW 74.04.805, receiving federal social security benefits, and still have an immediate housing need. A referral from the department of social and health services is not required for these individuals.

(2) The department shall distribute funds appropriated for the essential needs and housing support program in the form of grants to designated essential needs support and housing support entities within each county. The department shall not distribute any funds until it approves the expenditure plan submitted by the designated essential needs support and housing support entities. The amount of funds to be distributed pursuant to this section shall be designated in the biennial operating budget. For the sole purpose of meeting the initial distribution of funds date, the department may distribute partial funds upon the department's approval of a preliminary expenditure plan. The department shall not distribute the remaining funds until it has approved a final expenditure plan.

(3)(a) During the 2011-2013 biennium, in awarding housing support that is not funded through the contingency fund in this subsection, the designated housing support entity shall provide housing support to clients who are homeless persons as defined in RCW 43.185C.010. As provided in the biennial operating budget for the 2011-2013 biennium, a contingency fund shall be used solely for those clients who are at substantial risk of losing stable housing or at substantial risk of losing one of the other services defined in RCW 74.62.010(6). For purposes of this chapter, "substantial risk" means the client has provided documentation that he or she will lose his or her housing within the next thirty days or that the services will be discontinued within the next thirty days.

(b) After July 1, 2013, the designated housing support entity shall give first priority to clients who are homeless persons as defined in RCW 43.185C.010 and second priority to clients who would be at substantial risk of losing stable housing without housing support.

(4) For each county, the department shall designate an essential needs support entity and a housing support entity that will begin providing these supports to medical care services program recipients on November 1, 2011. Essential needs and housing support entities are not required to provide

assistance to every person referred to the local entity or who meets the priority standards in subsection (3) of this section.

(a) Each designated entity must be a local government or community-based organization, and may administer the funding for essential needs support, housing support, or both. Designated entities have the authority to subcontract with qualified entities. Upon request, and the approval of the department, two or more counties may combine resources to more effectively deliver services.

(b) The department's designation process must include a review of proficiency in managing housing or human services programs when designating housing support entities.

(c) Within a county, if the department directly awards separate grants to the designated housing support entity and the designated essential needs support entity, the department shall determine the amount allocated for essential needs support as directed in the biennial operating budget.

(5)(a) Essential needs and housing support entities must use funds distributed under this section as flexibly as is practicable to provide essential needs items and housing support to recipients of the essential needs and housing support program, subject to the requirements of this section. An essential needs and housing support referral from the department of social and health services for rental assistance must be verified by the housing support service provider every 12 months. Direct cash assistance is allowable. Direct cash assistance shall be an allowable expense only when it addresses a need identified in a client's housing stability plan. Direct cash assistance in this section may be provided through debit cash cards. Flexible funding assistance shall also be permitted in addition to debit cash cards, including vouchers for transportation, gift cards, direct payments to vendors, and other similar methods of assistance.

~~(b) ((Benefits provided under the essential needs and housing support program shall not be provided to recipients in the form of cash assistance.~~

~~(e))~~ The department may move funds between entities or between counties to reflect actual caseload changes. In doing so, the department must: (i) Develop a process for reviewing the caseload of designated essential needs and housing support entities, and for redistributing grant funds from those entities experiencing reduced actual caseloads to those with increased actual caseloads; and (ii) inform all designated entities of the redistribution process. Savings resulting from program caseload attrition from the essential needs and housing support program shall not result in increased per-client expenditures.

~~((d))~~ ~~(c)~~ Essential needs and housing support entities must partner with other public and private organizations to maximize the beneficial impact of funds distributed under this section, and should attempt to leverage other sources of public and private funds to serve essential needs and housing support recipients. Funds appropriated in the operating budget for essential needs and housing support must be used only to serve persons eligible to receive services under that program.

(6) The department shall use no more than five percent of the funds for administration of the essential needs and housing support program. ~~((Each essential needs and housing support entity shall use no more than seven percent of the funds))~~ The department shall align the administration rate for essential needs and housing support entities with other home security funded programs for administrative expenses.

(7) The department shall:

(a) Require housing support entities to enter data into the homeless client management information system;

(b) Require essential needs support entities to report on services provided under this section;

(c) In collaboration with the department of social and health services, submit a report annually to the relevant policy and fiscal committees of the legislature. A preliminary report shall be submitted by December 31, 2011, and must include (c)(i), (iii), and (v) of this subsection. Annual reports must be submitted beginning December 1, 2012, and must include:

(i) A description of the actions the department has taken to achieve the objectives of chapter 36, Laws of 2011 1st sp. sess.;

(ii) The amount of funds used by the department to administer the program;

(iii) Information on the housing status of essential needs and housing support recipients served by housing support entities, and individuals who have requested housing support but did not receive housing support;

(iv) Grantee expenditure data related to administration and services provided under this section; and

(v) Efforts made to partner with other entities and leverage sources or public and private funds;

(d) Review the data submitted by the designated entities, and make recommendations for program improvements and administrative efficiencies. The department has the authority to designate alternative entities as necessary due to performance or other significant issues. Such change must only be made after consultation with the department of social and health services and the impacted entity.

(8) The department, counties, and essential needs and housing support entities are not civilly or criminally liable and may not have any penalty or cause of action of any nature arise against them related to decisions regarding: (a) The provision or lack of provision of housing or essential needs support; or (b) the type of housing arrangement supported with funds allocated under this section, when the decision was made in good faith and in the performance of the powers and duties under this section. However, this section does not prohibit legal actions against the department, county, or essential needs or housing support entity to enforce contractual duties or obligations.

Sec. 2. RCW 43.185C.230 and 2018 c 48 s 3 are each amended to read as follows:

The department, in collaboration with the department of social and health services, shall:

(1) Develop a mechanism through which the department and local governments or community-based organizations can verify a person has been determined eligible for a referral for essential needs and housing support by the department of social and health services and remains eligible for ~~((the essential needs and housing support program))~~ a referral; and

(2) Provide a secure and current list of individuals eligible for a referral to the essential needs and housing support program to designated entities within each county. The list must be updated at least monthly and include, as available and applicable, the eligible individual's:

(a) Name;

- (b) Address;
- (c) Phone number;
- (d) Shelter location; and
- (e) Case manager contact information.

Sec. 3. RCW 36.22.250 and 2023 c 277 s 1 are each amended to read as follows:

(1) A surcharge of \$183 per instrument shall be charged by the county auditor for each document recorded, which will be in addition to any other charge authorized by law. The following are exempt from this surcharge:

- (a) Assignments or substitutions of previously recorded deeds of trust;
- (b) Documents recording a birth, marriage, divorce, or death;
- (c) Any recorded documents otherwise exempted from a recording fee or additional surcharges under state law;
- (d) Marriage licenses issued by the county auditor; and
- (e) Documents recording a federal, state, county, city, or water-sewer district, or wage lien or satisfaction of lien.

(2) Funds collected pursuant to this section must be distributed and used as follows:

(a) One percent of the total funds collected shall be retained by the county auditor for its fee collection activities;

(b) 30 percent of the total funds collected shall be retained by the county and used by the county as provided in subsection (3) of this section;

(c) 54.1 percent of the total funds collected shall be transmitted to the state treasurer to be deposited in the home security fund account created in RCW 43.185C.060 and shall be used by the department of commerce as provided in subsection (4) of this section;

(d) 13.1 percent of the total funds collected shall be transmitted to the state treasurer to be deposited in the affordable housing for all account created in RCW 43.185C.190 and shall be used by the department of commerce as provided in subsection (5) of this section;

(e) 1.8 percent of the total funds collected shall be transmitted to the state treasurer to be deposited in the landlord mitigation program account created in RCW 43.31.615 and shall be used by the department of commerce as provided in subsection (6) of this section.

(3) The county shall use their portion of the collected funds as follows:

(a) Up to 10 percent for the county's administration and local distribution of the funds collected from the surcharge in this section, and administrative costs related to the county's homeless housing plan;

(b) At least 75 percent will be retained and used by the county to accomplish the purposes of its local homeless housing plan pursuant to chapter 484, Laws of 2005. For each city in the county that elects as authorized in RCW 43.185C.080 to operate its own local homeless housing program, a percentage of the surcharge assessed under this subsection equal to the percentage of the city's local portion of the real estate excise tax collected by the county shall be transmitted at least quarterly to the city treasurer, without any deduction for county administrative costs, for use by the city for program costs which directly contribute to the goals of the city's local homeless housing plan; of the funds received by the city, it may use up to 10 percent for administrative costs for its homeless housing program;

(c) At least 15 percent will be retained and used by the county for eligible housing activities, as described in this subsection, that serve extremely low and very low-income households in the county and the cities within a county according to an interlocal agreement between the county and the cities within the county consistent with countywide and local housing needs and policies. A priority must be given to eligible housing activities that serve extremely low-income households with incomes at or below 30 percent of the area median income. Eligible housing activities to be funded are limited to:

(i) Acquisition, construction, or rehabilitation of housing projects or units within housing projects that are affordable to very low-income households with incomes at or below 50 percent of the area median income, including units for homeownership, rental units, seasonal and permanent farmworker housing units, units reserved for victims of human trafficking and their families, and single room occupancy units;

(ii) Supporting building operation and maintenance costs of housing projects or units within housing projects eligible to receive housing trust funds, that are affordable to very low-income households with incomes at or below 50 percent of the area median income, and that require a supplement to rent income to cover ongoing operating expenses;

(iii) Rental assistance vouchers for housing units that are affordable to very low-income households with incomes at or below 50 percent of the area median income, including rental housing vouchers for victims of human trafficking and their families, to be administered by a local public housing authority or other local organization that has an existing rental assistance voucher program, consistent with or similar to the United States department of housing and urban development's section 8 rental assistance voucher program standards; and

(iv) Operating costs for emergency shelters and licensed overnight youth shelters.

(4) The department of commerce shall use the funds from the document recording fee or other fund sources deposited in the home security fund account as follows, except that the department of commerce shall provide counties with the right of first refusal to receive grant funds distributed under (b) of this subsection (4). If a county refuses the funds or does not respond within a time frame established by the department, the department shall make good faith efforts to identify one or more suitable alternative grantees operating within that county. The alternative grantee shall distribute the funds in a manner that is in compliance with this chapter. Funding provided through the office of homeless youth prevention and protection programs created in RCW 43.330.705 is exempt from the county first refusal requirement.

(a) Up to 10 percent for administration of the programs established in chapter 43.185C RCW and in conformance with this subsection (4), including the costs of creating and implementing strategic plans, collecting and evaluating data, measuring and reporting performance, providing technical assistance to local governments, providing training to entities delivering services, and developing and maintaining stakeholder relationships;

(b) At least 90 percent for homelessness assistance grant programs administered by the department, including but not limited to: Temporary rental assistance; eviction prevention rental assistance per RCW 43.185C.185; emergency shelter and transitional housing operations and maintenance;

outreach; diversion; HOPE and crisis residential centers; young adult housing; homeless services and case management for adult, family, youth, and young adult homeless populations and those at risk of homelessness; project-based vouchers for nonprofit housing providers or public housing authorities; tenant-based rent assistance; housing services; direct cash assistance as provided for in RCW 43.185C.220(5)(a); rapid rehousing; emergency housing; acquisition; operations; maintenance; and service costs for permanent supportive housing as defined in RCW 36.70A.030 for individuals with disabilities. Grantees may also use these funds in partnership with permanent supportive housing programs administered by the office of apple health and homes created in RCW 43.330.181. Priority for use must be given to purposes intended to house persons who are chronically homeless or to maintain housing for individuals with disabilities and prior experiences of homelessness, including families with children.

(5) The department of commerce shall use the funds from the document recording fee or other fund sources deposited in the affordable housing for all account as follows:

(a) Up to 10 percent for program administration and technical assistance necessary for the delivery programs and activities under this subsection (5);

(b) At least 90 percent for the following:

(i) Grants for building operation and maintenance costs of housing projects, or units within housing projects, that are in the state's housing trust fund portfolio, are affordable to extremely low-income households with incomes at or below 30 percent of the area median income, and require a supplement to rent income to cover ongoing operating expenses;

(ii) Grants to support the building operations, maintenance, and supportive service costs for permanent supportive housing projects, or units within housing projects, that have received or will receive funding from the housing trust fund or other public capital funding programs. The supported projects or units must be dedicated as permanent supportive housing as defined in RCW 36.70A.030, be occupied by extremely low-income households with incomes at or below 30 percent of the area median income, and require a supplement to rent income to cover ongoing property operations, maintenance, and supportive services expenses.

(6) The department of commerce shall use the funds from the document recording fee or other fund sources deposited in the landlord mitigation program account to administer the landlord mitigation program as established in RCW 43.31.605. The department of commerce may use up to 10 percent of these funds for program administration and the development and maintenance of a database necessary to administer the program.

Sec. 4. RCW 74.04.005 and 2023 c 418 s 1 are each amended to read as follows:

For the purposes of this title, unless the context indicates otherwise, the following definitions shall apply:

(1) "Aged, blind, or disabled assistance program" means the program established under RCW 74.62.030.

(2) "Applicant" means any person who has made a request, or on behalf of whom a request has been made, to any county or local office for assistance.

(3) "Authority" means the health care authority.

(4) "County or local office" means the administrative office for one or more counties or designated service areas.

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

(6) "Director" means the director of the health care authority.

(7) "Essential needs and housing support program" means the program established in RCW 43.185C.220.

(8) "Federal aid assistance" means the specific categories of assistance for which provision is made in any federal law existing or hereafter passed by which payments are made from the federal government to the state in aid or in respect to payment by the state for public assistance rendered to any category of needy persons for which provision for federal funds or aid may from time to time be made, or a federally administered needs-based program.

(9) "Income" means:

(a) All appreciable gains in real or personal property (cash or kind) or other assets, which are received by or become available for use and enjoyment by an applicant or recipient during the month of application or after applying for or receiving public assistance. The department may by rule and regulation exempt income received by an applicant for or recipient of public assistance which can be used by him or her to decrease his or her need for public assistance or to aid in rehabilitating him or her or his or her dependents, but such exemption shall not, unless otherwise provided in this title, exceed the exemptions of resources granted under this chapter to an applicant for public assistance. In addition, for cash assistance the department may disregard income pursuant to RCW 74.08A.230 and 74.12.350.

(b) If, under applicable federal requirements, the state has the option of considering property in the form of lump sum compensatory awards or related settlements received by an applicant or recipient as income or as a resource, the department shall consider such property to be a resource.

(10) "Need" means the difference between the applicant's or recipient's standards of assistance for himself or herself and the dependent members of his or her family, as measured by the standards of the department, and value of all nonexempt resources and nonexempt income received by or available to the applicant or recipient and the dependent members of his or her family.

(11) "Public assistance" or "assistance" means public aid to persons in need thereof for any cause, including services, medical care, assistance grants, disbursing orders, work relief, benefits under RCW 74.62.030 and 43.185C.220, and federal aid assistance.

(12) "Recipient" means any person receiving assistance and in addition those dependents whose needs are included in the recipient's assistance.

(13) "Resource" means any asset, tangible or intangible, owned by or available to the applicant at the time of application, which can be applied toward meeting the applicant's need, either directly or by conversion into money or its equivalent. The department may by rule designate resources that an applicant may retain and not be ineligible for public assistance because of such resources. Exempt resources shall include, but are not limited to:

(a) A home that an applicant, recipient, or their dependents is living in, including the surrounding property;

(b) Household furnishings and personal effects;

(c) One motor vehicle, other than a motor home, that is used and useful;

(d) A motor vehicle necessary to transport a household member with a physical disability. This exclusion is limited to one vehicle per person with a physical disability;

(e) Retirement funds, pension plans, and retirement accounts;

(f) All other resources, including any excess of values exempted, not to exceed \$12,000 or other limit as set by the department, to be consistent with limitations on resources and exemptions necessary for federal aid assistance;

(g) Applicants for or recipients of benefits under RCW 74.62.030 and ~~((43.185C.220))~~ referrals under RCW 74.04.805 shall have their eligibility based on resource limitations consistent with the temporary assistance for needy families program rules adopted by the department; and

(h) If an applicant for or recipient of public assistance possesses property and belongings in excess of the ceiling value, such value shall be used in determining the need of the applicant or recipient, except that: (i) The department may exempt resources or income when the income and resources are determined necessary to the applicant's or recipient's restoration to independence, to decrease the need for public assistance, or to aid in rehabilitating the applicant or recipient or a dependent of the applicant or recipient; and (ii) the department may provide grant assistance for a period not to exceed nine months from the date the agreement is signed pursuant to this section to persons who are otherwise ineligible because of excess real property owned by such persons when they are making a good faith effort to dispose of that property if:

(A) The applicant or recipient signs an agreement to repay the lesser of the amount of aid received or the net proceeds of such sale;

(B) If the owner of the excess property ceases to make good faith efforts to sell the property, the entire amount of assistance may become an overpayment and a debt due the state and may be recovered pursuant to RCW 43.20B.630;

(C) Applicants and recipients are advised of their right to a fair hearing and afforded the opportunity to challenge a decision that good faith efforts to sell have ceased, prior to assessment of an overpayment under this section; and

(D) At the time assistance is authorized, the department files a lien without a sum certain on the specific property.

(14) "Secretary" means the secretary of social and health services.

(15) "Standards of assistance" means the level of income required by an applicant or recipient to maintain a level of living specified by the department.

(16)(a) "Victim of human trafficking" means a noncitizen and any qualifying family members who have:

(i) Filed or are preparing to file an application for T nonimmigrant status with the appropriate federal agency pursuant to 8 U.S.C. Sec. 1101(a)(15)(T), as it existed on January 1, 2020;

(ii) Filed or are preparing to file an application with the appropriate federal agency for status pursuant to 8 U.S.C. Sec. 1101(a)(15)(U), as it existed on January 1, 2020; or

(iii) Been harmed by either any violation of chapter 9A.40 or 9.68A RCW, or both, or by substantially similar crimes under federal law or the laws of any other state, and who:

(A) Are otherwise taking steps to meet the conditions for federal benefits eligibility under 22 U.S.C. Sec. 7105, as it existed on January 1, 2020; or

(B) Have filed or are preparing to file an application with the appropriate federal agency for status under 8 U.S.C. Sec. 1158.

(b)(i) "Qualifying family member" means:

(A) A victim's spouse and children; and

(B) When the victim is under 21 years of age, a victim's parents and unmarried siblings under the age of 18.

(ii) "Qualifying family member" does not include a family member who has been charged with or convicted of attempt, conspiracy, solicitation, or commission of any crime referenced in this subsection or described under 8 U.S.C. Sec. 1101(a)(15)(T) or (U) as either existed on January 1, 2020, when the crime is against a spouse who is a victim of human trafficking or against the child of a victim of human trafficking.

(17) For purposes of determining eligibility for public assistance and participation levels in the cost of medical care, the department shall exempt restitution payments made to people of Japanese and Aleut ancestry pursuant to the Civil Liberties Act of 1988 and the Aleutian and Pribilof Island Restitution Act passed by congress, P.L. 100-383, including all income and resources derived therefrom.

(18) In the construction of words and phrases used in this title, the singular number shall include the plural, the masculine gender shall include both the feminine and neuter genders, and the present tense shall include the past and future tenses, unless the context thereof shall clearly indicate to the contrary.

**Sec. 5. RCW 74.04.805 and 2023 c 289 s 1 are each amended to read as follows:*

(1) The department is responsible for determining eligibility for referral for essential needs and housing support under RCW 43.185C.220(~~(-Persons eligible for a referral are))~~ for persons who:

(a) Have been determined to be eligible for the aged, blind, or disabled assistance program under RCW 74.62.030 or the pregnant women assistance program under RCW 74.62.030, or are incapacitated from gainful employment by reason of bodily or mental infirmity that will likely continue for a minimum of 90 days. The standard for incapacity in this subsection, as evidenced by the 90-day duration standard, is not intended to be as stringent as federal supplemental security income disability standards;

(b) (~~Are citizens or aliens lawfully admitted for permanent residence or otherwise residing in the United States under color of law, or are victims of human trafficking as defined in RCW 74.04.005;~~

(c)(i) ~~Have furnished the department with their social security number. If the social security number cannot be furnished because it has not been issued or is not known, an application for a number must be made prior to authorization of benefits, and the social security number must be provided to the department upon receipt;~~

(ii) ~~This requirement does not apply to victims of human trafficking as defined in RCW 74.04.005 if they have not been issued a social security number;~~

(d)) (i) Have countable income as described in RCW 74.04.005 that meets the standard established by the department, which shall not exceed 100 percent of the federal poverty level; or

(ii) Have income that meets the standard established by the department, who are eligible for the pregnant women assistance program;

~~((e))~~ (c) Do not have countable resources in excess of those described in RCW 74.04.005; and

~~((f))~~ (d) Are not eligible for federal aid assistance, other than basic food benefits transferred electronically and medical assistance.

(2) Recipients of pregnant women assistance program benefits who meet other eligibility requirements in this section are eligible for referral for essential needs and housing support services, within funds appropriated for the department of commerce, for 24 consecutive months from the date the department determines pregnant women assistance program eligibility.

(3) The following persons are not eligible for a referral for essential needs and housing support:

(a) Persons who refuse or fail to cooperate in obtaining federal aid assistance, without good cause;

(b) Persons who refuse or fail without good cause to participate in substance use treatment if an assessment by a certified substance use disorder professional indicates a need for such treatment. Good cause must be found to exist when a person's physical or mental condition, as determined by the department, prevents the person from participating in substance use treatment, when needed outpatient treatment is not available to the person in the county of their residence, when needed inpatient treatment is not available in a location that is reasonably accessible for the person, or when the person is a parent or other relative personally providing care for a minor child or an incapacitated individual living in the same home as the person, and child care or day care would be necessary for the person to participate in substance use disorder treatment, and such care is not available; and

(c) Persons who are fleeing to avoid prosecution of, or to avoid custody or confinement for conviction of, a felony, or an attempt to commit a felony, under the laws of the state of Washington or the place from which the person flees; or who are violating a condition of probation, community supervision, or parole imposed under federal or state law for a felony or gross misdemeanor conviction.

(4) For purposes of determining whether a person is incapacitated from gainful employment under subsection (1) of this section:

(a) The department shall adopt by rule medical criteria for incapacity determinations to ensure that eligibility decisions are consistent with statutory requirements and are based on clear, objective medical information; and

(b) The process implementing the medical criteria must involve consideration of opinions of the treating or consulting physicians or health care professionals regarding incapacity, and any eligibility decision which rejects uncontroverted medical opinion must set forth clear and convincing reasons for doing so.

(5) For purposes of reviewing a person's continuing eligibility and in order to remain eligible for the program, persons who have been found to have an incapacity from gainful employment must demonstrate that there has been no material improvement in their medical or mental health condition. The department may discontinue benefits when there was specific error in the prior determination that found the person eligible by reason of incapacitation.

(6) The department must review the cases of all persons who have received benefits under the essential needs and housing support program for twelve consecutive months, and at least annually after the first review, to determine whether they are eligible for the aged, blind, or disabled assistance program.

(7) The department shall share client data for individuals eligible for a referral to essential needs and housing support with the department of commerce and designated essential needs and housing support entities as required under RCW 43.185C.230.

(8) Individuals described in RCW 43.185C.220(1)(b) do not require a referral from the department in order to be considered for essential needs and housing support.

**Sec. 5 was vetoed. See message at end of chapter.*

Sec. 6. RCW 74.62.030 and 2023 c 289 s 3 are each amended to read as follows:

(1)(a) The aged, blind, or disabled assistance program shall provide financial grants to persons in need who:

(i) Are not eligible to receive supplemental security income, refugee cash assistance, temporary assistance for needy families, or state family assistance benefits;

(ii) Meet the eligibility requirements of subsection (3) of this section; and

(iii) Are aged, blind, or disabled. For purposes of determining eligibility for assistance for the aged, blind, or disabled assistance program, the following definitions apply:

(A) "Aged" means age 65 or older.

(B) "Blind" means statutorily blind as defined for the purpose of determining eligibility for the federal supplemental security income program.

(C) "Disabled" means likely to meet the federal supplemental security income disability standard. In making this determination, the department should give full consideration to the cumulative impact of an applicant's multiple impairments, an applicant's age, and vocational and educational history.

In determining whether a person is disabled, the department may rely on, but is not limited to, the following:

(I) A previous disability determination by the social security administration or the disability determination service entity within the department; or

(II) A determination that an individual is eligible to receive optional categorically needy medicaid as a disabled person under the federal regulations at 42 C.F.R. Parts 435, Secs. 201(a)(3) and 210.

(b) The following persons are not eligible for the aged, blind, or disabled assistance program:

(i) Persons who are not able to engage in gainful employment due primarily to a substance use disorder. These persons shall be referred to appropriate assessment, treatment, or shelter services. Referrals shall be made at the time of application or at the time of eligibility review. This subsection may not be construed to prohibit the department from granting aged, blind, or disabled assistance benefits to persons with a substance use disorder who are incapacitated due to other physical or mental conditions that meet the eligibility criteria for the aged, blind, or disabled assistance program; or

(ii) Persons for whom there has been a final determination of ineligibility based on age, blindness, or disability for federal supplemental security income benefits.

(c) Persons may receive aged, blind, or disabled assistance benefits and a referral for essential needs and housing program support under RCW 43.185C.220 concurrently while pending application for federal supplemental security income benefits. Effective October 1, 2025, a person's receipt of supplemental security income received for the same period as aged, blind, or disabled program assistance as described in this section shall not be considered a debt due to the state and is not subject to recovery. However, the monetary value of aged, blind, or disabled cash assistance paid prior to October 1, 2025, that is duplicated by the person's receipt of supplemental security income for the same period shall be considered a debt due to the state and shall by operation of law be subject to recovery through all available legal remedies.

(2) The pregnant women assistance program shall provide financial grants to persons who:

(a) Are pregnant and in need, based upon the current income and resource standards of the federal temporary assistance for needy families program, but are ineligible for federal temporary assistance for needy families or state family assistance benefits for a reason other than failure to cooperate in program requirements; and

(b) Meet the eligibility requirements of subsection (3) of this section.

(3) To be eligible for the aged, blind, or disabled assistance program under subsection (1) of this section or the pregnant women assistance program under subsection (2) of this section, a person must:

(a) Be a citizen or alien lawfully admitted for permanent residence or otherwise residing in the United States under color of law, or be a victim of human trafficking as defined in RCW 74.04.005;

(b) Meet the income and resource standards described in RCW 74.04.805(1) ~~((d) and (e))~~ (b) and (c);

(c)(i) Have furnished the department with their social security number. If the social security number cannot be furnished because it has not been issued or is not known, an application for a number shall be made prior to authorization of benefits, and the social security number shall be provided to the department upon receipt;

(ii) This requirement does not apply to victims of human trafficking as defined in RCW 74.04.005 if they have not been issued a social security number;

(d) Not have refused or failed without good cause to participate in substance use treatment if an assessment by a certified substance use disorder professional indicates a need for such treatment. Good cause must be found to exist when a person's physical or mental condition, as determined by the department, prevents the person from participating in substance use treatment, when needed outpatient treatment is not available to the person in the county of their residence, when needed inpatient treatment is not available in a location that is reasonably accessible for the person, or when the person is a parent or other relative personally providing care for a minor child or an incapacitated individual living in the same home as the person, and child care or day care would be necessary for the person to participate in substance use disorder treatment, and such care is not available; and

(e) Not have refused or failed to cooperate in obtaining federal aid assistance, without good cause.

(4) Referrals for essential needs and housing support under RCW 43.185C.220(1)(a) shall be provided to persons found eligible under RCW 74.04.805.

(5) No person may be considered an eligible individual for benefits under this section with respect to any month if during that month the person:

(a) Is fleeing to avoid prosecution of, or to avoid custody or confinement for conviction of, a felony, or an attempt to commit a felony, under the laws of the state of Washington or the place from which the person flees; or

(b) Is violating a condition of probation, community supervision, or parole imposed under federal or state law for a felony or gross misdemeanor conviction.

(6) The department must share client data for individuals eligible for a referral to essential needs and housing support with the department of commerce and designated essential needs and housing support entities as required under RCW 43.185C.230.

Passed by the Senate April 18, 2025.

Passed by the House April 14, 2025.

Approved by the Governor May 20, 2025, with the exception of certain items that were vetoed.

Filed in Office of Secretary of State May 20, 2025.

Note: Governor's explanation of partial veto is as follows:

"I am returning herewith, without my approval as to Section 5, Engrossed Substitute Senate Bill No. 5232 entitled:

"AN ACT Relating to supporting economic security by updating provisions related to the home security fund and the essential needs and housing support program."

Section 5 of this bill expands eligibility for the Housing and Essential Needs Referral program faster than our state eligibility systems can keep pace. The policy of expanding access to this program is important, and I support the intent of this legislation. But, as the Legislature was made aware, it is not possible for the state agencies that would be responsible for implementing this policy to do so by the applicable deadline—or to do so in a way that ensures data privacy and transparency for beneficiaries on an accelerated timeline. Moreover, no funding was provided to these agencies to cover the significant costs of implementing this eligibility expansion. Therefore, I am vetoing Section 5. At the same time, I am directing the Department of Social and Health Services, the Department of Commerce, and the Health Care Authority to develop a plan to accomplish the eligibility expansion this bill contemplates, and to begin implementing this plan within a rapid and reasonable timeframe.

I want to thank the legislators who worked on this important bill. Their intentions are right and noble to bring these services to vulnerable Washingtonians. I look forward to partnering with the Legislature on a solution going forward.

For these reasons I have vetoed Section 5 of Engrossed Substitute Senate Bill No. 5232.

With the exception of Section 5, Engrossed Substitute Senate Bill No. 5232 is approved."

CHAPTER 409

[Substitute Senate Bill 5314]

CAPITAL GAINS TAX—MODIFICATION

AN ACT Relating to modifying the capital gains tax under chapter 82.87 RCW and related statutes by closing loopholes, replacing the business and occupation tax credit with a capital gains tax credit, clarifying ambiguities and making technical corrections in a manner that is not estimated to affect state or local tax collections, modifying the credit for taxes paid in other jurisdictions, treating spouses and domestic partners more consistently, modifying and adding definitions, creating a late payment penalty waiver, modifying the publication schedule for inflation adjustments, modifying the distributions of moneys to the following fiscal year instead of calendar year, adding a nonclaim period, and adding a new requirement for brokers and barter exchanges; amending RCW 82.04.4497, 82.87.020, 82.87.050, 82.87.070, 82.87.080, 82.87.100, 82.87.110, 82.87.120, 82.87.150, 82.32.060, and 82.32.090; reenacting and amending RCW 82.32.050; adding new sections to chapter 82.87 RCW; creating new sections; providing an effective date; and providing an expiration date.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. RCW 82.04.4497 and 2021 c 196 s 16 are each amended to read as follows:

(1) To avoid taxing the same sale or exchange under both the business and occupation tax and capital gains tax, a credit is allowed against taxes due under this chapter on a sale or exchange that is also subject to the tax imposed under RCW 82.87.040. The credit is equal to the amount of tax imposed under this chapter on such sale or exchange.

(2) The credit may be used against any tax due under this chapter.

(3) The credit under this section is earned in regards to a sale or exchange, and may be claimed against taxes due under this chapter, for the tax reporting period in which the sale or exchange occurred. The credit claimed for a tax reporting period may not exceed the tax otherwise due under this chapter for that tax reporting period. Unused credit may not be carried forward or backward to another tax reporting period. No refunds may be granted for unused credit under this section.

(4) ~~((The department must apply the credit first to taxes deposited into the general fund.))~~ If ~~((any remaining))~~ the credit reduces the amount of taxes deposited into the workforce education investment account established in RCW 43.79.195, the department must ~~((notify the state treasurer of such amounts monthly, and the state treasurer must))~~ transfer ~~((those))~~ an equal amount~~((s))~~ from the general fund to the workforce education investment account.

(5) This section expires January 1, 2026.

NEW SECTION. **Sec. 2.** (1) The expiration of RCW 82.04.4497 provided in RCW 82.04.4497(5) does not affect:

(a) Any existing right acquired or liability or obligation including, but not limited to:

(i) A taxpayer's liability for tax, penalty, or interest;

(ii) A taxpayer's ability to claim a credit under RCW 82.04.4497 earned from sales or exchanges that occurred before the expiration of RCW 82.04.4497; or

(iii) A taxpayer's ability to claim relief from tax, penalty, or interest;

(b) Any rule or order adopted under RCW 82.04.4497; or

(c) Any proceeding instituted under RCW 82.04.4497.

(2) For purposes of this section, "liability for tax" means that the obligation for payment of a tax has been incurred by a taxpayer, regardless of when the tax is payable or whether the amount of tax due has been established.

NEW SECTION. Sec. 3. A new section is added to chapter 82.87 RCW to read as follows:

(1) Beginning in tax year 2025 with taxes due in 2026, to avoid taxing the same sale or exchange under both the business and occupation tax and capital gains tax, a nonrefundable credit is allowed against taxes due under this chapter on a sale or exchange that is also subject to the tax imposed under chapter 82.04 RCW. The credit is equal to the amount of tax imposed under chapter 82.04 RCW on such sale or exchange.

(2) The credit under this section is earned in regards to a sale or exchange, and may be claimed against taxes due under this chapter, for the tax reporting period in which the sale or exchange occurred. The credit claimed for a tax reporting period may not exceed the tax otherwise due under this chapter for that tax reporting period. Unused credit may not be carried forward or backward to another tax reporting period. No refunds may be granted for unused credit under this section.

(3)(a) By the last working day in March, June, September, and December of each fiscal year, the state treasurer must transfer from the general fund to the education legacy trust account created in RCW 83.100.230 and the common school construction fund, as applicable, an amount equal to the reduction in capital gains taxes due to this section, as determined by the department under (b) of this subsection (3). Moneys transferred from the general fund pursuant to this subsection (3)(a) must be distributed as provided in RCW 82.87.030 as if they were taxes collected under this chapter.

(b)(i) The department must notify the state treasurer of the amounts required to be transferred as provided in (a) of this subsection (3) no later than two weeks before the deadline for such transfers or such other date as may be mutually agreed to by the department and the state treasurer.

(ii) If the department determines, at any time, that a previous transfer amount determined under this subsection (3)(b) was overstated or understated for any reason, including an error in calculation by the department or a reporting error by the taxpayer, the department must adjust its calculation of the current amount to be transferred by an amount necessary to offset the previous overstatement or understatement.

(iii) No person may contest the department's determination under this subsection (3)(b) in any court more than 15 days after the department furnishes notice of such determination to the state treasurer. Any action contesting the department's determination must be made through a petition for judicial review pursuant to the administrative procedure act, chapter 34.05 RCW, and may only be filed in Thurston county. The person seeking judicial review is not required to exhaust any available administrative remedies.

(c) For purposes of this subsection (3), "reduction in capital gains taxes due to this section" means the reduction in taxes collected under this chapter due to the nonrefundable credit in this section, where such amounts have not already been offset by the transfer required by (a) of this subsection (3).

Sec. 4. RCW 82.87.020 and 2021 c 196 s 4 are each amended to read as follows:

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

(1) "Adjusted capital gain" means federal net long-term capital gain:

(a) Plus any amount of long-term capital loss from a sale or exchange that is exempt from the tax imposed in this chapter, to the extent such loss was included in calculating federal net long-term capital gain;

(b) Plus any amount of long-term capital loss from a sale or exchange that is not allocated to Washington under RCW 82.87.100, to the extent such loss was included in calculating federal net long-term capital gain;

(c) Plus any amount of long-term capital loss ((~~carry forward~~) carryover that is carried forward from a sale or exchange that is not allocated to Washington under RCW 82.87.100, to the extent such loss was included in calculating federal net long-term capital gain;

(d) Plus any amount of long-term capital loss carryover that is carried forward from a sale or exchange that is exempt from the tax imposed in this chapter, to the extent such loss was included in calculating federal net long-term capital gain;

(e) Plus any amount of long-term capital loss carryover that is carried forward from a sale or exchange that occurred before January 1, 2022, to the extent such loss was included in calculating federal net long-term capital gain;

(f) Plus any amount of long-term capital gain or loss from the sale or exchange of a section 1256 contract held for more than one year not included in the calculation of federal net long-term capital gain that would otherwise be included if Title 26 U.S.C. Sec. 1256 of the internal revenue code did not exist;

(g) Less any amount of long-term capital gain from a sale or exchange that is not allocated to Washington under RCW 82.87.100, to the extent such gain was included in calculating federal net long-term capital gain; and

~~((e))~~ (h) Less any amount of long-term capital gain from a sale or exchange that is exempt from the tax imposed in this chapter, to the extent such gain was included in calculating federal net long-term capital gain.

(2) "Capital asset" has the same meaning as provided by Title 26 U.S.C. Sec. 1221 of the internal revenue code and also includes any other property if the sale or exchange of the property results in a gain that is treated as a long-term capital gain under Title 26 U.S.C. Sec. 1231 or any other provision of the internal revenue code.

(3) "Federal net long-term capital gain" means the net long-term capital gain reportable for federal income tax purposes determined as if Title 26 U.S.C. Secs. 55 through 59, 1256, 1400Z-1, and 1400Z-2 of the internal revenue code did not exist.

(4) "Individual" means a natural person.

(5) "Intangible personal property" means personal property that is not tangible personal property.

(6) "Internal revenue code" means the United States internal revenue code of 1986, as amended, as of July 25, 2021, or such subsequent date as the department may provide by rule consistent with the purpose of this chapter.

~~((6))~~ (7) "Long-term capital asset" means a capital asset that is held for more than one year.

~~((7))~~ (8) "Long-term capital gain" means gain from the sale or exchange of a long-term capital asset.

~~((8))~~ (9) "Long-term capital loss" means a loss from the sale or exchange of a long-term capital asset.

~~((9))~~ (10) "Real estate" means land and fixtures affixed to land. "Real estate" also includes used mobile homes, used park model trailers, used floating homes, and improvements constructed upon leased land.

~~((10))~~ (11)(a) "Resident" means an individual:

(i) Who is domiciled in this state during the taxable year, unless the individual (A) maintained no permanent place of abode in this state during the entire taxable year, (B) maintained a permanent place of abode outside of this state during the entire taxable year, and (C) spent in the aggregate not more than 30 days of the taxable year in this state; or

(ii) Who is not domiciled in this state during the taxable year, but maintained a place of abode and was physically present in this state for more than 183 days during the taxable year.

(b) For purposes of this subsection, "day" means a calendar day or any portion of a calendar day.

(c) An individual who is a resident under (a) of this subsection is a resident for that portion of a taxable year in which the individual was domiciled in this state or maintained a place of abode in this state.

~~((11))~~ (12) "Section 1256 contract" has the same meaning as provided by Title 26 U.S.C. Sec. 1256 of the internal revenue code.

(13) "Tangible personal property" means personal property that can be seen, weighed, measured, felt, or touched. "Tangible personal property" does not include steam, electricity, or electrical energy.

(14) "Taxable year" means the taxpayer's taxable year as determined under the internal revenue code.

~~((12))~~ (15) "Taxpayer" means an individual subject to tax under this chapter.

~~((13))~~ (16) "Washington capital gains" means an individual's adjusted capital gain, as modified in RCW 82.87.060, for each return filed under this chapter.

Sec. 5. RCW 82.87.050 and 2021 c 196 s 6 are each amended to read as follows:

This chapter does not apply to the sale or exchange of:

(1) All real estate transferred by deed, real estate contract, judgment, or other lawful instruments that transfer title to real property and are filed as a public record with the counties where real property is located;

(2)(a) An interest in a privately held entity only to the extent that any long-term capital gain or loss from such sale or exchange is directly attributable to the real estate owned directly by such entity.

(b)(i) Except as provided in (b)(ii) and (iii) of this subsection, the value of the exemption under this subsection is equal to the fair market value of the real estate owned directly by the entity less its basis, at the time that the sale or exchange of the individual's interest occurs, multiplied by the percentage of the ownership interest in the entity which is sold or exchanged by the individual.

(ii) If a sale or exchange of an interest in an entity results in an amount directly attributable to real property and that is considered as an amount realized

from the sale or exchange of property other than a capital asset under Title 26 U.S.C. Sec. 751 of the internal revenue code, such amount must not be considered in the calculation of an individual's exemption amount under (b)(i) of this subsection (2).

(iii) Real estate not owned directly by the entity in which an individual is selling or exchanging the individual's interest must not be considered in the calculation of an individual's exemption amount under (b)(i) of this subsection (2).

(c) Fair market value of real estate may be established by a fair market appraisal of the real estate or an allocation of assets by the seller and the buyer made under Title 26 U.S.C. Sec. 1060 of the internal revenue code, as amended. However, the department is not bound by the parties' agreement as to the allocation of assets, allocation of consideration, or fair market value, if such allocations or fair market value do not reflect the fair market value of the real estate. The assessed value of the real estate for property tax purposes may be used to determine the fair market value of the real estate, if the assessed value is current as of the date of the sale or exchange of the ownership interest in the entity owning the real estate and the department determines that this method is reasonable under the circumstances.

(d) The value of the exemption under this subsection (2) may not exceed the individual's long-term capital gain or loss from the sale or exchange of an interest in an entity for which the individual is claiming this exemption;

(3) Assets held under a retirement savings account under Title 26 U.S.C. Sec. 401(k) of the internal revenue code, a tax-sheltered annuity or custodial account described in Title 26 U.S.C. Sec. 403(b) of the internal revenue code, a deferred compensation plan under Title 26 U.S.C. Sec. 457(b) of the internal revenue code, an individual retirement account or individual retirement annuity described in Title 26 U.S.C. Sec. 408 of the internal revenue code, a Roth individual retirement account described in Title 26 U.S.C. Sec. 408A of the internal revenue code, an employee defined contribution program, an employee defined benefit plan, or a similar retirement savings vehicle, whether foreign or domestic, that penalizes withdrawals until the legal or beneficial owner reaches a certain age;

(4) Assets pursuant to, or under imminent threat of, condemnation proceedings by the United States, the state or any of its political subdivisions, or a municipal corporation;

(5) Cattle, horses, or breeding livestock if for the taxable year of the sale or exchange, more than 50 percent of the taxpayer's gross income for the taxable year, including from the sale or exchange of capital assets, is from farming or ranching;

(6) Property depreciable under Title 26 U.S.C. Sec. 167(a)(1) of the internal revenue code, or that qualifies for expensing under Title 26 U.S.C. Sec. 179 of the internal revenue code;

(7) Timber, timberland, or the receipt of Washington capital gains as dividends and distributions from real estate investment trusts derived from gains from the sale or exchange of timber and timberland. "Timber" means forest trees, standing or down, on privately or publicly owned land, and includes Christmas trees and short-rotation hardwoods. The sale or exchange of timber

includes the cutting or disposal of timber qualifying for capital gains treatment under Title 26 U.S.C. Sec. 631(a) or (b) of the internal revenue code;

(8)(a) Commercial fishing privileges.

(b) For the purposes of this subsection (8), "commercial fishing privilege" means a right, held by a seafood harvester or processor, to participate in a limited access fishery. "Commercial fishing privilege" includes and is limited to:

(i) In the case of federally managed fisheries, quota and access to fisheries assigned pursuant to individual fishing quota programs, limited entry and catch share programs, cooperative fishing management agreements, or similar arrangements; and

(ii) In the case of state-managed fisheries, quota and access to fisheries assigned under fishery permits, limited entry and catch share programs, or similar arrangements; and

(9) Goodwill received from the sale of an auto dealership licensed under chapter 46.70 RCW whose activities are subject to chapter 46.96 RCW.

Sec. 6. RCW 82.87.070 and 2021 c 196 s 8 are each amended to read as follows:

(1) In computing tax under this chapter for a taxable year, a taxpayer may deduct from his or her Washington capital gains the amount of adjusted capital gain derived in the taxable year from the sale of substantially all of the fair market value of the assets of, or the transfer of substantially all of the taxpayer's interest in, a qualified family-owned small business, to the extent that such adjusted capital gain would otherwise be included in the taxpayer's Washington capital gains.

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

(a) "Assets" means real property and personal property, including tangible personal property and intangible property.

(b) "Family" means the same as "member of the family" in RCW 83.100.046.

(c)(i) "Materially participated" means an individual was involved in the operation of a business on a basis that is regular, continuous, and substantial.

(ii) The term "materially participated" must be interpreted consistently with the applicable treasury regulations for Title 26 U.S.C. Sec. 469 of the internal revenue code, to the extent that such interpretation does not conflict with any provision of this section.

(d) "Qualified family-owned small business" means a business:

(i) In which the taxpayer held a qualifying interest for at least five years immediately preceding the sale or transfer described in subsection (1) of this section. For the purposes of this subsection (2)(d)(i), the calculation of an individual's holding period for a qualifying interest is not reset in the event that a business either changes only its entity type or makes a nonmaterial change, or both;

(ii) In which either the taxpayer or members of the taxpayer's family, or both, materially participated in operating the business for at least five of the 10 years immediately preceding the sale or transfer described in subsection (1) of this section, unless such sale or transfer was to a qualified heir; and

(iii) That had worldwide gross revenue of \$10,000,000 or less in the 12-month period immediately preceding the sale or transfer described in subsection

(1) of this section. The worldwide gross revenue amount under this subsection (2)(d)(iii) shall be adjusted annually as provided in RCW 82.87.150.

(e) "Qualified heir" means a member of the taxpayer's family.

(f) "Qualifying interest" means:

(i) An interest as a proprietor in a business carried on as a sole proprietorship; or

(ii) An interest in a business if at least:

(A) Fifty percent of the business is owned, directly or indirectly, by any combination of the taxpayer or members of the taxpayer's family, or both;

(B) Thirty percent of the business is owned, directly or indirectly, by any combination of the taxpayer or members of the taxpayer's family, or both, and at least:

(I) Seventy percent of the business is owned, directly or indirectly, by members of two families; or

(II) Ninety percent of the business is owned, directly or indirectly, by members of three families.

(g) "Substantially all" means at least 90 percent.

Sec. 7. RCW 82.87.080 and 2021 c 196 s 9 are each amended to read as follows:

(1) In computing tax under this chapter for a taxable year, a taxpayer may deduct from ~~((his or her))~~ the person's Washington capital gains the amount donated by the taxpayer to one or more qualified organizations during the same taxable year in excess of the minimum qualifying charitable donation amount. For the purposes of this section, the minimum qualifying charitable donation amount equals \$250,000. The minimum qualifying charitable donation amount under this subsection (1) shall be adjusted pursuant to RCW 82.87.150.

(2) The deduction authorized under subsection (1) of this section may not exceed \$100,000 for the taxable year. The maximum amount of the available deduction under this subsection (2) shall be adjusted pursuant to RCW 82.87.150.

(3) The deduction authorized under subsection (1) of this section may not be carried forward or backward to another tax reporting period.

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

(a) "Nonprofit organization" means an organization exempt from tax under Title 26 U.S.C. Sec. 501(c)(3) of the internal revenue code.

(b) "Principally directed and managed" means the place where a qualified organization's activities are primarily directed, controlled, and coordinated.

(c) "Qualified organization" means a nonprofit organization, or any other organization, that is:

(i) Eligible to receive a charitable ~~((deduction))~~ contribution as defined in Title 26 U.S.C. Sec. 170(c) of the internal revenue code; and

(ii) Principally directed ~~((or))~~ and managed within the state of Washington.

Sec. 8. RCW 82.87.100 and 2021 c 196 s 11 are each amended to read as follows:

(1) For purposes of the tax imposed under this chapter, long-term capital gains and losses are allocated to Washington as follows:

(a) Long-term capital gains or losses from the sale or exchange of tangible personal property are allocated to this state if the property was located in this

state at the time of the sale or exchange. Long-term capital gains or losses from the sale or exchange of tangible personal property are also allocated to this state even though the property was not located in this state at the time of the sale or exchange if:

(i) The property was located in the state at any time during the taxable year in which the sale or exchange occurred or the immediately preceding taxable year;

(ii) The taxpayer was a resident at the time the sale or exchange occurred; and

(iii) The taxpayer is not subject to the payment of an income or excise tax legally imposed on the long-term capital gains or losses by another taxing jurisdiction.

(b) Long-term capital gains or losses derived from intangible personal property are allocated to this state if the taxpayer was domiciled in this state at the time the sale or exchange occurred.

(2)(a) A credit is allowed against the tax imposed in RCW 82.87.040 (~~equal to the amount of any~~) for legally imposed income or excise tax paid by the taxpayer to another taxing jurisdiction on capital gains derived from capital assets within the other taxing jurisdiction to the extent such capital gains are included in the taxpayer's Washington capital gains. The amount of credit under this subsection ((may not exceed the)) is the lesser of: (i) The total amount of tax due under this chapter derived from such capital assets; or (ii) the total amount of tax paid to the other taxing jurisdiction on the capital gains derived from such capital assets. The credit under this subsection (2) is nonrefundable, and there is no carryback or carryforward of any unused credits.

(b) As used in this section, "taxing jurisdiction" means a state of the United States other than the state of Washington, the District of Columbia, the Commonwealth of Puerto Rico, any territory or possession of the United States, or any foreign country or political subdivision of a foreign country.

Sec. 9. RCW 82.87.110 and 2021 c 196 s 12 are each amended to read as follows:

(1)(a) Except as otherwise provided in this section or RCW 82.32.080, taxpayers owing tax under this chapter must file, on forms prescribed by the department, a return with the department on or before the date the taxpayer's federal income tax return for the taxable year is required to be filed.

(b)(i) Except as provided in (b)(ii) of this subsection (1), returns and all supporting documents must be filed electronically using the department's online tax filing service or other method of electronic reporting as the department may authorize.

(ii) The department may waive the electronic filing requirement in this subsection for good cause as provided in RCW 82.32.080.

(2) (~~In addition to the Washington return required to be filed under subsection (1) of this section,~~) (a) Every taxpayer(s) owing tax under this chapter must ((file with the department on or before the date the federal return is required to be filed)) include with the Washington return described in subsection (1) of this section a copy of the taxpayer's federal income tax return ((along with all)) filed with the internal revenue service of the United States, including:

(i) All federal income tax forms, schedules ((and supporting documentation)), and other attachments that directly relate to the taxpayer's net long-term capital gain; and

(ii) Any information, returns, and federal tax documents received by the taxpayer that directly relate to the taxpayer's net long-term capital gain including, but not limited to, form 1099-B, schedule K-1 (form 1065), and schedule K-1 (form 1120-S).

(b) A taxpayer must provide to the department, upon request, other federal tax return information needed to verify the tax owed under this chapter.

(c) The department may prescribe by rule additional reporting or verification requirements under this subsection (2) to substantiate an individual's federal net long-term capital gain.

(3) Each taxpayer required to file a return under this section must, without assessment, notice, or demand, pay any tax due thereon to the department on or before the date fixed for the filing of the return, regardless of any filing extension. The tax must be paid by electronic funds transfer as defined in RCW 82.32.085 or by other forms of electronic payment as may be authorized by the department. The department may waive the electronic payment requirement for good cause as provided in RCW 82.32.080. If any tax due under this chapter is not paid by the due date, interest and penalties as provided in chapter 82.32 RCW apply to the deficiency.

(4)(a) In addition to the Washington return required to be filed under subsection (1) of this section, an individual claiming an exemption under RCW 82.87.050(2) must file documentation substantiating the following:

(i) The fair market value and basis of the real estate held directly by the entity in which the interest was sold or exchanged;

(ii) The percentage of the ownership interest sold or exchanged in the entity owning real estate; and

(iii) The methodology, if any, established by the entity in which the interest was sold or exchanged, for allocating gains or losses to the owners, partners, or shareholders of the entity from the sale of real estate.

(b) The department may by rule prescribe additional filing requirements to substantiate an individual's claim for an exemption under RCW 82.87.050(2). Prior to adopting any rule under this subsection (4)(b), the department must allow for an opportunity for participation by interested parties in the rule-making process in accordance with the administrative procedure act, chapter 34.05 RCW.

(5) If a taxpayer has obtained an extension of time for filing the federal income tax return for the taxable year and the taxpayer provides the department, on or before the date fixed for the filing of the return, regardless of any filing extension, evidence satisfactory to the department confirming the federal extension, the taxpayer is entitled to the same extension of time for filing the return required under this section ~~((if the taxpayer provides the department, before the due date provided in subsection (1) of this section, the extension confirmation number or other evidence satisfactory to the department confirming the federal extension))~~. An extension under this subsection for the filing of a return under this chapter is not an extension of time to pay the tax due under this chapter.

(6)(a) If any return due under subsection (1) of this section, along with a copy of the federal income tax return, is not filed with the department by the due date or any extension granted by the department, the department must assess a penalty in the amount of five percent of the tax due for the taxable year covered by the return for each month or portion of a month that the return remains unfiled. The total penalty assessed under this subsection may not exceed 25 percent of the tax due for the taxable year covered by the delinquent return. The penalty under this subsection is in addition to any penalties assessed for the late payment of any tax due on the return.

(b) The department must waive or cancel the penalty imposed under this subsection if:

(i) The department is persuaded that the taxpayer's failure to file the return by the due date was due to circumstances beyond the taxpayer's control; or

(ii) The taxpayer has not been delinquent in filing any return due under this section during the preceding five calendar years and the taxpayer has not been contacted by the department for enforcement purposes regarding the reporting period covered by the waiver request.

(7) The department must waive or cancel the penalty imposed under RCW 82.32.090(1) on a payment required under this section when the circumstances under which the delinquency occurred do not qualify for waiver or cancellation under RCW 82.32.105(1) if all the following apply:

(a) A taxpayer requests a waiver of penalty for a payment required under this section;

(b) The taxpayer has not been contacted by the department for enforcement purposes regarding the reporting period covered by the waiver request; and

(c) The taxpayer has timely remitted payment on all tax returns due under this section during the preceding five calendar years.

(8)(a) In the event a taxpayer's federal income tax return is changed in a manner that is final after their return required under subsection (1) of this section is filed with the department and the taxpayer's federal income tax return is changed in a manner that impacts either the calculation of their Washington capital gains or their tax liability under this chapter, or both, the taxpayer must amend the taxpayer's return due under subsection (1) of this section for the same tax year in which their federal income tax return is changed. For the purposes of this subsection (8), a federal income tax return is changed in a manner that is final when such change is not subject to either administrative review by the United States internal revenue service or judicial review in a court of competent jurisdiction, or both. A change is also final in the case of an audit finding in the following circumstances:

(i) The taxpayer has received audit findings from the internal revenue service for the tax period and the taxpayer does not timely file an administrative appeal with the internal revenue service.

(ii) The taxpayer consented to any of the audit findings for the tax period through a form or other written agreement with the United States internal revenue service.

(b) If the return is not amended, as required under this subsection (8), with the department within 90 days of the federal income tax return change becoming final, the department must assess on the 91st day a penalty in the amount of five percent of any additional tax due for the taxable year covered by the return for

each month or portion of a month that the return is not timely amended as required by this subsection. The total penalty assessed under this subsection may not exceed 25 percent of the additional tax due for the taxable year covered by the delinquent return amendment. The penalty under this subsection (8)(b) is in addition to any penalties assessed under this section.

(9)(a) No assessment or correction of an assessment for additional taxes, penalties, or interest due may be made by the department more than four years after the year in which a return is filed under subsection (1) of this section except:

(i) When the taxpayer's federal income tax return is changed in a manner that requires an amended return under subsection (8) of this section; or

(ii) As provided in RCW 82.32.050(4).

(b) In the event the statute of limitations is extended under (a)(i) of this subsection, no assessment or correction of an assessment for additional taxes, penalties, or interest due may be made by the department more than four years after the year in which an amended return is filed with the department as required under subsection (8) of this section. Any assessment or correction of an assessment for additional taxes, penalties, or interest due under this subsection (9)(b) but made by the department more than four years after the year in which a return is filed under subsection (1) of this section must be directly related to the federal income tax return change described in subsection (8) of this section.

Sec. 10. RCW 82.87.120 and 2021 c 196 s 13 are each amended to read as follows:

(1) If the federal income tax liabilities of both spouses are determined on a joint federal return for the taxable year, they must file a joint return under this chapter.

(2) Except as otherwise provided in this subsection, if the federal income tax liability of any individual, including either spouse of a marital community, is determined on a separate federal return for the taxable year, they must file separate returns under this chapter. State registered domestic partners may file a joint return under this chapter even if they filed separate federal returns for the taxable year.

(3) The liability for tax due under this chapter of each spouse or state registered domestic partner is joint and several, unless:

(a) The spouse is relieved of liability for federal tax purposes as provided under Title 26 U.S.C. Sec. 6015 of the internal revenue code; or

(b) The department determines that the domestic partner qualifies for relief as provided by rule of the department. Such rule, to the extent possible without being inconsistent with this chapter, must follow Title 26 U.S.C. Sec. 6015.

(4)(a) Unless the context clearly indicates otherwise, individuals who are spouses or state registered domestic partners are not considered separate taxpayers for the purposes of this chapter regardless of whether they file a joint or separate return for the tax imposed under this chapter. The activities and assets of each spouse or state registered domestic partner are combined as if they were one individual for the purposes of determining the applicability of any threshold amounts, caps, deductions, credits, or any other amounts related to the activities or assets of an individual throughout this chapter.

(b)(i) Except as provided in (b)(ii) of this subsection (4), when an individual does not file a joint return for the tax imposed under this chapter, both spouses or

state registered domestic partners must allocate between themselves their respective share of the marital community's or domestic partnership's assets and activity. The allocation must be reported to the department on any returns required to be filed pursuant to this chapter in a manner prescribed by the department.

(ii) If both spouses or state registered domestic partners cannot agree on an allocation of assets and activity as authorized under (b)(i) of this subsection (4), each spouse is limited to one-half of the total assets and activities of their marital community or domestic partnership.

Sec. 11. RCW 82.87.150 and 2021 c 196 s 17 are each amended to read as follows:

(1) Beginning ~~((December 2023))~~ October 2025 and each ~~((December))~~ October thereafter, the department must adjust the applicable amounts by multiplying the current applicable amounts by one plus the percentage by which the most current consumer price index available on ~~((December))~~ October 1st of the current year exceeds the consumer price index for the prior 12-month period, and rounding the result to the nearest \$1,000. If an adjustment under this subsection (1) would reduce the applicable amounts, the department must not adjust the applicable amounts for use in the following year. The department must publish the adjusted applicable amounts on its public website by ~~((December))~~ October 31st. ~~((The))~~

(a) Except as provided in (b) of this subsection, the adjusted applicable amounts calculated under this subsection (1) take effect for taxes due and distributions made, as the case may be, in the following calendar year.

(b) The adjusted applicable amounts calculated under this subsection (1) for the distribution amount described in subsection (2)(a)(i) of this section apply to distributions made in the following fiscal year.

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

(a) "Applicable amounts" means:

(i) The distribution amount to the education legacy trust account as provided in RCW 82.87.030(1)(a);

(ii) The standard deduction amount in RCW 82.87.020~~((+3))~~ (16) and 82.87.060(1);

(iii) The worldwide gross revenue amount under RCW 82.87.070; and

(iv) The minimum qualifying charitable donation amount and maximum charitable donation amount under RCW 82.87.080.

(b) "Consumer price index" means the consumer price index for all urban consumers, all items, for the Seattle area as calculated by the United States bureau of labor statistics or its successor agency.

(c) "Seattle area" means the geographic area sample that includes Seattle and surrounding areas.

Sec. 12. RCW 82.32.050 and 2022 c 282 s 2 and 2022 c 41 s 2 are each reenacted and amended to read as follows:

(1) If upon examination of any returns or from other information obtained by the department it appears that a tax or penalty has been paid less than that properly due, the department shall assess against the taxpayer such additional amount found to be due and shall add thereto interest on the tax only. The department shall notify the taxpayer by mail, or electronically as provided in

RCW 82.32.135, of the additional amount and the additional amount shall become due and shall be paid within ~~((thirty))~~ 30 days from the date of the notice, or within such further time as the department may provide.

(a) For tax liabilities arising before January 1, 1992, interest shall be computed at the rate of nine percent per annum from the last day of the year in which the deficiency is incurred until the earlier of December 31, 1998, or the date of payment. After December 31, 1998, the rate of interest shall be variable and computed as provided in subsection (2) of this section. The rate so computed shall be adjusted on the first day of January of each year for use in computing interest for that calendar year.

(b) For tax liabilities arising after December 31, 1991, the rate of interest shall be variable and computed as provided in subsection (2) of this section from the last day of the year in which the deficiency is incurred until the date of payment. The rate so computed shall be adjusted on the first day of January of each year for use in computing interest for that calendar year.

(c)(i) Except as otherwise provided in this subsection (1)(c), interest imposed after December 31, 1998, shall be computed from the last day of the month following each calendar year included in a notice, and the last day of the month following the final month included in a notice if not the end of a calendar year, until the due date of the notice.

(ii) For interest associated with annual tax reporting periods having a due date as prescribed in RCW 82.32.045(3) and 82.87.110, interest must be computed from the last day of April immediately following each such annual reporting period included in the notice, until the due date of the notice.

(iii) For purposes of computing interest under (c)(i) and (ii) of this subsection (1):

(A) The same computation of interest applies regardless of whether the department grants additional time for filing any return under RCW 82.32.080(4)(a)(i).

(B) If the department extends a due date under subsection (3) of this section or RCW 82.32.080(4)(b), and payment is not made in full by the extended due date, interest is computed from the last day of the month in which the extended due date occurs until the date of payment.

(iv) If payment in full is not made by the due date of the notice, additional interest shall be computed under this subsection (1)(c) until the date of payment. The rate of interest shall be variable and computed as provided in subsection (2) of this section. The rate so computed shall be adjusted on the first day of January of each year for use in computing interest for that calendar year.

(2) For the purposes of this section, the rate of interest to be charged to the taxpayer shall be an average of the federal short-term rate as defined in 26 U.S.C. Sec. 1274(d) plus two percentage points. The rate set for each new year shall be computed by taking an arithmetical average to the nearest percentage point of the federal short-term rate, compounded annually. That average shall be calculated using the rates from four months: January, April, and July of the calendar year immediately preceding the new year, and October of the previous preceding year.

(3) During a state of emergency declared under RCW 43.06.010(12), the department, on its own motion or at the request of any taxpayer affected by the emergency, may extend the due date of any assessment or correction of an

assessment for additional taxes, penalties, or interest as the department deems proper.

(4) No assessment or correction of an assessment for additional taxes, penalties, or interest due may be made by the department more than four years after the close of the tax year, except (a) against a taxpayer who has not registered as required by this chapter, (b) upon a showing of fraud or of misrepresentation of a material fact by the taxpayer, or (c) where a taxpayer has executed a written waiver of such limitation. The execution of a written waiver shall also extend the period for making a refund or credit as provided in RCW 82.32.060(2).

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

(a) "Due date of the notice" means the date indicated in the notice by which the amount due in the notice must be paid, or such later date as provided by RCW 1.12.070(3).

(b) "Return" means any document a person is required by the state of Washington to file to satisfy or establish a tax or fee obligation that is administered or collected by the department and that has a statutorily defined due date. "Return" also means an application for refund under RCW 82.08.0206.

Sec. 13. RCW 82.32.060 and 2020 c 139 s 61 are each amended to read as follows:

(1) If, upon receipt of an application by a taxpayer for a refund or for an audit of the taxpayer's records, or upon an examination of the returns or records of any taxpayer, it is determined by the department that within the statutory period for assessment of taxes, penalties, or interest prescribed by RCW 82.32.050 any amount of tax, penalty, or interest has been paid in excess of that properly due, the excess amount paid within, or attributable to, such period must be credited to the taxpayer's account or must be refunded to the taxpayer, at the taxpayer's option. Except as provided in subsection (2) of this section, no refund or credit may be made for taxes, penalties, or interest paid more than four years prior to the beginning of the calendar year in which the refund application is made or examination of records is completed.

(2)(a) The execution of a written waiver under RCW 82.32.050 or 82.32.100 will extend the time for making a refund or credit of any taxes paid during, or attributable to, the years covered by the waiver if, prior to the expiration of the waiver period, an application for refund of such taxes is made by the taxpayer or the department discovers a refund or credit is due.

(b) A refund or credit must be allowed for an excess payment resulting from the failure to claim a bad debt deduction, credit, or refund under RCW 82.04.4284, 82.08.037, 82.12.037, 82.14B.150, or 82.16.050(5) for debts that became bad debts under 26 U.S.C. Sec. 166, as amended or renumbered as of January 1, 2003, less than four years prior to the beginning of the calendar year in which the refund application is made or examination of records is completed.

(3) Any such refunds must be made by means of vouchers approved by the department and by the issuance of state warrants drawn upon and payable from such funds as the legislature may provide. However, taxpayers who are required to pay taxes by electronic funds transfer under RCW 82.32.080 must have any refunds paid by electronic funds transfer if the department has the necessary account information to facilitate a refund by electronic funds transfer.

(4) Any judgment for which a recovery is granted by any court of competent jurisdiction, not appealed from, for tax, penalties, and interest which were paid by the taxpayer, and costs, in a suit by any taxpayer must be paid in the same manner, as provided in subsection (3) of this section, upon the filing with the department of a certified copy of the order or judgment of the court.

(a) Interest at the rate of three percent per annum must be allowed by the department and by any court on the amount of any refund, credit, or other recovery allowed to a taxpayer for taxes, penalties, or interest paid by the taxpayer before January 1, 1992. This rate of interest applies for all interest allowed through December 31, 1998. Interest allowed after December 31, 1998, must be computed at the rate as computed under RCW 82.32.050(2). The rate so computed must be adjusted on the first day of January of each year for use in computing interest for that calendar year.

(b) For refunds or credits of amounts paid or other recovery allowed to a taxpayer after December 31, 1991, the rate of interest must be the rate as computed for assessments under RCW 82.32.050(2) less one percent. This rate of interest applies for all interest allowed through December 31, 1998. Interest allowed after December 31, 1998, must be computed at the rate as computed under RCW 82.32.050(2). The rate so computed must be adjusted on the first day of January of each year for use in computing interest for that calendar year.

(5) Interest allowed on a credit notice or refund issued after December 31, 2003, must be computed as follows:

(a) If all overpayments for each calendar year and all reporting periods ending with the final month included in a notice or refund were made on or before the due date of the final return for each calendar year or the final reporting period included in the notice or refund:

(i) Interest must be computed from January 31st following each calendar year included in a notice or refund;

(ii) Interest must be computed from the last day of the month following the final month included in a notice or refund; or

(iii) For interest associated with annual tax reporting periods having a due date as prescribed in RCW 82.32.045(3) and 82.87.110, interest must be computed from the last day of April following each such annual reporting period included in a notice or refund.

(b) If the taxpayer has not made all overpayments for each calendar year and all reporting periods ending with the final month included in a notice or refund on or before the dates specified by RCW 82.32.045 for the final return for each calendar year or the final month included in the notice or refund, interest must be computed from the last day of the month following the date on which payment in full of the liabilities was made for each calendar year included in a notice or refund, and the last day of the month following the date on which payment in full of the liabilities was made if the final month included in a notice or refund is not the end of a calendar year.

(c) Interest included in a credit notice must accrue up to the date the taxpayer could reasonably be expected to use the credit notice, as defined by the department's rules. If a credit notice is converted to a refund, interest must be recomputed to the date the refund is issued, but not to exceed the amount of interest that would have been allowed with the credit notice.

Sec. 14. RCW 82.32.090 and 2015 3rd sp.s. c 5 s 401 are each amended to read as follows:

(1) If payment of any tax due on a return to be filed by a taxpayer is not received by the department of revenue by the due date, there is assessed a penalty of nine percent of the amount of the tax; and if the tax is not received on or before the last day of the month following the due date, there is assessed a total penalty of ~~((nineteen))~~ 19 percent of the amount of the tax under this subsection; and if the tax is not received on or before the last day of the second month following the due date, there is assessed a total penalty of ~~((twenty-nine))~~ 29 percent of the amount of the tax under this subsection. No penalty so added may be less than ~~((five dollars))~~ \$5.

(2) If the department of revenue determines that any tax has been substantially underpaid, there is assessed a penalty of five percent of the amount of the tax determined by the department to be due. If payment of any tax determined by the department to be due is not received by the department by the due date specified in the notice, or any extension thereof, there is assessed a total penalty of ~~((fifteen))~~ 15 percent of the amount of the tax under this subsection; and if payment of any tax determined by the department to be due is not received on or before the ~~((thirtieth))~~ 30th day following the due date specified in the notice of tax due, or any extension thereof, there is assessed a total penalty of ~~((twenty-five))~~ 25 percent of the amount of the tax under this subsection. No penalty so added may be less than ~~((five dollars))~~ \$5. As used in this section, "substantially underpaid" means that the taxpayer has paid less than ~~((eighty))~~ 80 percent of the amount of tax determined by the department to be due for all of the types of taxes included in, and for the entire period of time covered by, the department's examination, and the amount of underpayment is at least ~~((one thousand dollars))~~ \$1,000.

(3) If a warrant is issued by the department of revenue for the collection of taxes, increases, and penalties, there is added thereto a penalty of ~~((ten))~~ 10 percent of the amount of the tax, but not less than ~~((ten dollars))~~ \$10.

(4) If the department finds that a person has engaged in any business or performed any act upon which a tax is imposed under this title and that person has not obtained from the department a registration certificate as required by RCW 82.32.030, the department must impose a penalty of five percent of the amount of tax due from that person for the period that the person was not registered as required by RCW 82.32.030. The department may not impose the penalty under this subsection (4) if a person who has engaged in business taxable under this title without first having registered as required by RCW 82.32.030, prior to any notification by the department of the need to register, obtains a registration certificate from the department.

(5) If the department finds that a taxpayer has disregarded specific written instructions as to reporting or tax liabilities, or willfully disregarded the requirement to file returns or remit payment electronically, as provided by RCW 82.32.080, the department must add a penalty of ~~((ten))~~ 10 percent of the amount of the tax that should have been reported and/or paid electronically or the additional tax found due if there is a deficiency because of the failure to follow the instructions. A taxpayer disregards specific written instructions when the department has informed the taxpayer in writing of the taxpayer's tax obligations and the taxpayer fails to act in accordance with those instructions unless, in the

case of a deficiency, the department has not issued final instructions because the matter is under appeal pursuant to this chapter or departmental regulations. The department may not assess the penalty under this section upon any taxpayer who has made a good faith effort to comply with the specific written instructions provided by the department to that taxpayer. A taxpayer will be considered to have made a good faith effort to comply with specific written instructions to file returns and/or remit taxes electronically only if the taxpayer can show good cause, as defined in RCW 82.32.080, for the failure to comply with such instructions. A taxpayer will be considered to have willfully disregarded the requirement to file returns or remit payment electronically if the department has mailed or otherwise delivered the specific written instructions to the taxpayer on at least two occasions. Specific written instructions may be given as a part of a tax assessment, audit, determination, closing agreement, or other written communication, provided that such specific written instructions apply only to the taxpayer addressed or referenced on such communication. Any specific written instructions by the department must be clearly identified as such and must inform the taxpayer that failure to follow the instructions may subject the taxpayer to the penalties imposed by this subsection. If the department determines that it is necessary to provide specific written instructions to a taxpayer that does not comply with the requirement to file returns or remit payment electronically as provided in RCW 82.32.080, the specific written instructions must provide the taxpayer with a minimum of (~~forty-five~~) 45 days to come into compliance with its electronic filing and/or payment obligations before the department may impose the penalty authorized in this subsection.

(6) If the department finds that all or any part of a deficiency resulted from engaging in a disregarded transaction, as described in RCW 82.32.655(3), the department must assess a penalty of (~~thirty-five~~) 35 percent of the additional tax found to be due as a result of engaging in a transaction disregarded by the department under RCW 82.32.655(2). The penalty provided in this subsection may be assessed together with any other applicable penalties provided in this section on the same tax found to be due, except for the evasion penalty provided in subsection (7) of this section. The department may not assess the penalty under this subsection if, before the department discovers the taxpayer's use of a transaction described under RCW 82.32.655(3), the taxpayer discloses its participation in the transaction to the department.

(7) If the department finds that all or any part of the deficiency resulted from an intent to evade the tax payable hereunder, a further penalty of (~~fifty~~) 50 percent of the additional tax found to be due must be added.

(8) The penalties imposed under subsections (1) through (4) of this section can each be imposed on the same tax found to be due. This subsection does not prohibit or restrict the application of other penalties authorized by law.

(9) The department may not impose the evasion penalty in combination with the penalty for disregarding specific written instructions or the penalty provided in subsection (6) of this section on the same tax found to be due.

(10) If a taxpayer substantially underpays an estimated payment of tax imposed under RCW 82.87.040 pursuant to RCW 82.87.110(3), there is assessed a penalty of five percent of the amount of the actual tax due for tax imposed under RCW 82.87.040. As used in this section, "substantially underpaid" means

that an individual's estimated payment for taxes imposed under RCW 82.87.040 was less than 80 percent of the actual tax due, and at least \$1,000.

(11) For the purposes of this section, "return" means any document a person is required by the state of Washington to file to satisfy or establish a tax or fee obligation that is administered or collected by the department, and that has a statutorily defined due date. "Return" also includes the submission of any estimated payment of tax as provided in RCW 82.87.110(3) and the confirmation of an extension of the filing due date required under RCW 82.87.110(5).

NEW SECTION. Sec. 15. A new section is added to chapter 82.87 RCW to read as follows:

(1) Except as otherwise provided in this section, brokers and barter exchanges must provide all copies of United States internal revenue service form 1099-B, or any successor form if so renamed, electronically to the department for sales or exchanges of long-term capital assets for which:

(a) The long-term capital gain from such sales or exchanges is allocated to this state under RCW 82.87.100(1); and

(b) The broker or barter exchange is the payor.

(2) Copies of the form under subsection (1) of this section must be provided to the department no later than 90 days of filing the form with the internal revenue service and in a manner prescribed by the department.

(3) Brokers and barter exchanges that fail to comply with the requirement under subsection (1) of this section, or willfully file a false or fraudulent copy of United States internal revenue service form 1099-B, are subject to a penalty of \$50 for each such failure or each such filing.

(4) A rebuttable presumption exists that the long-term capital gains from a sale or exchange is allocated to this state under any one of the following circumstances:

(a) The payee's last known place of domicile to the payor is located in this state;

(b) The payee's address on file with the broker or barter exchange is located in this state;

(c) The payee's address on their United States internal revenue service form 1099-B, or any successor form if so renamed, is located in this state;

(d) The payee's account with the broker or barter exchange was opened in this state; or

(e) The payee makes use of a broker or barter exchanges' physical place of business in this state.

(5) For the purposes of this section, the following definitions apply unless the context clearly indicates otherwise.

(a) "Broker" and "barter exchange" have the same meaning as provided by Title 26 U.S.C. Sec. 6045 of the internal revenue code.

(b) "Long-term capital asset" has the same meaning as provided under RCW 82.87.020.

(c) "Payee" means the person for which a broker or barter exchange files a United States internal revenue service form 1099-B.

(d) "Payor" means a broker or barter exchange that files a United States internal revenue service form 1099-B for a payee.

(e) "Resident" has the same meaning as provided under RCW 82.87.020.

NEW SECTION. Sec. 16. Sections 3, 4, 8, 10, and 15 of this act take effect January 1, 2026.

NEW SECTION. Sec. 17. If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2025, in the omnibus appropriations act, this act is null and void.

Passed by the Senate April 18, 2025.

Passed by the House April 11, 2025.

Approved by the Governor May 20, 2025.

Filed in Office of Secretary of State May 21, 2025.

CHAPTER 410

[Substitute Senate Bill 5393]

RAINIER SCHOOL—CLOSURE

AN ACT Relating to closing the Rainier school by June 30, 2027; amending RCW 71A.20.020; adding a new section to chapter 71A.20 RCW; adding a new section to chapter 43.382 RCW; creating new sections; and providing expiration dates.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. RCW 71A.20.020 and 2011 1st sp.s. c 30 s 5 are each amended to read as follows:

(1) Except as provided in ~~((subsection))~~ subsections (2) and (3) of this section, the following residential habilitation centers are permanently established to provide services to persons with developmental disabilities: Lakeland Village, located at Medical Lake, Spokane county; Rainier School, located at Buckley, Pierce county; Yakima Valley School, located at Selah, Yakima county; and Fircrest School, located at Seattle, King county.

(2) The Yakima Valley School, located at Selah, Yakima county, shall cease to operate as a residential habilitation center when the conditions in RCW ~~((71A.20.180(2)(b)))~~ 71A.20.180(1)(a) are met.

(3) The Rainier school, located at Buckley, Pierce county shall cease to operate as a residential habilitation center when the conditions in section 2(5) of this act are met.

NEW SECTION. Sec. 2. A new section is added to chapter 71A.20 RCW to read as follows:

(1)(a) Except as provided in subsection (2) of this section, as of the effective date of this section, no new long-term admissions are permitted at the Rainier school, located at Buckley, Pierce county.

(b) Except as provided in subsection (2) of this section, as of June 30, 2027, no admissions of any kind are permitted at the Rainier school, located at Buckley, Pierce county.

(2) Until the conditions in subsection (5) of this section are met, a former long-term resident of the Rainier school who moves to a community-based setting after the effective date of this section shall be offered the right to return to the Rainier school once during the first year following their move to the community and this shall not be considered a new admission for purposes of subsection (1) of this section. If a former resident of the Rainier school exercises the right to return established in this subsection (2), any additional request to return to the Rainier school after a second move to the community shall be

reviewed by the department and must be approved by the secretary, based on the recommendation from a multidisciplinary care team. In addition to the right to return established in this subsection (2), any former resident of the Rainier school maintains the right to return to a residential habilitation center established in RCW 71A.18.040 and the right to residential habilitation center services when determined eligible.

(3)(a) The department shall:

(i) Provide state-operated living alternatives to residential habilitation center residents transitioning to the community from the Rainier school who prefer a state-operated community residential service;

(ii) Use supported living program and adult family home capacity in the community for residents of the Rainier school who prefer and choose these settings;

(iii) Provide space at other residential habilitation centers to residents of the Rainier school who prefer a different residential habilitation center setting; and

(iv) Offer employees of the Rainier school opportunities to work in state-operated living alternatives and other state facilities and programs.

(b) Sufficient funding shall be appropriated to the department to fulfill the requirements of this subsection (3).

(4) When assisting individuals who are transitioning out of the Rainier school the department shall:

(a) Offer each individual resident a meaningful choice of appropriate alternative placements;

(b) Prioritize client choice, autonomy, individual preferences, medical and behavioral health care needs, and opportunities for community integration;

(c) Develop individualized transition plans in collaboration with each resident and their family or legal guardian, caregivers, and support providers;

(d) Coordinate closely with other state agencies, local entities, health care providers, and community stakeholders to ensure seamless transitions;

(e) Provide or contract for all necessary assessments, planning, relocation expenses, housing modifications, staff training, crisis support, and related transition activities; and

(f) Implement robust oversight and accountability measures related to the transitions, and regularly monitor transition outcomes, as well as individual well-being and satisfaction.

(5) The Rainier school, located at Buckley, Pierce county shall continue to operate as a residential habilitation center until such time that the census of long-term residents has reached zero persons.

(6) "Closure" for purposes of this act means prohibiting new admissions as described in subsection (1) of this section.

NEW SECTION. Sec. 3. (1) The department of social and health services shall, in compliance with RCW 43.01.036, submit a report to the appropriate committees of the legislature on December 1, 2025, June 1, 2026, December 1, 2026, June 1, 2027, June 1, 2028, and annually thereafter that provides the information described in subsection (2) of this section.

(2) The report required under subsection (1) of this section must include the following:

(a) A point in time description of the capacity for all residential settings for clients of the developmental disabilities administration within the department of social and health services;

(b) The number of former residents who have transitioned out of the Rainier school after the effective date of this section and the type of setting that the person transitioned to, including additional transitions from the initial placement;

(c) The number of deaths of former residents who have transitioned out of the Rainier school after the effective date of this section and into other residential settings supported by the developmental disabilities administration;

(d) The geographic distribution of residential placements across all existing residential placements for clients of the developmental disabilities administration within the department of social and health services; and

(e) Information regarding former Rainier school employees who have transitioned to other state employment, left the industry, or transitioned to private sector employment after the effective date of this section.

(3) This section expires July 1, 2030.

NEW SECTION. Sec. 4. A new section is added to chapter 43.382 RCW to read as follows:

(1) By November 1, 2028, and in compliance with RCW 43.01.036, the office of the developmental disability ombuds shall submit a report to the appropriate committees of the legislature that includes summaries of resident, parent, and guardian feedback regarding transition of residents out of the Rainier school following the effective date of this section.

(2) This section expires July 1, 2029.

NEW SECTION. Sec. 5. The department of social and health services shall, within available funds, hold a public comment period to solicit feedback for the purpose of identifying strategies to mitigate the impact of the closure described in section 2 of this act on the communities that are most directly affected. The public comment period must be at least 90 days and must conclude no later than November 1, 2025.

Passed by the Senate April 27, 2025.

Passed by the House April 26, 2025.

Approved by the Governor May 20, 2025.

Filed in Office of Secretary of State May 21, 2025.

CHAPTER 411

[Substitute Senate Bill 5431]

TAX AND REVENUE—VARIOUS TECHNICAL PROVISIONS

AN ACT Relating to modifying tax and revenue laws in a manner that is not estimated to affect state or local tax collections; amending RCW 82.08.050, 82.08.986, and 43.06.400; amending 2022 c 172 s 3 (uncodified); amending 2017 3rd sp.s. c 37 s 401 (uncodified); and creating a new section.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. 2022 c 172 s 3 (uncodified) is amended to read as follows:

(1) This section is the tax preference performance statement for the tax preference contained in section 2, chapter 172, Laws of 2022. This performance

statement is only intended to be used for subsequent evaluation of the tax preference. It is not intended to create a private right of action by any party or be used to determine eligibility for preferential tax treatment.

(2) The legislature categorizes this tax preference as one intended to improve industry competitiveness and to create and retain jobs as indicated in RCW 82.32.808(2) (b) and (c).

(3) It is the legislature's specific public policy objective to maintain and grow jobs in the solar silicon industry. Trade disputes currently threaten employment in this sector. It is the legislature's intent to extend by five years the preferential tax rates for manufacturers and wholesalers of specific solar energy material and parts in order to maintain and grow jobs in the solar silicon industry.

(4) If a review finds that the number of people employed by the solar silicon industry in Washington is the same or more than in 2019, and that at least 60 percent of employees earn \$60,000 a year or more, then the legislature intends to extend the expiration date of the tax preference.

(5) In order to obtain the data necessary to perform the review in subsection (4) of this section, the joint legislative audit and review committee may refer to the department of revenue's annual ~~((survey))~~ tax performance report data.

Sec. 2. 2017 3rd sp.s. c 37 s 401 (uncodified) is amended to read as follows:

(1) This section is the tax preference performance statement for the tax preferences contained in sections 402 and 403, chapter 37, Laws of 2017 3rd sp. sess. This performance statement is only intended to be used for subsequent evaluation of the tax preferences. It is not intended to create a private right of action by any party or be used to determine eligibility for preferential tax treatment.

(2) The legislature categorizes these tax preferences as ones intended to improve industry competitiveness and to create and retain jobs as indicated in RCW 82.32.808(2) (b) and (c).

(3) It is the legislature's specific public policy objective to maintain and grow jobs in the solar silicon industry. Trade disputes currently threaten employment in this sector. It is the legislature's intent to extend by ~~((ten))~~ 10 years the preferential tax rates for manufacturers and wholesalers of specific solar energy material and parts in order to maintain and grow jobs in the solar silicon industry.

(4) If a review finds that the number of people employed by the solar silicon industry in Washington is the same or more than in 2015, and that at least ~~((sixty))~~ 60 percent of employees earn ~~((sixty-thousand-dollars))~~ \$60,000 a year or more, then the legislature intends to extend the expiration date of the tax preference.

(5) In order to obtain the data necessary to perform the review in subsection (4) of this section, the joint legislative audit and review committee may refer to the department of revenue's annual ~~((survey))~~ tax preference report data.

Sec. 3. RCW 82.08.050 and 2017 3rd sp.s. c 28 s 211 are each amended to read as follows:

(1) The tax imposed in this chapter must be paid by the buyer to the seller. Each seller must collect from the buyer the full amount of the tax payable in

respect to each taxable sale in accordance with the schedule of collections adopted by the department under the provisions of RCW 82.08.060.

(2) The tax required by this chapter, to be collected by the seller, is deemed to be held in trust by the seller until paid to the department. Any seller who appropriates or converts the tax collected to the seller's own use or to any use other than the payment of the tax to the extent that the money required to be collected is not available for payment on the due date as prescribed in this chapter is guilty of a gross misdemeanor.

(3) Except as otherwise provided in this section, if any seller fails to collect the tax imposed in this chapter or, having collected the tax, fails to pay it to the department in the manner prescribed by this chapter, whether such failure is the result of the seller's own acts or the result of acts or conditions beyond the seller's control, the seller is, nevertheless, personally liable to the state for the amount of the tax.

(4) Sellers are not relieved from personal liability for the amount of the tax unless they maintain proper records of exempt or nontaxable transactions and provide them to the department when requested.

(5) Sellers are not relieved from personal liability for the amount of tax if they fraudulently fail to collect the tax or if they solicit purchasers to participate in an unlawful claim of exemption.

(6) Sellers are not relieved from personal liability for the amount of tax if they accept an exemption certificate from a purchaser claiming an entity-based exemption if:

(a) The subject of the transaction sought to be covered by the exemption certificate is actually received by the purchaser at a location operated by the seller in Washington; and

(b) Washington provides an exemption certificate that clearly and affirmatively indicates that the claimed exemption is not available in Washington. Graying out exemption reason types on a uniform form and posting it on the department's website is a clear and affirmative indication that the grayed out exemptions are not available.

(7)(a) Sellers are relieved from personal liability for the amount of tax if they obtain a fully completed exemption certificate or capture the relevant data elements required under the streamlined sales and use tax agreement within ~~((ninety))~~ 90 days, or a longer period as may be provided by rule by the department, subsequent to the date of sale.

(b) If the seller has not obtained an exemption certificate or all relevant data elements required under the streamlined sales and use tax agreement within the period allowed subsequent to the date of sale, the seller may, within ~~((one hundred twenty))~~ 120 days, or a longer period as may be provided by rule by the department, subsequent to a request for substantiation by the department, either prove that the transaction was not subject to tax by other means or obtain a fully completed exemption certificate from the purchaser, taken in good faith.

(c) Sellers are relieved from personal liability for the amount of tax if they obtain a blanket exemption certificate for a purchaser with which the seller has a recurring business relationship. The department may not request from a seller renewal of blanket exemption certificates or updates of exemption certificate information or data elements if there is a recurring business relationship between the buyer and seller. For purposes of this subsection (7)(c), a "recurring business

relationship" means at least one sale transaction within a period of ~~((twelve))~~ 12 consecutive months.

(d) Sellers are relieved from personal liability for the amount of tax if they obtain a copy of a direct pay permit issued under RCW 82.32.087.

(8) The amount of tax, until paid by the buyer to the seller or to the department, constitutes a debt from the buyer to the seller. Any seller who fails or refuses to collect the tax as required with intent to violate the provisions of this chapter or to gain some advantage or benefit, either direct or indirect, and any buyer who refuses to pay any tax due under this chapter is guilty of a misdemeanor.

(9)~~(a)~~ Except as otherwise provided in this subsection ~~(9)~~, the tax required by this chapter to be collected by the seller must be stated separately from the selling price in any sales invoice or other instrument of sale. ~~((On all retail sales through vending machines, the tax need not be stated separately from the selling price or collected separately from the buyer.))~~ Except as otherwise provided in this subsection, for purposes of determining the tax due from the buyer to the seller and from the seller to the department it must be conclusively presumed that the selling price quoted in any price list, sales document, contract or other agreement between the parties does not include the tax imposed by this chapter. But if the seller advertises the price as including the tax or that the seller is paying the tax, the advertised price may not be considered the selling price.

(b) The tax required by this chapter to be collected by the seller need not be stated separately from the selling price or collected separately from the buyer on the following:

(i) All retail sales through vending machines; or

(ii) Retail sales of medical equipment paid by a health insurance provider, if the following conditions are met:

(A) The payment for the medical equipment is a fixed amount set by contract between the medical supply vendor and the health insurance provider; and

(B) The medical supply vendor is not entitled to collect the balance from the covered person, or other persons, after contractual amounts are paid by the health insurance provider.

(c) The department shall adopt rules as may be necessary to administer the provisions of this section.

(10) Where a buyer has failed to pay to the seller the tax imposed by this chapter and the seller has not paid the amount of the tax to the department, the department may, in its discretion, proceed directly against the buyer for collection of the tax. If the department proceeds directly against the buyer for collection of the tax as authorized in this subsection, the department may add a penalty of ~~((ten))~~ 10 percent of the unpaid tax to the amount of the tax due for failure of the buyer to pay the tax to the seller, regardless of when the tax may be collected by the department. In addition to the penalty authorized in this subsection, all of the provisions of chapter 82.32 RCW, including those relative to interest and penalties, apply. For the sole purpose of applying the various provisions of chapter 82.32 RCW, the ~~((twenty-fifth))~~ 25th day of the month following the tax period in which the purchase was made will be considered as the due date of the tax.

(11) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Exemption certificate" means documentation furnished by a buyer to a seller to claim an exemption from sales tax. An exemption certificate includes a reseller permit or other documentation authorized in RCW 82.04.470 furnished by a buyer to a seller to substantiate a wholesale sale.

(b) "Health insurance provider" includes, but is not limited to, commercial insurers, the medicaid program, and the medicare program.

(c) "Seller" includes a certified service provider, as defined in RCW 82.32.020, acting as agent for the seller.

Sec. 4. RCW 82.08.986 and 2022 c 267 s 3 are each amended to read as follows:

(1)(a) An exemption from the tax imposed by RCW 82.08.020 is provided for sales to qualifying businesses and to qualifying tenants of eligible server equipment to be installed, without intervening use, in an eligible computer data center to which a valid exemption certificate applies, and to charges made for labor and services rendered in respect to installing eligible server equipment.

(b) This exemption also applies to sales to qualifying businesses and to qualifying tenants of eligible power infrastructure, including labor and services rendered in respect to constructing, installing, repairing, altering, or improving eligible power infrastructure at an eligible computer data center for which an exemption certificate has been issued.

(c) No new exemption certificates may be issued on or after July 1, 2036.

(d) The exemptions provided in this section expire July 1, 2048.

(e) Each calendar year, the department may issue no more than six certificates for data centers which qualify through refurbishment. Certificates are available for refurbished data centers on a first-in-time basis based on the date the application required under this section is received by the department. Each qualifying business may apply for only one certificate for a refurbished data center each calendar year.

(2)(a) In order to obtain an exemption certificate under this section, a qualifying business or a qualifying tenant must submit an application to the department for an exemption certificate. The application must include the information necessary, as required by the department, to determine that a business or tenant qualifies for the exemption under this section. The department must issue exemption certificates to qualifying businesses and qualifying tenants. The department may assign a unique identification number to each exemption certificate issued under this section.

(b) A qualifying business or a qualifying tenant claiming the exemption under this section must present the seller with an exemption certificate in a form and manner prescribed by the department. The seller must retain a copy of the certificate for the seller's files.

(c) With respect to computer data centers for which the commencement of construction occurs after July 1, 2015, but before July 1, 2019, the exemption provided in this section is limited to no more than eight computer data centers, with total eligible data centers provided under this section limited to ~~((twelve))~~ 12 from July 1, 2015, through June 9, 2022. Tenants of qualified data centers do not constitute additional data centers under the limit. The exemption is available

on a first-in-time basis based on the date the application required under this section is received by the department.

(d) The exemption certificate is effective on the date the application is received by the department, which is deemed to be the date of issuance. Only purchases on or after the date of issuance qualify for the exemption under this section. No tax refunds are authorized for purchases made before the effective date of the exemption certificate.

(e) Exemption certificates expire two years after the date of issuance, unless construction has been commenced.

(3)(a)(i) Within six years of the date that the department issued an exemption certificate under this section to a qualifying business or a qualifying tenant with respect to an eligible computer data center, the qualifying business or qualifying tenant must establish that net employment assigned to an eligible computer data center has increased by a minimum of:

(A) Thirty-five family wage employment positions; or, if lower

(B) Three family wage employment positions for each ~~((twenty thousand))~~ 20,000 square feet of space or less that is newly dedicated to housing working servers at the eligible computer data center. For qualifying tenants, the number of family wage employment positions that must be increased under this subsection (3)(a)(i)(B) is based only on the space occupied by the qualifying tenant in the eligible computer data center.

(ii) After the minimum number of family wage employment positions as required under (a)(i) of this subsection (3) is established, a qualifying business or a qualifying tenant must maintain the minimum family wage employment positions required under (a)(i) of this subsection (3) while the exemption certificate is valid.

(b) In calculating the net increase in family wage employment positions:

(i) The owner of an eligible computer data center, in addition to its own net increase in family wage employment positions, may include:

(A) The net increase, since the date of issuance of the qualifying business's exemption certificate, in family wage employment positions employed by qualifying tenants; and

(B) The net increase in family wage employment positions described in (c)(ii)(B) of this subsection (3).

(ii)(A) Qualifying tenants, in addition to their own net increase in family wage employment positions, may include:

(I) A portion of the net increase in family wage employment positions employed by the owner; and

(II) A portion of the net increase in family wage employment positions described in (c)(ii)(B) of this subsection (3).

(B) The portion of the net increase in family wage employment positions to be counted under this subsection (3)(b)(ii) by each qualifying tenant is equal to the net increase in family wage employment positions assigned to an eligible computer data center as described in (b)(ii)(A)(I) and (II) of this subsection (3), multiplied by the percentage of total space within the eligible computer data center occupied by the qualifying tenant. Any combination of qualifying business and qualifying tenant family wage employment positions may meet this requirement.

(C)(I) In the instance of an existing data center facility that was ineligible, regardless of the date of commencement of construction, that later obtains an exemption certificate under this section, the data center may count the existing employment positions that are dedicated to the data center toward the new family wage employment position requirements if the employment positions meet the requirements of a family wage employment position, as described in (c)(i)(B) and (C) of this subsection (3), other than the requirement that the position did not exist or had not previously been filled as of the date that the department issued an exemption certificate.

(II) In the instance of the refurbishment of an existing data center that previously qualified under the data center program, the data center may count the existing employment positions dedicated to the data center toward the new family wage employment position requirements if the employment positions meet the requirements of a family wage employment position, as described in (c)(i)(B) and (C) of this subsection (3), other than the requirement that the position did not exist or had not previously been filled as of the date that the department issued an exemption certificate.

(c)(i) For purposes of this subsection:

(A) For exemption certificates issued before June 9, 2022, family wage employment positions are new permanent employment positions requiring ~~((forty))~~ 40 hours of weekly work, or their equivalent, on a full-time basis assigned to an eligible computer data center and receiving a wage equivalent to or greater than ~~((one hundred fifty))~~ 150 percent of the per capita personal income of the county in which the qualified project is located as published by the employment security department. The per capita personal income to be used to determine qualification for any year is the amount that was established for the immediate prior year.

(B) For exemption certificates issued on or after June 9, 2022, family wage employment positions are new permanent employment positions requiring 40 hours of weekly work, or their equivalent, on a full-time basis assigned to an eligible computer data center and receiving a wage equivalent to or greater than 125 percent of the per capita personal income of the county in which the qualified project is located as published by the employment security department. The per capita personal income to be used to determine qualification for any year is the amount that was established for the immediate prior year.

(C) An employment position may not be counted as a family wage employment position unless the employment position is entitled to health insurance coverage provided by the employer of the employment position.

(D) "New permanent employment position" means an employment position that did not exist or that had not previously been filled as of the date that the department issued an exemption certificate to the qualifying business or qualifying tenant of an eligible computer data center, as the case may be, except as provided in (b)(ii)(C) of this subsection (3).

(ii)(A) Family wage employment positions include positions filled by employees of the qualifying business and by employees of qualifying tenants.

(B) Family wage employment positions also include individuals performing work at an eligible computer data center as an independent contractor hired by the owner of the eligible computer data center or as an employee of an independent contractor hired by the owner of the eligible computer data center, if

the work is necessary for the operation of the computer data center, such as security and building maintenance, and provided that all of the applicable requirements in (c)(i) of this subsection (3) are met.

(d)(i) For a qualifying business or qualifying tenant that does not meet the requirements of this subsection (3), previously exempted sales and use taxes are immediately due and payable and any exemption certificate issued to that qualifying business or qualifying tenant under this section is canceled, except as described in (d)(iii) of this subsection (3).

(ii) The department of labor and industries must, at the request of the department, assist in determining whether the requirements of this subsection (3) have been met.

(iii) If the department, with the assistance of the department of labor and industries, finds that a failure to meet the requirements of this subsection (3) is due to circumstances beyond the control of the qualifying business or qualifying tenant including, but not limited to, a declaration of an economic recession, pandemic, or natural disaster affecting data center operations, the department may provide exceptions or extensions to the requirements of this subsection (3).

(iv) Any repayment of taxes triggered by the failure of a qualifying business or qualifying tenant to meet the requirements of this subsection (3) must be calculated in proportion to the duration of time for which any applicable requirement was not met.

(v) If the department is notified that a qualifying business or qualifying tenant fails to meet the requirements of this subsection (3), the department may require a qualifying business or qualifying tenant to submit records necessary to determine whether the requirements have been met.

(4) For exemption certificates issued on or after June 9, 2022:

(a) Within three years after being placed in service, the qualifying business operating a newly constructed data center must certify to the department that it has attained certification under one or more of the following sustainable design or green building standards:

(i) BREEAM for new construction or BREEAM in-use;

(ii) Energy star;

(iii) Envision;

(iv) ISO 50001-energy management;

(v) LEED for building design and construction or LEED for operations and maintenance;

(vi) Green globes for new construction or green globes for existing buildings;

(vii) UL 3223; or

(viii) Other reasonable standards approved by the department.

(b) The department may require qualifying businesses and qualifying tenants to submit records necessary to verify the requirements under (a) of this subsection have been met.

(c)(i) For a qualifying business or qualifying tenant that does not meet the requirements of (a) of this subsection (4), all previously exempted sales and use taxes may be immediately due and payable, any exemption certificate issued to that qualifying business or qualifying tenant under this section is canceled, and an additional 10 percent penalty is assessed, except as described in (c)(ii) of this subsection (4).

(ii) If the department finds that a failure to meet the requirements of this subsection (4) is due to circumstances beyond the control of the qualifying business or qualifying tenant including, but not limited to, a declaration of an economic recession, pandemic, or natural disaster affecting data center operations, the department may, at its discretion, provide exceptions or extensions to the requirements of this subsection (4). The department may, at its discretion, coordinate with agencies with relevant expertise to assist in determining whether the requirements have been met.

(5) A qualifying business or a qualifying tenant claiming the exemption under this section is encouraged to take direct steps to adopt practices to mitigate negative environmental impacts resulting from expanded use of data centers, including through:

(a) Coordinating with the industrial waste coordination program established under RCW 43.31.625 to identify and provide technical assistance in implementing industrial symbiosis projects;

(b) To the extent possible, procuring or contracting for power from renewable sources;

(c) Adopting practices to improve the energy efficiency of existing data centers, including through upgrading and consolidating technology, managing data center airflow, and adjusting and improving heating, ventilation, and air conditioning systems; and

(d) Taking actions to conserve, reuse, and replace water. This includes using water efficient fixtures and practices; treating, infiltrating, and harvesting rainwater; recycling water before discharging; partnering with local water utilities to use discharged water for irrigation and other water conservation purposes; using reclaimed water where possible for data center operations; and supporting water restoration in local watersheds.

(6) A qualifying business or a qualifying tenant claiming an exemption under this section or RCW 82.12.986 must complete an annual tax performance report with the department as required under RCW 82.32.534. The report must identify construction firm names and employment levels used for constructing, renovating, refurbishing, or remodeling the data centers.

(7)(a) The certificate holder may not at any time assign or transfer a certificate without the prior written consent of the department. The department must allow certificate transfers if the certificate holder meets the following requirements:

(i) The certificate assignee or transferee is qualified to do business in the state;

(ii) The assignee or transferee acknowledges the transfer of the certificate in writing;

(iii) The assignee or transferee agrees to keep and perform all the terms of the certificates; and

(iv) An assignment or transfer of the certificate is to an entity that:

(A) Controls, is controlled by, or under common control with, the certificate holder;

(B) Acquires all or substantially all of the stock or assets of the certificate holder; or

(C) Is the resulting entity of a merger or consolidation with the certificate holder.

(b) In the event the assignee or transferee acquires eligible server equipment in a qualifying asset sale under (a)(iv)(B) of this subsection, the purchaser shall be deemed to purchase the eligible server equipment pursuant to the transferred certificate.

(8) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Affiliated" means that one person has a direct or indirect ownership interest of at least ~~((twenty))~~ 20 percent in another person.

(b) "Building" means a fully enclosed structure with a weather resistant exterior wall envelope or concrete or masonry walls designed in accordance with the requirements for structures under chapter 19.27 RCW. This definition of "building" only applies to computer data centers for which commencement of construction occurs on or after July 1, 2015.

(c) "Certificate of occupancy" means:

(i) For a newly constructed eligible computer data center, the certificate of occupancy issued by a local governing authority for the structure or structures which comprise the eligible computer data center; or

(ii) For renovations of an eligible computer data center, the certificate of occupancy issued by a local governing authority for the renovated structure or structures that comprise the eligible computer data center.

(d)(i) "Computer data center" means a facility comprised of one or more buildings, which may be comprised of multiple businesses, constructed or refurbished specifically, and used primarily, to house working servers, where the facility has the following characteristics: (A) Uninterruptible power supplies, generator backup power, or both; (B) sophisticated fire suppression and prevention systems; and (C) enhanced physical security, such as: Restricted access to the facility to selected personnel; permanent security guards; video camera surveillance; an electronic system requiring passcodes, keycards, or biometric scans, such as hand scans and retinal or fingerprint recognition; or similar security features.

(ii) For a computer data center comprised of multiple buildings, each separate building constructed or refurbished specifically, and used primarily, to house working servers is considered a computer data center if it has all of the characteristics listed in (d)(i)(A) through (C) of this subsection (8).

(iii) A facility comprised of one building or more than one building must have a combined square footage of at least ~~((one hundred thousand))~~ 100,000 square feet.

(e) "Electronic data storage and data management services" include, but are not limited to: Providing data storage and backup services, providing computer processing power, hosting enterprise software applications, and hosting websites. The term also includes providing services such as email, web browsing and searching, media applications, and other online services, regardless of whether a charge is made for such services.

(f)(i) "Eligible computer data center" means a computer data center:

(A) Located in a rural county as defined in RCW 82.14.370 at the time an application for an exemption under this section is received;

(B) Having at least ~~((twenty thousand))~~ 20,000 square feet dedicated to housing working servers; and

(C) For which the commencement of construction occurs:

- (I) After March 31, 2010, and before July 1, 2011;
- (II) After March 31, 2012, and before July 1, 2015; or
- (III) After June 30, 2015, and before July 1, 2035.

(ii) For purposes of this section, "commencement of construction" means the date that a building permit is issued under the building code adopted under RCW 19.27.031 for construction of the computer data center. The construction of a computer data center includes the expansion, renovation, or refurbishment of existing facilities regardless of whether the existing facility was previously ineligible and regardless of whether commencement of construction of the existing facility occurred outside of the dates listed in (f)(i)(C)(I) through (III) of this subsection, including leased or rented space. "Commencement of construction" does not include soil testing, site clearing and grading, site preparation, or any other related activities that are initiated before the issuance of a building permit for the construction of the foundation of a computer data center. If no building permit is required for renovation or refurbishment, then the date that renovation or refurbishment begins is the "commencement of construction."

(g) "Eligible power infrastructure" means all fixtures and equipment owned by a qualifying business or qualifying tenant and necessary for the transformation, distribution, or management of electricity that is required to operate eligible server equipment within an eligible computer data center. The term includes generators; wiring; cogeneration equipment; and associated fixtures and equipment, such as electrical switches, batteries, and distribution, testing, and monitoring equipment. The term does not include substations.

(h) "Eligible server equipment" means:

(i) For a qualifying business whose computer data center qualifies as an eligible computer data center under (f)(i)(C)(I) of this subsection (8), the original server equipment installed in an eligible computer data center on or after April 1, 2010, and before January 1, 2026, and replacement server equipment. For purposes of this subsection (8)(h)(i), "replacement server equipment" means server equipment that:

(A) Replaces existing server equipment, if the sale or use of the server equipment to be replaced qualified for an exemption under this section or RCW 82.12.986; and

(B) Is installed and put into regular use before April 1, 2018.

(ii) For a qualifying business whose computer data center qualifies as an eligible computer data center under (f)(i)(C)(II) of this subsection (8), "eligible server equipment" means the original server equipment installed in an eligible computer data center on or after April 1, 2012, and before January 1, 2026, and replacement server equipment. For purposes of this subsection (8)(h)(ii), "replacement server equipment" means server equipment that:

(A) Replaces existing server equipment, if the sale or use of the server equipment to be replaced qualified for an exemption under this section or RCW 82.12.986; and

(B) Is installed and put into regular use before April 1, 2024.

(iii) For a qualifying business whose computer data center qualifies as an eligible computer data center under (f)(i)(C)(III) of this subsection (8), "eligible server equipment" means the original server equipment installed in a building within an eligible computer data center on or after July 1, 2015, and replacement

server equipment. Server equipment installed in movable or fixed stand-alone, prefabricated, or modular units, including intermodal shipping containers, is not "directly installed in a building." For purposes of this subsection (8)(h)(iii), "replacement server equipment" means server equipment that:

(A)(I) Replaces existing server equipment, if the sale or use of the server equipment to be replaced qualified for an exemption under this section or RCW 82.12.986; or

(II) Replaces existing server equipment in a computer data center that meets the following requirements: Was ineligible before June 9, 2022, for the exemptions provided under this section and RCW 82.12.986; has been refurbished; and to which a valid exemption certificate applies; and

(B) Is installed and put into regular use no later than ~~((twelve))~~ 12 years after the date of the certificate of occupancy or completion of refurbishment of the computer data center.

(iv) For a qualifying tenant who leases space within an eligible computer data center, "eligible server equipment" means the original server equipment installed within the space it leases from an eligible computer data center with an exemption certificate on or after April 1, 2010, and replacement server equipment. For purposes of this subsection (8)(h)(iv), "replacement server equipment" means server equipment that:

(A)(I) Replaces existing server equipment, if the sale or use of the server equipment to be replaced qualified for an exemption under this section or RCW 82.12.986; or

(II) Replaces existing server equipment in a computer data center that meets the following requirements: Was ineligible before June 9, 2022, for the exemptions provided under this section and RCW 82.12.986; has been refurbished; and to which a valid exemption certificate applies; and

(B) Is installed and put into regular use no later than 12 years after the date of the certificate of occupancy or completion of refurbishment of the computer data center.

(i) "Qualifying business" means a business entity that exists for the primary purpose of engaging in commercial activity for profit and that is the owner of an eligible computer data center. The term does not include the state or federal government or any of their departments, agencies, and institutions; tribal governments; political subdivisions of this state; or any municipal, quasi-municipal, public, or other corporation created by the state or federal government, tribal government, municipality, or political subdivision of the state.

(j) "Qualifying tenant" means a business entity that exists for the primary purpose of engaging in commercial activity for profit and that leases space from a qualifying business within an eligible computer data center. The term does not include the state or federal government or any of their departments, agencies, and institutions; tribal governments; political subdivisions of this state; or any municipal, quasi-municipal, public, or other corporation created by the state or federal government, tribal government, municipality, or political subdivision of the state. The term also does not include a lessee of space in an eligible computer data center under (f)(i)(C)(I) of this subsection (8), if the lessee and lessor are affiliated and:

(i) That space will be used by the lessee to house server equipment that replaces server equipment previously installed and operated in that eligible computer data center by the lessor or another person affiliated with the lessee; or

(ii) Prior to May 2, 2012, the primary use of the server equipment installed in that eligible computer data center was to provide electronic data storage and data management services for the business purposes of either the lessor, persons affiliated with the lessor, or both.

(k)(i) "Refurbished" or "refurbishment" means a substantial improvement to an eligible computer data center to update or modernize servers, server space, ventilation, or power infrastructure in an eligible computer data center.

(ii) For a qualifying computer data center to be considered refurbished, the qualifying business must certify, in a form and manner prescribed by the department, that the refurbishment of an eligible computer data center is complete. The refurbishment is considered complete on the date that the improved portion of the computer data center is operationally complete and able to be used for its intended purpose.

(l) "Server equipment" means the computer hardware located in an eligible computer data center and used exclusively to provide electronic data storage and data management services, including cloud services, for internal use by the owner or lessee of the computer data center, for clients of the owner or lessee of the computer data center, or both. "Server equipment" also includes computer software necessary to operate the computer hardware. "Server equipment" does not include personal computers, the racks upon which the server equipment is installed, and computer peripherals such as keyboards, monitors, printers, and mice.

(9) This section expires July 1, 2048.

Sec. 5. RCW 43.06.400 and 2013 c 225 s 605 are each amended to read as follows:

(1) Beginning in January (~~(1984)~~) 2029, and in January of every fourth year thereafter, the department of revenue must submit to the legislature prior to the regular session a listing of the amount of reduction for the current and next biennium in the revenues of the state or the revenues of local government collected by the state as a result of tax exemptions. The listing must include an estimate of the revenue lost from the tax exemption, the purpose of the tax exemption, the persons, organizations, or parts of the population which benefit from the tax exemption, and whether or not the tax exemption conflicts with another state program. The listing must include but not be limited to the following revenue sources:

- (a) Real and personal property tax exemptions under Title 84 RCW;
- (b) Business and occupation tax exemptions, deductions, and credits under chapter 82.04 RCW;
- (c) Retail sales and use tax exemptions under chapters 82.08, 82.12, and 82.14 RCW;
- (d) Public utility tax exemptions and deductions under chapter 82.16 RCW;
- (e) Food fish and shellfish tax exemptions under chapter 82.27 RCW;
- (f) Leasehold excise tax exemptions under chapter 82.29A RCW;
- (g) Motor vehicle and special fuel tax exemptions and refunds under chapter 82.38 RCW;
- (h) Aircraft fuel tax exemptions under chapter 82.42 RCW;

- (i) Motor vehicle excise tax exclusions under chapter 82.44 RCW; and
- (j) Insurance premiums tax exemptions under chapter 48.14 RCW.

(2) The department of revenue must prepare the listing required by this section with the assistance of any other agencies or departments as may be required.

(3) The department of revenue must present the listing to the ways and means committees of each house in public hearings.

(4) Beginning in January ~~((1984))~~ 2029, and every four years thereafter the governor is requested to review the report from the department of revenue and may submit recommendations to the legislature with respect to the repeal or modification of any tax exemption. The ways and means committees of each house and the appropriate standing committee of each house must hold public hearings and take appropriate action on the recommendations submitted by the governor.

(5) As used in this section, "tax exemption" means an exemption, exclusion, or deduction from the base of a tax; a credit against a tax; a deferral of a tax; or a preferential tax rate.

~~((6) For purposes of the listing due in January 2012, the department of revenue does not have to prepare or update the listing with respect to any tax exemption that would not be likely to increase state revenue if the exemption was repealed or otherwise eliminated.))~~

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

Passed by the Senate February 19, 2025.

Passed by the House April 16, 2025.

Approved by the Governor May 20, 2025.

Filed in Office of Secretary of State May 21, 2025.

CHAPTER 412

[Engrossed Substitute Senate Bill 5752]

CHILD CARE AND EARLY CHILDHOOD DEVELOPMENT PROGRAMS—VARIOUS PROVISIONS

AN ACT Relating to modifying child care and early childhood development programs; amending RCW 43.216.556, 43.216.505, 43.216.578, 43.216.578, 43.216.804, 43.216.806, 43.216.590, 43.216.090, 43.216.592, 43.216.512, and 43.216.800; amending 2021 c 199 s 604 (uncodified); amending 2024 c 225 ss 7 and 8 (uncodified); reenacting and amending RCW 43.216.802; adding new sections to chapter 43.216 RCW; creating new sections; repealing RCW 43.216.810 and 43.216.812; providing effective dates; providing expiration dates; and declaring an emergency.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. RCW 43.216.556 and 2021 c 199 s 208 are each amended to read as follows:

(1) Funding for the program of early learning established under this chapter must be appropriated to the department. The department shall distribute funding to approved early childhood education and assistance program contractors on the basis of eligible children enrolled.

(2) The program shall be implemented in phases, so that full implementation is achieved in the ~~((2026-27))~~ 2030-31 school year.

(3) Funding shall continue to be phased in each year until full statewide implementation of the early learning program is achieved in the ~~((2026-27)) 2030-31~~ school year, at which time any eligible child is entitled to be enrolled in the program. Entitlement under this section is voluntary enrollment.

(4) School districts and approved community-based early learning providers may contract with the department to provide services under the program. The department shall collaborate with school districts, community-based providers, and educational service districts to promote an adequate supply of approved providers.

Sec. 2. RCW 43.216.505 and 2024 c 225 s 2 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout RCW 43.216.500 through 43.216.559, 43.216.900, and 43.216.901.

(1) "Advisory committee" means the advisory committee under RCW 43.216.520.

(2) "Approved programs" means those state-supported education and special assistance programs which are recognized by the department as meeting the minimum program rules adopted by the department to qualify under RCW 43.216.500 through 43.216.550, 43.216.900, and 43.216.901 and are designated as eligible for funding by the department under RCW 43.216.530 and 43.216.540.

(3) "Comprehensive" means an assistance program that focuses on the needs of the child and includes education, health, and family support services.

(4) "Eligible child" means a three to five-year old child who is not age-eligible for kindergarten, is not a participant in a federal or state program providing comprehensive services, and who:

(a) Has a family with an income at or below 50 percent of the state median income adjusted for family size;

(b) Is experiencing homelessness;

(c) Has participated in early head start or a successor federal program providing comprehensive services for children from birth through two years of age, the early support for infants and toddlers program or received class C developmental services, the birth to three early childhood education and assistance program, or the early childhood intervention and prevention services program;

(d) Is eligible for special education due to disability under RCW 28A.155.020;

~~(e) ((Is a member of an assistance unit that is eligible for or is receiving basic food benefits under the federal supplemental nutrition assistance program or the state food assistance program;~~

~~(f))~~ Is Indian as defined in rule by the department after consultation and agreement with Washington state's federally recognized tribes pursuant to RCW 43.216.5052 and is at or below 100 percent of the state median income adjusted for family size; or

~~((g))~~ ~~(f)~~ Meets criteria under rules adopted by the department if the number of such children equals not more than ten percent of the total enrollment in the early childhood program. Preference for enrollment in this group shall be

given to children from families with the lowest income, children in foster care, or to eligible children from families with multiple needs.

(5) "Experiencing homelessness" means a child without a fixed, regular, and adequate nighttime residence as described in the federal McKinney-Vento homeless assistance act (Title 42 U.S.C., chapter 119, subchapter VI, part B) as it existed on January 1, 2021.

(6) "Family support services" means providing opportunities for parents to:

- (a) Actively participate in their child's early childhood program;
- (b) Increase their knowledge of child development and parenting skills;
- (c) Further their education and training;
- (d) Increase their ability to use needed services in the community;
- (e) Increase their self-reliance; and
- (f) Connect with culturally competent, disability positive therapists and supports where appropriate.

Sec. 3. RCW 43.216.578 and 2024 c 225 s 5 are each amended to read as follows:

(1) ~~((Within resources available under the federal preschool development grant birth to five grant award received in December 2018))~~ Subject to the availability of amounts appropriated for this specific purpose, the department shall develop a plan for phased implementation of a birth to three early childhood education and assistance program pilot project for eligible children under thirty-six months old. Funds to implement the pilot project may include a combination of federal, state, or private sources.

(2) The department may adopt rules to implement the pilot project and may waive or adapt early childhood education and assistance program requirements when necessary to allow for the operation of the birth to three early childhood education and assistance program. The department shall consider early head start rules and regulations when developing the provider and family eligibility requirements and program requirements. Any deviations from early head start standards, rules, or regulations must be identified and explained by the department in its annual report under subsection (6) of this section.

(3)(a) Upon securing adequate funds to begin implementation, the pilot project programs must be delivered through child care centers and family home providers who meet minimum licensing standards and are enrolled in the early achievers program.

(b) The department must determine minimum early achievers ratings scores for programs participating in the pilot project.

(4) When selecting pilot project locations for service delivery, the department may allow each pilot project location to have up to three classrooms per location. When selecting and approving pilot project locations, the department shall attempt to select a combination of rural, urban, and suburban locations. The department shall prioritize locations with programs currently operating early head start, head start, or the early childhood education and assistance program.

(5) ~~((Until November 1, 2024, to be eligible for the birth to three early childhood education and assistance program, a child's family income must be at or below one hundred thirty percent of the federal poverty level and the child must be under thirty-six months old. Beginning November 1, 2024, to))~~ (a) To

be eligible for the birth to three early childhood education and assistance program, a child must be under 36 months old and either:

~~((a))~~ (i) From a family with a household income at or below 130 percent of the federal poverty level; or

~~((b))~~ (ii) A member of an assistance unit that is eligible for or is receiving basic food benefits under the federal supplemental nutrition assistance program or the state food assistance program.

(b) Enrollment of children in the birth to three early childhood education and assistance program is as space is available and subject to the availability of amounts appropriated for this specific purpose.

(6) Beginning November 1, 2020, and each November 1st thereafter during pilot project activity, the department shall submit an annual report to the governor and legislature that includes a status update that describes the planning work completed, the status of funds secured, and any implementation activities of the pilot project. Implementation activity reports must include a description of the participating programs and number of children and families served.

Sec. 4. RCW 43.216.578 and 2024 c 225 s 6 are each amended to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the department shall administer a birth to three early childhood education and assistance program for eligible children under thirty-six months old. Funds to implement the program may include a combination of federal, state, or private sources.

(2) The department may adopt rules to implement the program and may waive or adapt early childhood education and assistance program requirements when necessary to allow for the operation of the birth to three early childhood education and assistance program. The department shall consider early head start rules and regulations when developing the provider and family eligibility requirements and program requirements.

(3)(a) The birth to three early childhood education and assistance program must be delivered through child care centers and family home providers who meet minimum licensing standards and are enrolled in the early achievers program.

(b) The department must determine minimum early achievers ratings scores for participating contractors.

(4)(a) To be eligible for the birth to three early childhood education and assistance program, a child must be under 36 months old and either:

~~((a))~~ (i) From a family with a household income at or below 50 percent of the state median income; or

~~((b))~~ (ii) A member of an assistance unit that is eligible for or is receiving basic food benefits under the federal supplemental nutrition assistance program or the state food assistance program.

(b) Enrollment of children in the birth to three early childhood education and assistance program is as space is available and subject to the availability of amounts appropriated for this specific purpose.

Sec. 5. RCW 43.216.802 and 2024 c 225 s 1 and 2024 c 67 s 2 are each reenacted and amended to read as follows:

(1) It is the intent of the legislature to increase working families' access to affordable, high quality child care and to support the expansion of the workforce to support businesses and the statewide economy.

(2) A family is eligible for working connections child care when the household's annual income is at or below 60 percent of the state median income adjusted for family size and:

(a) The child receiving care is: (i) Less than 13 years of age; or (ii) less than 19 years of age and has a verified special need according to department rule or is under court supervision; and

(b) The household meets all other program eligibility requirements established in this chapter or in rule by the department as authorized by RCW 43.216.055 or 43.216.065 or any other authority granted by this chapter.

(3) Beginning July 1, (~~(2025)~~) 2029, a family is eligible for working connections child care when the household's annual income is above 60 percent and at or below 75 percent of the state median income adjusted for family size and:

(a) The child receiving care is: (i) Less than 13 years of age; or (ii) less than 19 years of age and has a verified special need according to department rule or is under court supervision; and

(b) The household meets all other program eligibility requirements established in this chapter or in rule by the department as authorized by RCW 43.216.055 or 43.216.065 or any other authority granted by this chapter.

(4) Beginning July 1, (~~(2027)~~) 2031, and subject to the availability of amounts appropriated for this specific purpose, a family is eligible for working connections child care when the household's annual income is above 75 percent of the state median income and is at or below 85 percent of the state median income adjusted for family size and:

(a) The child receiving care is: (i) Less than 13 years of age; or (ii) less than 19 years of age and has a verified special need according to department rule or is under court supervision; and

(b) The household meets all other program eligibility requirements established in this chapter or in rule by the department as authorized by RCW 43.216.055 or 43.216.065 or any other authority granted by this chapter.

(5) Beginning November 1, 2024, when an applicant or consumer is a member of an assistance unit that is eligible for or receiving basic food benefits under the federal supplemental nutrition assistance program or the state food assistance program the department must determine that the household income eligibility requirements in this section are met.

(6) The department must adopt rules to implement this section, including an income phase-out eligibility period.

(7) The department may not consider the citizenship status of an applicant or consumer's child when determining eligibility for working connections child care benefits.

(8) The income eligibility requirements in subsections (2) through (4) of this section do not apply to households eligible for the working connections child care program under RCW 43.216.808(~~(, 43.216.810, 43.216.812,)~~) and 43.216.814.

Sec. 6. RCW 43.216.804 and 2024 c 67 s 3 are each amended to read as follows:

(1) Effective until ~~((July 1, 2025))~~ October 1, 2026, the department must calculate a monthly copayment according to the following schedule(~~(:~~

If the household's income is:	Then the household's maximum monthly copayment is:
At or below 20 percent of the state median income	Waived to the extent allowable under federal law; otherwise, a maximum of \$15
Above 20 percent and at or below 36 percent of the state median income	\$65
Above 36 percent and at or below 50 percent of the state median income	\$90
Above 50 percent and at or below 60 percent of the state median income	\$165

~~((2) Beginning July 1, 2025, the department must calculate a monthly copayment according to the following schedule))~~:

If the household's income is:	Then the household's maximum monthly copayment is:
At or below 20 percent of the state median income	Waived to the extent allowable under federal law; otherwise, a maximum of \$15
Above 20 percent and at or below 36 percent of the state median income	\$65
Above 36 percent and at or below 50 percent of the state median income	\$90
Above 50 percent and at or below 60 percent of the state median income	\$165
Above 60 percent and at or below 75 percent of the state median income	\$215

~~((3))~~ (2) Subject to the availability of amounts appropriated for this specific purpose, the department shall adopt a copayment model applicable until October 1, 2026, for households with annual incomes above 75 percent of the state median income and at or below 85 percent of the state median income. The model must calculate a copayment for each household that is no greater than seven percent of the household's countable income within this income range.

(3) Beginning October 1, 2026, the department must calculate a monthly copayment according to the following schedule:

If the household's income is:	Then the household's maximum monthly copayment is:
<u>Below 25 percent of the state median income</u>	<u>\$0</u>

<u>If the household's income is:</u>	<u>Then the household's maximum monthly copayment is:</u>
<u>At or above 25 percent and below 35 percent of the state median income</u>	<u>25 percent of the state median income for a household of two, multiplied by five percent</u>
<u>At or above 35 percent and below 45 percent of the state median income</u>	<u>35 percent of the state median income for a household of two, multiplied by 5.5 percent</u>
<u>At or above 45 percent and below 55 percent of the state median income</u>	<u>45 percent of the state median income for a household of two, multiplied by six percent</u>
<u>At or above 55 percent of the state median income</u>	<u>55 percent of the state median income for a household of two, multiplied by 6.5 percent</u>

(4) The department may adjust the copayment schedule to comply with federal law.

(5) The department must adopt rules to implement this section.

(6) This section does not apply to households eligible for the working connections child care program under RCW 43.216.808(~~(, 43.216.812,)~~) and 43.216.814.

NEW SECTION. Sec. 7. (1) In accordance with RCW 43.216.800, authorizations for a working connections child care subsidy are effective for 12 months and any changes related to eligibility in this act only apply to new applications and reapplications. The changes related to eligibility in this act do not apply to consumers who were authorized for a working connections child care subsidy before July 1, 2025 until the next reapplication.

(2) The changes related to the copayment schedule in section 6, chapter . . . (ESSB 5752), Laws of 2025 only apply to new applications and reapplications for a working connections child care subsidy. Consumers authorized for a working connections child care subsidy as of October 1, 2026, must not have their copayments adjusted by the schedule in section 6(3), chapter . . . (ESSB 5752), Laws of 2025 until reapplication.

(3) This section expires December 31, 2027.

Sec. 8. RCW 43.216.806 and 2024 c 282 s 4 are each amended to read as follows:

(1)(a) Subject to the availability of amounts appropriated for this specific purpose, the department may not require an applicant or consumer to meet work requirements as a condition of receiving working connections child care benefits when the applicant or consumer is (~~(in a state-registered apprenticeship program or is)~~) a full-time student of a community, technical, or tribal college and is enrolled in:

- (i) A vocational education program that leads to a degree or certificate in a specific occupation; or
- (ii) An associate degree program.

(b) An applicant or consumer is a full-time student for the purposes of this subsection if the applicant or consumer meets the college's definition of a full-time student.

(c) Subject to the availability of amounts appropriated for this specific purpose, the department may extend the provisions of this subsection to full-time students who are enrolled in a bachelor's degree program or applied baccalaureate degree program.

(2) The department must consider an applicant or consumer's participation in the birth to three early childhood education and assistance program or the early head start program as an approved activity when determining eligibility for working connections child care benefits.

Sec. 9. RCW 43.216.590 and 2021 c 199 s 304 are each amended to read as follows:

(1) ~~((Beginning July 1, 2022))~~ Subject to the availability of amounts appropriated for this specific purpose, the department shall provide supports to aid eligible providers in providing trauma-informed care. Trauma-informed care supports may be used by eligible providers for the following purposes:

(a) Additional compensation for individual staff who have an infant and early childhood mental health or other child development specialty credential;

(b) Trauma-informed professional development and training;

(c) The purchase of screening tools and assessment materials;

(d) Supportive services for children with complex needs that are offered as fee-for-service within local communities; or

(e) Other related expenses.

(2) This section does not interfere with, impede, or in any way diminish the right of family child care providers to bargain collectively with the state through the exclusive bargaining representatives as provided for under RCW 41.56.028.

(3) The department must adopt rules to implement this section.

~~((3))~~ (4) For the purposes of this section, "eligible provider" means: (a) An employee or owner of a licensed or certified child care center or outdoor nature-based care accepting state subsidy; (b) an employee or owner of a licensed family home provider accepting state subsidy; (c) a contractor or provider of the early childhood education and assistance program or birth to three early childhood education and assistance program; (d) a license-exempt child care program; or (e) an early achievers coach.

Sec. 10. RCW 43.216.090 and 2021 c 199 s 309 are each amended to read as follows:

(1) ~~((The))~~ Subject to the availability of amounts appropriated for this specific purpose, the department shall administer or contract for infant and early childhood mental health consultation services to child care providers and early learning providers participating in the early achievers program.

(2) ~~((Beginning July 1, 2021))~~ Subject to the availability of amounts appropriated for this specific purpose, the department ~~((of children, youth, and families))~~ must have or contract for one infant and early childhood mental health consultation coordinator and must enter into a contractual agreement with an organization providing coaching services to early achievers program participants to hire at least 12 qualified infant and early childhood mental health consultants. The department shall determine, in collaboration with the statewide child care

resource and referral network, where the additional consultants should be sited based on factors such as the total provider numbers overlaid with indicators of highest need. The infant and early childhood mental health consultants must support early achievers program coaches and child care providers by providing resources, information, and guidance regarding challenging behavior and expulsions and may travel to assist providers in serving families and children with severe behavioral needs.

(3) The department shall provide, or contract with an entity to provide, reflective supervision and professional development for infant and early childhood mental health consultants to meet national competency standards.

(4) As capacity allows, the department may provide access to infant and early childhood mental health consultation services to caregivers and licensed or certified, military, and tribal early learning providers, license-exempt family, friend, and neighbor care providers, and families with children expelled or at risk of expulsion from child care.

Sec. 11. RCW 43.216.592 and 2021 c 199 s 305 are each amended to read as follows:

(1) ~~((Beginning July 1, 2022))~~ Subject to the availability of amounts appropriated for this specific purpose, the department shall establish a dual language designation and provide subsidy rate enhancements or site-specific grants for licensed or certified child care providers who are accepting state subsidy~~((s))~~ or early childhood education and assistance program contractors; or birth to three early childhood education and assistance program contractors. It is the intent of the legislature to allow uses of rate enhancements or site-specific grants to include increased wages for individual staff who provide bilingual instruction, professional development training, the purchase of dual language and culturally appropriate curricula and accompanying training programs, instructional materials, or other related expenses.

(2) The department must consult with a culturally and linguistically diverse stakeholder advisory group to develop criteria for the dual language designation.

(3) This section does not interfere with, impede, or in any way diminish the right of family child care providers to bargain collectively with the state through the exclusive bargaining representatives as provided for under RCW 41.56.028.

(4) The department must adopt rules to implement this section.

Sec. 12. RCW 43.216.512 and 2024 c 225 s 4 are each amended to read as follows:

(1) The department shall adopt rules that allow the enrollment of children in the early childhood education and assistance program, as space is available, if the number of such children equals not more than 25 percent of total statewide enrollment, when the child is not eligible under RCW 43.216.505 and~~((s))~~

~~((a) Has))~~ has a family income level above 36 percent of the state median income but at or below 50 percent of the state median income adjusted for family size and the child meets at least one of the risk factor criterion described in subsection (2) of this section~~((s) or~~

~~((b) Is a member of an assistance unit that is eligible for or is receiving basic food benefits under the federal supplemental nutrition assistance program or the state food assistance program)).~~

(2) Children enrolled in the early childhood education and assistance program pursuant to this section must be prioritized for available funded slots according to a prioritization system adopted in rule by the department that considers risk factors that have a disproportionate effect on kindergarten readiness and school performance, including:

- (a) Family income as a percent of the state median income;
- (b) Child welfare system involvement;
- ~~(c) ((Eligible for services under part C of the federal individuals with disabilities education act but not eligible for services under part B of the federal individuals with disabilities education act;~~
- ~~((d)))~~ Domestic violence;
- ~~((e)))~~ (d) English as a second language;
- ~~((f)))~~ (e) Expulsion from an early learning setting;
- ~~((g)))~~ (f) A parent who is incarcerated;
- ~~((h)))~~ (g) A parent with a behavioral health treatment need; and
- ~~((i)))~~ (h) Other risk factors determined by the department to be linked by research to school performance.

(3) Children enrolled in the early childhood education and assistance program under this section are not considered eligible children as defined in RCW 43.216.505 and are not considered to be part of the state-funded entitlement required in RCW 43.216.556.

(4) This section expires August 1, 2030.

NEW SECTION. Sec. 13. A new section is added to chapter 43.216 RCW under the subchapter heading "subsidized child care" to read as follows:

(1) The department shall adopt a rule that requires prospective payment to child care providers who accept child care subsidies to occur when child care is expected to begin.

(2) The department shall adopt a rule that prohibits child care providers who accept child care subsidies from claiming a prospective payment when a child has not attended at least one day within the authorization period in the previous month.

NEW SECTION. Sec. 14. A new section is added to chapter 43.216 RCW under the subchapter heading "subsidized child care" to read as follows:

By June 1st of every even-numbered year, the department shall publish a cost of quality child care and market rate study and submit the study to the relevant committees of the legislature in compliance with RCW 43.01.036.

Sec. 15. RCW 43.216.800 and 2024 c 67 s 1 are each amended to read as follows:

(1) The department shall establish and implement policies in the working connections child care program to promote stability and quality of care for children from low-income households. These policies shall focus on supporting school readiness for young learners. Policies for the expenditure of funds constituting the working connections child care program must be consistent with the outcome measures established by the department and the standards established in this section intended to promote stability, quality, and continuity of early care and education programming.

(2) As recommended by P.L. 113-186, authorizations for the working connections child care subsidy are effective for 12 months.

~~((a) A household's 12-month authorization begins on the date that child care is expected to begin.~~

~~(b) If a newly eligible household does not begin care within 12 months of being determined eligible by the department, the household must reapply in order to qualify for subsidy.))~~

(3)(a) The department must extend the homeless grace period, as adopted in department rule as of January 1, 2020, from a four-month grace period to a 12-month grace period.

(b) For the purposes of this subsection, "homeless" means being without a fixed, regular, and adequate nighttime residence as described in the federal McKinney-Vento homeless assistance act (42 U.S.C. Sec. 11434a) as it existed on January 1, 2020.

~~((4) For purposes of this section, "authorization" means a transaction created by the department that allows a child care provider to claim payment for care. The department may adjust an authorization based on a household's eligibility status.))~~

NEW SECTION. Sec. 16. The following acts or parts of acts are each repealed:

(1) RCW 43.216.810 (Expanded eligibility—Registered apprenticeships) and 2024 c 67 s 6; and

(2) RCW 43.216.812 (Expanded eligibility—Child care employees) and 2024 c 282 s 2, 2024 c 67 s 7, & 2023 c 222 s 2.

NEW SECTION. Sec. 17. (1) The department of children, youth, and families must partner with a school district and a metropolitan park district to conduct a pilot to increase access to school-age-only child care programs. The pilot must explore processes and system changes to decrease the administrative, regulatory, and financial burdens on school-age-only child care providers operating in public school buildings.

(2) The pilot site must be in a city west of the Cascade mountain range with a population between 215,000 and 250,000 residents and the capacity to serve at least 27,000 students. The park district of the partner site must be willing to provide up to \$300,000 in funding to support the work of the partnership, with the total determined after negotiating the workload. The parties may negotiate additional funding by mutual consent, and may also negotiate the addition of other school districts or child care providers by mutual consent.

(3) The pilot must operate in at least three school buildings that had a licensed school-age-only child care site in operation during the 2024-2025 school year.

(4) The pilot must:

(a) Explore and test the feasibility and impact of licensing all child-friendly areas in school buildings;

(b) Explore and test methods for streamlining access to the working connections child care program so that the school district, the park district, and their child care partners can expand access for families. The pilot must allow the school district, the park district, and their child care partners access to the online application portal to support application access to working connections child care for families. The department of children, youth, and families must pay

providers directly using policies required under the federal child care and development fund; and

(c) Identify processes, systems, administrative rules, and statutes, that may need to be added, modified, or eliminated in order to support the objectives identified in (a) and (b) of this subsection.

(5) By July 1, 2028, and in compliance with RCW 43.01.036, the department of children, youth, and families must submit a report regarding the pilot to the legislature that includes the pilot's successes and challenges, any recommended changes to regulatory requirements, and the pilot's outcomes for child care program staff, school staff, and students.

(6) This section expires July 1, 2029.

NEW SECTION. Sec. 18. If any part of this act is found to be in conflict with federal requirements that are a prescribed condition to the allocation of federal funds to the state, the conflicting part of this act is inoperative solely to the extent of the conflict and with respect to the agencies directly affected, and this finding does not affect the operation of the remainder of this act in its application to the agencies concerned. Rules adopted under this act must meet federal requirements that are a necessary condition to the receipt of federal funds by the state.

NEW SECTION. Sec. 19. Except for sections 2 and 4 of this act, this act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect July 1, 2025.

NEW SECTION. Sec. 20. Section 3 of this act expires July 1, 2026.

NEW SECTION. Sec. 21. (1) Section 4 of this act takes effect July 1, 2026.

(2) Section 2 of this act takes effect August 1, 2030.

Sec. 22. 2021 c 199 s 604 (uncodified) is amended to read as follows:

(1) Section 403 of this act takes effect July 1, 2026.

(2) Sections 204 through 206 of this act take effect July 1, 2025.

Sec. 23. 2024 c 225 s 7 (uncodified) is amended to read as follows:

(1) Section 2 of this act takes effect August 1, 2030.

((Sections 4 and)) (2) Section 4 of this act takes effect July 1, 2025.

(3) Section 6 of this act ((take)) takes effect July 1, 2026.

Sec. 24. 2024 c 225 s 8 (uncodified) is amended to read as follows:

(1) Section 3 of this act expires July 1, 2025.

((Sections 3 and)) (2) Section 5 of this act ((expire)) expires July 1, 2026.

Passed by the Senate April 24, 2025.

Passed by the House April 23, 2025.

Approved by the Governor May 20, 2025.

Filed in Office of Secretary of State May 21, 2025.

CHAPTER 413

[Senate Bill 5761]

DEPENDENCY AND TERMINATION PROCEEDINGS—ATTORNEYS FOR CHILDREN AND YOUTH—IMPLEMENTATION DELAY

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

Be it enacted by the Legislature of the State of Washington:

Sec. 1. RCW 13.34.212 and 2024 c 25 s 1 are each amended to read as follows:

(1)(a) The court shall appoint an attorney for a child in a dependency proceeding six months after granting a petition to terminate the parent and child relationship pursuant to RCW 13.34.180 and when there is no remaining parent with parental rights.

(b) The court may appoint one attorney to a group of siblings, unless there is a conflict of interest, or such representation is otherwise inconsistent with the rules of professional conduct.

(c) Subject to availability of amounts appropriated for this specific purpose, the state shall pay the costs of legal services provided by an attorney appointed pursuant to (a) of this subsection if the legal services are provided in accordance with the rules of professional conduct, the standards of practice, caseload limits, and training guidelines adopted by the statewide children's representation work group pursuant to section 5, chapter 180, Laws of 2010 until such time that new recommendations are adopted by the children's representation work group established in section 9, chapter 210, Laws of 2021.

(d) The office of civil legal aid is responsible for implementation of (c) of this subsection as provided in RCW 2.53.045.

(e) Legal services provided by an attorney pursuant to (a) of this subsection do not include representation of the child in any appellate proceedings relative to the termination of the parent and child relationship.

(2)(a) The court may appoint an attorney to represent the child's position in any dependency action on its own initiative, or upon the request of a parent, the child, a guardian ad litem, a caregiver, or the department.

(b)(i) If the court has not already appointed an attorney for a child, or the child is not represented by a privately retained attorney:

(A) The child's caregiver, or any individual, may refer the child to an attorney for the purposes of filing a motion to request appointment of an attorney at public expense; or

(B) The child or any individual may retain an attorney for the child for the purposes of filing a motion to request appointment of an attorney at public expense.

(ii) Nothing in this subsection changes or alters the confidentiality provisions of RCW 13.50.100.

(c) The department and the child's guardian ad litem shall each notify a child of the child's right to request an attorney and shall ask the child whether the child wishes to have an attorney. The department and the child's guardian ad litem shall notify the child and make this inquiry immediately after:

(i) The date of the child's 12th birthday; or

(ii) Assignment of a case involving a child age 12 or older.

(d) The department and the child's guardian ad litem shall repeat the notification and inquiry at least annually and upon the filing of any motion or petition affecting the child's placement, services, or familial relationships.

(e) The notification and inquiry is not required if the child has already been appointed an attorney.

(f) The department shall note in the child's individual service and safety plan, and the guardian ad litem shall note in his or her report to the court, that the child was notified of the right to request an attorney and indicate the child's position regarding appointment of an attorney.

(g) At the first regularly scheduled hearing after:

(i) The date of the child's 12th birthday; or

(ii) The date that a dependency petition is filed pursuant to this chapter on a child age 12 or older;

the court shall inquire whether the child has received notice of his or her right to request an attorney from the department and the child's guardian ad litem. The court shall make an additional inquiry at the first regularly scheduled hearing after the child's 15th birthday. No inquiry is necessary if the child has already been appointed an attorney.

(3) Subject to the availability of amounts appropriated for this specific purpose:

(a) Pursuant to the phase-in schedule set forth in (c) of this subsection (3), the court must appoint an attorney for every child in a dependency proceeding as follows:

(i) For a child under the age of eight, appointment must be made for the dependency and termination action upon the filing of a termination petition. Nothing in this subsection shall be construed to limit the ability of the court to appoint an attorney to represent the child's position in a dependency action on its own initiative, or upon the request of a parent, the child, a guardian ad litem, a caregiver, or the department, prior to the filing of a termination petition.

(ii) For a child between the ages of eight through 17, appointment must be made upon the filing of a new dependency petition at or before the commencement of the shelter care hearing.

(iii) For any pending or open dependency case where the child is unrepresented and is entitled to the appointment of an attorney under (a)(i) or (ii) of this subsection, appointment must be made at or before the next hearing if the child is eligible for representation pursuant to the phase-in schedule. At the next hearing, the court shall inquire into the status of attorney representation for the child, and if the child is not yet represented, appointment must be made at the hearing.

(b) Appointment is not required if the court has already appointed an attorney for the child, or the child is represented by a privately retained attorney.

(c) The statewide children's legal representation program shall develop a schedule for court appointment of attorneys for every child in dependency proceedings that will be phased in on a county-by-county basis over ~~((a seven-year))~~ an 11-year period. The schedule required under this subsection must not add more than 1,250 cases each fiscal year and:

(i) To the extent practicable, prioritize implementation in counties that have:

(A) No current practice of appointment of attorneys for children in dependency cases; or

(B) Significant prevalence of racial disproportionality or disparities in the number of dependent children compared to the general population, or both;

(ii) Include representation in at least:

(A) Three counties beginning July 1, 2022;

(B) Eight counties beginning January 1, 2023;

(C) Fifteen counties beginning January 1, 2024;

(D) Twenty counties beginning January 1, 2025;

(E) Thirty counties beginning January 1, ((2026)) 2030;

(F) Thirty-six counties beginning ((2027)) January 1, ((2027)) 2031; and

(iii) Achieve full statewide implementation by January 1, ((2028)) 2032.

(d) In cases where the statewide children's legal representation program provides funding and where consistent with its administration and oversight responsibilities, the statewide children's legal representation program should prioritize continuity of counsel for children who are already represented at county expense when the statewide children's legal representation program becomes effective in a county. The statewide children's legal representation program shall coordinate with relevant county stakeholders to determine how best to prioritize this continuity of counsel.

(e) The statewide children's legal representation program is responsible for the recruitment, training, and oversight of attorneys providing standards-based representation pursuant to (a) and (c) of this subsection as provided in RCW 2.53.045 and shall ensure that attorneys representing children pursuant to this section provide legal services according to the rules of professional conduct, the standards of practice, caseload limits, and training guidelines adopted by the children's representation work group established in section 9, chapter 210, Laws of 2021.

NEW SECTION. Sec. 2. If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2025, in the omnibus appropriations act, this act is null and void.

Passed by the Senate April 24, 2025.

Passed by the House April 22, 2025.

Approved by the Governor May 20, 2025.

Filed in Office of Secretary of State May 21, 2025.

CHAPTER 414

[Substitute Senate Bill 5195]

CAPITAL BUDGET

AN ACT Relating to the capital budget; amending RCW 79A.25.210, 28B.20.725, 28B.15.210, 28B.15.310, 28B.30.750, 28B.35.370, 28B.50.360, 39.35D.030, 43.19.125, 43.88D.010, 43.88.030, 43.155.070, 43.330.400, 77.12.037, 77.12.210, 77.12.220, 79.70.100, 79.71.060, 28A.525.159, 79.24.720, 43.31.574, 43.63A.750, 43.99N.060, and 70A.305.190; amending 2023 c 474 ss 6005, 6013, 6014, 6021, 6023, 6024, 6036, 6037, 6033, 1003, 6074, 6087, 1044, 1066, 2016, 2017, 2032, 2036, 6244, 6251, 6252, 6310, 3007, 3032, 3036, 3041, 6344, 6345, 6359, 3134, 6537, 6492, 6505, 5080, 5083, and 8019, 2019 c 413 s 6003, and 2024 c 375 ss 6012, 6013, 6010, 1001, 6009, 1009, 1002, 1005, 1007, 1010, 1011, 1018, 1021, 1023, 1025, 1024, 6007, 6018, 1035, 1042, 1044, 1047, 6023, 3004, 3011, 3019, 3039, 5002, and 5003 (uncodified); reenacting and amending RCW 43.83B.430; adding new sections to 2023 c 474 (uncodified); repealing 2024 c 375 ss 1004, 1038, and 2020, and 2023 c 474 ss 1013, 1033, 2010, 2024, 2030, 6061, 6071, and 6088 (uncodified); making appropriations; and declaring an emergency.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Sec. 1. (1) A capital budget is hereby adopted and, subject to the provisions set forth in this act, the several dollar amounts hereinafter specified, or so much thereof as shall be sufficient to accomplish the purposes designated, are hereby appropriated and authorized to be incurred for capital projects during the period beginning with the effective date of this act and ending June 30, 2027, out of the several funds specified in this act.

(2) The definitions in this subsection apply throughout this act unless the context clearly requires otherwise.

(a) "Fiscal year 2026" or "FY 2026" means the period beginning July 1, 2025, and ending June 30, 2026.

(b) "Fiscal year 2027" or "FY 2027" means the period beginning July 1, 2026, and ending June 30, 2027.

(c) "Lapse" or "revert" means the amount shall return to an unappropriated status.

(d) "Provided solely" means the specified amount may be spent only for the specified purpose.

(3) Unless otherwise specifically authorized in this act, any portion of an amount provided solely for a specified purpose that is not expended subject to the specified conditions and limitations to fulfill the specified purpose shall lapse.

(4) The amounts shown under the headings "Prior Biennia," "Future Biennia," and "Total" in this act are for informational purposes only and do not constitute legislative approval of these amounts. "Prior biennia" typically refers to the immediate prior biennium for reappropriations, but may refer to multiple biennia in the case of specific projects. A "future biennia" amount is an estimate of what may be appropriated for the project or program in the 2027-2029 biennium and the following three biennia; an amount of zero does not necessarily constitute legislative intent to not provide funding for the project or program in the future.

(5) "Reappropriations" in this act are appropriations and, unless the context clearly provides otherwise, are subject to the relevant conditions and limitations applicable to appropriations. Reappropriations shall be limited to the unexpended balances remaining on June 30, 2025, from the 2023-2025 biennial appropriations for each project.

PART 1

GENERAL GOVERNMENT

NEW SECTION. Sec. 1001. FOR THE SECRETARY OF STATE

Puget Sound Regional Archives HVAC (40000007)

Appropriation:

Climate Commitment Account—State	\$1,500,000
State Building Construction Account—State	\$930,000
Subtotal Appropriation	\$2,430,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,430,000

NEW SECTION. Sec. 1002. FOR THE DEPARTMENT OF COMMERCE

2026 FIFA World Cup (40000650)

The appropriations in this section are subject to the following conditions and limitations:

(1) The reappropriations in this section are subject to the provisions of section 1023, chapter 375, Laws of 2024 as amended in section 7021 of this act.

(2) \$19,500,000 of the state building construction account—state appropriation is provided solely for the following list of projects for capital improvements required to host the 2026 World Cup in Seattle:

Washington State Public Stadium Authority	\$19,400,000
Gonzaga University Practice Field	\$100,000

Reappropriation:

State Building Construction Account—State	\$10,000,000
---	--------------

Appropriation:

State Building Construction Account—State	\$19,500,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$29,500,000

NEW SECTION. Sec. 1003. FOR THE DEPARTMENT OF COMMERCE

2025-27 Early Learning Facilities - Eligible Organizations (40000656)

The appropriations in this section are subject to the following conditions and limitations:

(1)(a) \$51,000,000 of the Ruth LeCocq Kagi early learning facilities development account—state appropriation in this section is provided solely for the early learning facility grant and loan program, subject to the provisions of RCW 43.31.565 through 43.31.583, and 43.84.092, to provide state assistance for designing, constructing, purchasing, expanding, or modernizing public or private early learning education facilities for eligible organizations. Up to 3.5 percent of the funding in this subsection (1) may be used by the department of children, youth, and families to provide technical assistance to early learning providers interested in applying for the early learning facility grant or loan program.

(b) The department is encouraged to leverage private and public match funds when feasible and may not require match funds for applicants experiencing financial hardship. The department may not consider the level of project match funds as a competitive criterion when selecting or recommending projects for funding.

(c) Grants may include awards for construction, renovation, or facility purchase projects that will increase early childhood education and assistance program capacity by supporting conversion of slots from part day programs to full day programs or extended day programs, or conversion of full day programs to extended day programs, as defined in RCW 43.216.010.

(2) \$9,000,000 of the Ruth LeCocq Kagi early learning facilities development account—state appropriation in this section is provided solely for minor renovation grants.

(3) \$6,000,000 of the Ruth LeCocq Kagi early learning facilities revolving account—state appropriation and \$3,000,000 of the Ruth LeCocq Kagi early learning facilities development account—state appropriation in this section are provided solely for the Washington early learning loan fund. Of the funds provided in this subsection (3), \$3,000,000 of the Ruth LeCocq Kagi early learning facilities development account—state appropriation is provided solely for emergency grants pursuant to chapter 21 (House Bill No. 1314), Laws of 2025. Up to four percent of the funding in this subsection (3) may be used by the contractor to provide technical assistance to early learning providers. The department may not use any portion of the appropriation in this subsection (3) for administrative expenses of the department.

(4) The department of children, youth, and families must develop methodology to identify, at the school district boundary level, the geographic locations of where early childhood education and assistance program slots are needed to meet the entitlement specified in RCW 43.216.556. This methodology must be linked to the caseload forecast produced by the caseload forecast council and must include estimates of the number of slots needed at each school district. This methodology must inform any early learning facilities needs assessment conducted by the department and the department of children, youth, and families. This methodology must be included as part of the budget submittal documentation required by RCW 43.88.030.

(5) When prioritizing areas with the highest unmet need for early childhood education and assistance program slots, the committee of early learning experts convened by the department pursuant to RCW 43.31.581 must first consider those areas at risk of not meeting the entitlement specified in RCW 43.216.556.

(6) The department must track the number of slots being renovated separately from the number of slots being constructed and, within these categories, must track the number of slots separately by program for the working connections child care program and the early childhood education and assistance program.

(7) When prioritizing applications for projects pursuant to RCW 43.31.581, the department must award priority points to applications from a rural county or from extreme child care deserts as defined by the department of children, youth, and families.

(8) For early learning facilities collocated with affordable or supportive housing developments, the department may remit state funding on a reimbursement basis for 100 percent of eligible project costs, regardless of the project's match amount, once the nonstate share of project costs have been either expended or firmly committed in an amount sufficient to complete the entire project or a distinct phase of the project that is useable to the public as an early learning facility.

(9) \$18,128,000 of the Ruth LeCocq Kagi early learning facilities development account—state appropriation in this section is provided solely for the following list of early learning facility projects:

Batey Square Early Learning	\$88,000
Cora Whitley Family Center	\$485,000
Hemlock Commons at Play Frontier	\$1,036,000
Little Wings Early Learning	\$3,550,000

New Tomorrow's Hope Child Development Center	\$3,050,000
Port Angeles YMCA Early Learning.	\$2,050,000
Redmond Childcare Expansion	\$769,000
Ritzville Childcare Facility	\$2,050,000
Willard Early Learning Center.	\$5,050,000

(10) The department may use up to four percent of amounts appropriated in subsections (1) and (2) of this section for administrative expenses. The department may use up to four percent of amounts appropriated in subsection (9) of this section or \$50,000 per project, whichever is less, for administrative expenses.

(11) The appropriations in this section are subject to the provisions of section 8018 of this act.

Appropriation:

Ruth LeCocq Kagi Early Learning Facilities	
Development Account—State	\$81,128,000
Ruth LeCocq Kagi Early Learning Facilities	
Revolving Account—State	\$6,000,000
Subtotal Appropriation	\$87,128,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$348,512,000
TOTAL	\$435,640,000

NEW SECTION. Sec. 1004. FOR THE DEPARTMENT OF COMMERCE

2025-27 Regional Approaches Program (40000657)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation in this section is provided solely for the department to provide planning, technical assistance, and predevelopment grants to local governments and federally recognized tribal governments for projects that would directly benefit overburdened communities, as defined by RCW 70A.02.010, that have been historically underserved by capital grant programs.

(2) In awarding grants under this section, the department shall prioritize applications that advance community housing, energy, and infrastructure needs. In ranking and sizing grants, the department may consider the financial capacity of the applicant and of the community that the grant would benefit.

(3) The department must provide a report to the appropriate committees of the legislature and the governor by October 1, 2026. The report must include:

- (a) A list and description of the projects approved for funding, including state funding and total project cost;
- (b) A status report of projects that received funding; and
- (c) A description of the solicitation and evaluation process, including, but not limited to, applications received, the total amount of funding requested, and issues encountered.

(4) The department may use up to four percent of the appropriation in this section to administer the program, including, but not limited to, providing technical assistance, managing contracts, providing community outreach and engagement, reporting, and planning and implementation assistance.

(5) The appropriation in this section is subject to the provisions of section 8018 of this act.

Appropriation:

State Building Construction Account—State	\$2,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$8,000,000
TOTAL	\$10,000,000

NEW SECTION. Sec. 1005. FOR THE DEPARTMENT OF COMMERCE

2025-27 CERB Capital Construction (40000658)

The appropriations in this section are subject to the following conditions and limitations:

(1) \$5,000,000 of the state building construction account—state appropriation in this section is provided solely for the community economic revitalization board to provide grants to rural ports for infrastructure repair, improvement, and development projects for the purpose of rural economic development.

(2) \$1,330,000 of the state building construction account—state appropriation in this section is provided solely for the Port of Port Townsend Travelift Electrification project.

(3) The state building construction account—state appropriation in this section is subject to the provisions of section 8018 of this act.

Appropriation:

State Building Construction Account—State	\$6,330,000
Public Facilities Construction Loan Revolving Account—State	\$75,000,000
Subtotal Appropriation	\$81,330,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$300,000,000
TOTAL	\$381,330,000

NEW SECTION. Sec. 1006. FOR THE DEPARTMENT OF COMMERCE

2025-27 Pacific Tower Capital Improvements (40000659)

Appropriation:

State Building Construction Account—State	\$1,913,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$6,295,000
TOTAL	\$8,208,000

NEW SECTION. Sec. 1007. FOR THE DEPARTMENT OF COMMERCE

2025-27 Defense Community Compatibility Account (40000660)

The appropriation in this section is subject to the following conditions and limitations:

(1) The model toxics control capital account—state appropriation in this section is provided solely for the following project:

Oakbrook O3 Well	\$3,451,000
------------------------	-------------

(2)(a) The state building construction account—state appropriation in this section is provided solely for the following list of projects:

North Clear Zone	\$1,000,000
City of Everett - Joint Firefighting Training Center	\$6,700,000

(b) The state building construction account—state appropriation in this section is subject to the provisions of section 8018 of this act.

Appropriation:

Model Toxics Control Capital Account—State	\$3,451,000
State Building Construction Account—State	\$7,700,000
Subtotal Appropriation	\$11,151,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$44,604,000
TOTAL	\$55,755,000

NEW SECTION. Sec. 1008. FOR THE DEPARTMENT OF COMMERCE

2025-27 Youth Recreational Facilities Program (40000661)

The appropriation in this section is subject to the following conditions and limitations:

- (1) The appropriation is subject to the provisions of RCW 43.63A.135.
- (2) Except as directed otherwise before the effective date of this section, the department may not expend the appropriation in this section unless and until the nonstate share of project costs have been either expended or firmly committed, or both, in an amount sufficient to complete the project or a distinct phase of the project that is useable to the public for the purpose intended by this appropriation. This requirement does not apply to projects where a share of the appropriation is for design costs only.

(3) The appropriation is provided solely for the following list of projects:

Camp Robbinswold Lodge Renovation	\$453,000
Chelan Boys & Girls Club	\$180,000
ICSVPAC Music Corner & Rehearsal Room	\$1,200,000
Lopez Swim Center	\$263,000
Madison House Acquisition	\$275,000
Marysville YMCA Youth Recreation Facility	\$1,125,000
OIC Excel Youth Center	\$475,000
Outdoor Play Area Renovations	\$25,000
Prosser Clubhouse	\$1,200,000
Sedro-Woolley Rec Center Remodel	\$68,000
Skagit Y Outdoor Capital Campaign	\$423,000
Snoqualmie YMCA Expansion Project	\$1,200,000
Teen Workforce Development Expansion	\$27,000
Wenatchee Children's Play, Learning & Recreation Facility	\$774,000

(4) The appropriation in this section is subject to the provisions of section 8018 of this act.

Appropriation:

State Building Construction Account—State	\$7,688,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$30,752,000

TOTAL \$38,440,000

NEW SECTION. Sec. 1009. FOR THE DEPARTMENT OF COMMERCE

2025-27 Library Capital Improvement Program (40000662)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation in this section is provided solely for a local library capital improvement grant program for the following list of projects:

Central Library Interior Renovation \$2,000,000

Lopez Island Library Renovation and Resilience

Project. \$277,000

Omak Public Library Renovation \$723,000

Orcas Island Library Renovation. \$294,000

Port Angeles Library Accessible Pathways Project. \$313,000

Port Townsend Public Library HVAC and Elevator

Modernization. \$160,000

Rosalia Library Donation and Renovation \$75,000

University Branch Library Improvements. \$2,000,000

Yakima Central Library Infrastructure Needs for Yakima

Valley Library. \$611,000

Yakima Sunnyside Library Infrastructure Needs for Yakima

Valley Library. \$50,000

(2) The department must establish a competitive process to solicit proposals for and prioritize projects whose primary objective is to assist libraries operated by governmental units, as defined in RCW 27.12.010, in acquiring, constructing, repairing, or rehabilitating facilities.

(3) The department must establish a committee to develop the grant program criteria established under subsection (2) of this section and review proposals. The committee must be composed of five members as provided in this subsection. The committee must include: (a) A representative from the department of commerce; (b) a representative from the department of archaeology and historic preservation; (c) the state librarian; (d) a representative from a library district; and (e) a representative from a municipal library.

(4) The department must conduct a statewide solicitation of project applications. The department must evaluate and rank applications in consultation with the committee established in subsection (3) of this section, using objective criteria. The ranking of projects must prioritize library district facilities listed on a local, state, or federal register of historic places and those located in distressed or rural counties. The evaluation and ranking process must also include an examination of existing assets that applicants propose to apply to projects. Grant assistance under this section may not exceed 50 percent of the total cost of the project. The nonstate portion of the total project cost may include cash, the value of real property when acquired solely for the purpose of the project, and in-kind contributions.

(5) The department must submit a prioritized list of recommended projects to the governor and the legislature by October 1, 2026, for inclusion in the department of commerce's 2027-2029 biennial capital budget request. The list must include a description of each project, the amount of recommended state

funding, and documentation of nonstate funds to be used for the project. Individual grants may not exceed \$2,000,000. The total amount of recommended state funding for the projects on a biennial project list may not exceed \$10,000,000.

(6) In contracts for grants authorized under this section, the department must include provisions that require that capital improvements be held by the grantee for a specified period of time appropriate to the amount of the grant and that facilities be used for the express purpose of the grant. If the grantee is found to be out of compliance with provisions of the contract, the grantee must repay to the state building construction account—state the principal amount of the grant plus interest calculated at the rate of interest on state of Washington general obligation bonds issued on the date most close in time to the date of authorization of the grant. Any repayments received pursuant to this subsection must be spent before any other amounts in the building construction account—state.

(7) The department must assist grant recipients under this section to apply for applicable competitive federal grant funding and, upon receipt of any such funding, an equal amount of the state building construction account—state appropriation must be placed in unallotted status.

(8) The appropriation in this section is subject to the provisions of section 8018 of this act.

Appropriation:

State Building Construction Account—State	\$6,503,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$26,012,000
TOTAL	\$32,515,000

NEW SECTION. Sec. 1010. FOR THE DEPARTMENT OF COMMERCE

2025-27 Early Learning Facilities - School Districts (40000663)

(1) The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for the following list of projects:

Cle Elum School District Roslyn Early Learning	\$978,000
Lind-Ritzville Cooperative Schools Subsidized Care	\$823,000
Medical Lake School District Early Learning Center Project	\$1,102,000
Meridian School District Whatcom Early Learning Center	\$1,100,000
Orting School District Early Learning Center	\$4,592,000
Prosser School District Prosser ECEAP Expansion	\$1,102,000
Valley School District Valley Early Learning Center	\$1,102,000
Walla Walla School District #140 Ctr. for Children & Families	\$285,000
West Valley School District Early Learning Center	\$1,035,000

(2) The appropriation in this section is subject to the provisions of section 8018 of this act.

Appropriation:

Ruth LeCocq Kagi Early Learning Facilities

Development Account—State	\$12,119,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$48,476,000
TOTAL	\$60,595,000

NEW SECTION. Sec. 1011. FOR THE DEPARTMENT OF COMMERCE

2025-27 Clean Energy Community Grants (40000665)

The appropriation in this section is subject to the following conditions and limitations:

(1)(a) The appropriation in this section is provided solely for the department to administer grants to nonprofit organizations, local governments, federally recognized tribal governments and tribal entities, state agencies, housing authorities, ports, transit agencies, and research organizations for planning, design, and implementation of capital projects and clean energy technologies that reduce greenhouse gas emissions in vulnerable, overburdened, and tribal communities identified by the department. The department must prioritize grants providing meaningful benefits to vulnerable populations in overburdened communities, as defined in RCW 70A.02.010.

(b) Eligible uses of grant funds include, but are not limited to, planning for sustainable communities and predesign work, energy efficiency improvements, renewable energy generation, increasing the supply of affordable, energy efficient housing, developing resilient and sustainable infrastructure systems, zero-emission, active mobility, and micromobility transportation infrastructure, education and engagement, and workforce development.

(2) Up to three percent of the appropriation in this section is for the department to administer the grant program. Administration includes, but is not limited to, identifying eligible communities, providing technical assistance, managing contracts, reporting, and providing planning and implementation assistance.

Appropriation:

Climate Commitment Account—State	\$10,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$40,000,000
TOTAL	\$50,000,000

NEW SECTION. Sec. 1012. FOR THE DEPARTMENT OF COMMERCE

2025-27 High Efficiency Electric Appliance Rebates (HEAR) Program (40000666)

The appropriation in this section is subject to the following conditions and limitations:

(1)(a) \$25,000,000 of the appropriation is provided solely for the department to administer grants to eligible third-party administrators for heat pump and other high-efficiency electric equipment rebates, with a focus on low and moderate-income households, renters, nonprofit organizations, and small businesses. State incentives and rebates for installation of high-efficiency electric equipment, including electrical panel upgrades, provide a benefit to the public consistent with the state's energy strategy and climate mandates by

reducing greenhouse gas emissions from the built environment. The department shall administer the grant program in a manner that seeks to maximize greenhouse gas emissions reductions.

(b) \$5,000,000 of the appropriation is provided solely for the department to administer grants to eligible third-party administrators for heat pumps for adult family homes.

(2) The department shall implement a statewide high-efficiency electric equipment program consistent with the following:

(a) Aid the transition of residential and commercial buildings away from fossil fuels by providing education and outreach resources for the installation of high-efficiency electric heat pumps and other high-efficiency electric equipment;

(b) Provide grants, coordination, and technical assistance to eligible third-party administrators to promote the adoption of high-efficiency electric heat pump equipment for space and water heating; and

(c) Develop strategies to ensure that the program serves low-income households, vulnerable populations, and overburdened communities, including dedicating at least 40 percent of the program funding for this purpose. For the purposes of this subsection (2)(c), "overburdened communities" has the same meaning as in RCW 70A.65.010 and "vulnerable populations" has the same meaning as in RCW 70A.02.010.

(3) For the purposes of this section, "eligible third-party administrators" include, but are not limited to, nonprofits, utilities, housing providers, community action agencies, and community-based organizations.

Appropriation:

Climate Commitment Account—State	\$30,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$120,000,000
TOTAL	\$150,000,000

NEW SECTION. Sec. 1013. FOR THE DEPARTMENT OF COMMERCE

2025-27 Behavioral Health Facilities (40000667)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation in this section is provided solely for the department to issue grants to community hospitals or other community providers to expand and establish new and preserve existing capacity for behavioral health services in communities. The department must consult an advisory group consisting of representatives from the department of social and health services, the health care authority, one representative from a managed care organization, one representative from an accountable care organization, and one representative from the association of county human services. The amounts provided in this section may be used for construction and equipment costs associated with establishment or preservation of the facilities. The department may approve funding for the acquisition of a facility if the project will result in increased behavioral health capacity. Amounts provided in this section may not be used for operating costs associated with the treatment of patients using these services.

(2) The department must establish criteria for the issuance of the grants, which must include:

(a) Evidence that the application was developed in collaboration with one or more regional behavioral health entities that administer the purchasing of services;

(b) Evidence that the applicant has assessed and would meet gaps in the geographical availability and service needs of behavioral health services in their region;

(c) Evidence that the applicant is able to meet applicable licensing and certification requirements in the facility that will be used to provide services;

(d) A commitment by applicants to serve persons who are publicly funded and persons detained for involuntary commitment, as applicable by facility type, under chapter 71.05 RCW;

(e) A commitment by the applicant to maintain and operate the beds or facility for a time period commensurate to the state investment, but for at least a 10-year period;

(f) The date upon which structural modifications or construction would begin and the anticipated date of completion of the project;

(g) A detailed estimate of the costs associated with opening the beds;

(h) A financial plan demonstrating the applicant's ability to maintain and operate the facility; and

(i) The applicant's commitment to work with local courts and prosecutors as applicable to ensure that prosecutors and courts in the area served by the hospital or facility will be available to conduct involuntary commitment hearings and proceedings under chapter 71.05 RCW.

(3) In awarding funding for projects in subsection (5) of this section, the department, in consultation with the advisory group established in subsection (1) of this section, must strive for geographic distribution and to allocate funding based on population and service needs of an area. The department must consider current services available, anticipated services available based on projects underway, and the service delivery needs of an area.

(4) The department must prioritize projects that increase capacity in unserved and underserved areas of the state.

(5) \$70,000,000 of the state building construction account—state appropriation in this section is provided solely for competitive community behavioral health grants to address regional needs and noncompetitive closure prevention grants. Closure prevention grants must be awarded on a first-come, first-served basis. For competitive regional needs grants, priority must be given to: Youth and adult bed capacity with consideration given to gaps identified in the 2024 behavioral health capital grant facility funding report; and facilities that serve specialized populations, including, but not limited to, services for individuals with traumatic brain injury, dementia, and cooccurring complex needs of youth. Additional categories of facilities may be funded based on identified needs of a region. Eligible facilities include, but are not limited to:

(a) Crisis relief centers and stabilization facilities that offer access to mental health and substance use care for no more than 23 hours and 59 minutes per patient, at a time, and are not subject to federal funding restrictions that apply to institutions of mental diseases;

(b) Mental health peer respite centers that are not subject to federal funding restrictions that apply to institutions of mental diseases. No more than one mental health peer respite center should be funded in each of the 10 regions;

(c) Grants to community providers to increase long-term intensive inpatient psychiatric treatment services and capacity for children and minor youth including, but not limited to, services for substance use disorder treatment, sexual assault and traumatic stress, anxiety, or depression, and interventions for children exhibiting aggressive or depressive behaviors in facilities that are not subject to federal funding restrictions;

(d) Grants to community hospitals, freestanding evaluation and treatment providers, or freestanding psychiatric hospitals to develop capacity for beds to serve individuals on 90-day or 180-day civil commitments as an alternative to treatment in the state hospitals. In awarding this funding, the department must coordinate with the department of social and health services, the health care authority, and the department of health and must only select facilities that meet the following conditions:

(i) The funding must be used to increase capacity related to serving individuals who will be transitioned from or diverted from the state hospitals;

(ii) The facility is not subject to federal funding restrictions that apply to institutions of mental diseases;

(iii) The provider has submitted a proposal for operating the facility to the health care authority;

(iv) The provider has demonstrated to the department of health and the health care authority that it is able to meet the applicable licensing and certification requirements for the facility that will be used to provide services; and

(v) The health care authority has confirmed that it intends to contract with the facility for operating costs within funds provided in the operating budget for these purposes;

(e) Enhanced adult residential care facilities for long-term dementia placements discharged or diverted from the state psychiatric hospitals and are not subject to federal funding restrictions that apply to institutions of mental diseases;

(f) Facilities that provide substance use disorder intervention, assessment, and treatment services with secure withdrawal management and stabilization treatment beds that are not subject to federal funding restrictions that apply to institutions of mental diseases; and

(g) Facilities where behavioral health supportive services, such as harm reduction and physical health services, are offered within the same facility as behavioral health services and that are not subject to federal funding restrictions that apply to institutions of mental diseases.

(6) \$10,000,000 of the state building construction account—state appropriation in this section is provided solely for one crisis stabilization facility in the King county region consistent with the settlement agreement in *A.B., by and through Trueblood, et al., v. DSHS, et al.*, No. 15-35462, that is not subject to federal funding restrictions that apply to institutions of mental disease. In awarding this funding, the department must coordinate with the health care authority and the King county behavioral health administrative service organization and must only select a facility that has been selected by King

county's crisis care centers initiative as the crisis care center for the south King county region.

(7) \$49,847,000 of the appropriation in this section is provided solely for the following list of projects:

Broadway - Compass Health	\$5,050,000
Cascade Community Health	\$541,000
Healing Lodge of the Seven Nations	\$5,050,000
ICHS Ron Chew Center.	\$3,050,000
Ituha Stabilization Facility.	\$927,000
Poulsbo SUD Clinic.	\$18,480,000
Skagit County Crisis Stabilization.	\$549,000
Sound Crisis Stabilization Facility	\$3,050,000
Spokane Stabilization Center.	\$3,050,000
Trouves Health Care Behavioral Health Facility.	\$5,050,000
Yakama Detox Center	\$5,050,000

(9) During the 2025-2027 fiscal biennium, where the department has awarded a grant for the operation of a crisis diversion or stabilization facility located in Pierce county that is not subject to federal funding restrictions that apply to institutions of mental diseases, the department may amend the contract associated with the grant in order to authorize the facility to be used for any community development block grant national objective.

(10) The department shall notify all applicants that they may be required to have a construction review performed by the department of health.

(11) To accommodate the emergent need for behavioral health services, the department and the department of health, in collaboration with the health care authority and the department of social and health services, must establish a concurrent and expedited process to assist grant applicants in meeting any applicable regulatory requirements necessary to operate inpatient psychiatric beds, freestanding evaluation and treatment facilities, enhanced services facilities, triage facilities, crisis stabilization facilities, or secure detoxification/secure withdrawal management and stabilization facilities.

(12) In contracts for grants authorized under this section, the department must include provisions that require that the grantee or successor hold the capital improvements for at least a 10-year period. The provisions must require the facility to be used for behavioral health services, but may allow the facility to change ownership or facility type during the commitment period. The department shall monitor the activities of recipients of grants under this program to determine compliance with the terms and conditions set forth in its contract.

(13) The department must provide a progress report to the appropriate committees of the legislature by November 1, 2026. The report must include:

- (a) The total number of applications and amount of funding requested;
- (b) A list and description of the projects approved for funding including state funding, total project cost, services anticipated to be provided, bed capacity, and anticipated completion date;
- (c) A statewide map of new capacity since 2018, including projected bed capacity and opening dates;

(d) A status report of projects that received funding in prior funding rounds, including details about the project completion and the date the facility began providing services; and

(e) Recommendations for statutory language that would codify the grant program on an ongoing basis including:

- (i) Evaluation and prioritization criteria;
- (ii) Monitoring and compliance requirements;
- (iii) Preconstruction and technical assistance services; and
- (iv) Data needed to determine the service needs by area of the state.

(14) The department must coordinate with the health care authority to submit capital budget requests to fund behavioral health community capacity grants for the 2027-2029 biennial budget by the due date established by the office of financial management. Associated state budget operating costs must also be identified and requested.

(15) The appropriation in this section is subject to the provisions of section 8018 of this act.

Appropriation:

State Building Construction Account—State	\$129,847,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$519,388,000
TOTAL	\$649,235,000

NEW SECTION. Sec. 1014. FOR THE DEPARTMENT OF COMMERCE

2025-27 Building for the Arts Grant Program (40000668)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation is subject to the provisions of RCW 43.63A.750.

(2) The department may not expend the appropriation in this section unless and until the nonstate share of project costs have been either expended, or firmly committed, or both, in an amount sufficient to complete the project or a distinct phase of the project that is useable to the public for the purpose intended by this appropriation. This requirement does not apply to projects where a share of the appropriation is for design costs only.

(3) The appropriation is provided solely for the following list of projects:

American Urban Art & Graffiti Conservation Project.	\$105,000
Benaroya Hall Public Spaces Improvements - Phase 1	\$878,000
Cambodian Cultural Hall/Sala Thormaksaphea	\$217,000
Centrum Artist Studios	\$878,000
Cherry Street Farm Cultural Arts Center and Lab	\$153,000
CMT Theatrical Lighting System Renovation.	\$290,000
Columbia Dance Expansion.	\$46,000
Energy Renovation Upgrade	\$154,000
Enhancing Visitor Experience: Security, Lighting and Wayfinding S	\$87,000
Estelita's Freedom House and Cultural Center	\$878,000
FCC Hall Renovation: Babaylan Performance & Gathering Space	\$174,000
Forest Trailhead Exhibit - Trailhead Pavilion	\$878,000

Historic Paramount Theatre: Security & Floor Systems Improvements	\$270,000
Hy'shqe Labs	\$878,000
ICSVPAC Box Office Lobby.	\$878,000
Keep Cool Campaign.	\$753,000
Key Capital Projects at Nonprofit Theater in Walla Walla.	\$22,000
KPC Capital Project.	\$152,000
Little Saigon Vietnamese Cultural & Economic Center	\$878,000
Living Arts.	\$230,000
Main Campus Center Renovations	\$878,000
Meyer Art Center.	\$878,000
Mini Mart City Park - New Facility Acquisition	\$149,000
Museum of Glass Renovation - Phase 1	\$878,000
Orcas Center Renovation - Phase 3	\$506,000
Puyallup Tribe Of Indians	\$878,000
Red Eagle Soaring	\$176,000
Renovation of Whim W' Him Contemporary Dance Center	\$227,000
Replacement and upgrade of Hot Shop Infrastructure and Key Capita	\$46,000
Restoration of Historic Carriage House.	\$452,000
Seattle Aquarium's Ocean Pavilion	\$878,000
Tacoma Little Theatre Lobby & Bathroom Renovations	\$146,000
TAM Community Gallery and Visual Storage Project.	\$878,000
The Rhapsody Workshop at King Street Station	\$200,000
The Washington State Black Legacy Institute.	\$878,000
Totem Star's New Home and Recording Studio at King Street Station.	\$253,000
Warehouse Theatre Upgrade	\$22,000
Wenatchee Valley Museum and Cultural Center's Gallery Expansion	\$878,000
(4) The state building construction account—state appropriation in this section is subject to the provisions of section 8018 of this act.	
Appropriation:	
State Building Construction Account—State	\$18,000,000
Prior Biennia (Expenditures).	\$0
Future Biennia (Projected Costs).	\$72,000,000
TOTAL	\$90,000,000

NEW SECTION. Sec. 1015. FOR THE DEPARTMENT OF COMMERCE

2025-27 Building Communities Fund Program (40000669)

The appropriation in this section is subject to the following conditions and limitations:

- (1) The appropriation is subject to the provisions of RCW 43.63A.125.
- (2) The department may not expend the appropriation in this section unless and until the nonstate share of project costs has been either expended or firmly committed, or both, in an amount sufficient to complete the project or a distinct phase of the project that is useable to the public for the purpose intended by this appropriation. This requirement does not apply to projects where a share of the appropriation is for design costs only.
- (3) The appropriation in this section is provided solely for the following list of projects:

Alatheia Capacity Building Project	\$595,000
Arc Legacy Center	\$797,000
Boys & Girls Clubs of Benton and Franklin Counties - Pasco Club	\$1,425,000
Boys & Girls Clubs of Benton and Franklin Counties - Prosser Club	\$350,000
Building What Matters	\$2,500,000
Chelan Douglas Community Action Council	\$2,000,000
Chelan Douglas County Volunteer Attorney Services - New Home	\$300,000
Commercial Space	\$450,000
Community Services at Pea Patch Lane	\$2,000,000
Enhancing Safety and Security	\$20,000
Expanded Community Resource Center and Food Bank	\$2,500,000
Farm Fresh HUB Facility	\$1,500,000
Food Bank Warehouse/Delivery Center	\$500,000
Healing Headquarters	\$990,000
Healthy Aging and Wellness Center	\$2,000,000
Hilltop Family Resource Center - The Cora Whitley Family Center	\$250,000
Hoh Highlands Government Center	\$2,000,000
HopesCloset	\$12,000
Housing Solutions Center Acquisition and Renovation	\$1,188,000
IACS Kent Community Center	\$2,000,000
Inchelium Community Wellness Center	\$2,500,000
Jefferson County Early Learning & Family Support Center	\$1,570,000
Keep the Community Fed	\$1,150,000
Lopez Food Center	\$1,687,000
Market and Community Hub	\$900,000
Methow Valley Community Center Clean Air Refuge & Energy Retrofit	\$450,000
Natural Resources Department Renovations Project	\$100,000
New Puyallup Health Center	\$2,000,000
Place for Peace Capital Expansion Project	\$540,000
Rainier Beach Family Empowerment Center	\$2,000,000
Room for All Campaign	\$690,000
Salish Cultural and Recreation Community Center	\$2,500,000

Skyway Resource Center Acquisition	\$1,450,000
Somali Community & Cultural Innovation Hub	\$2,500,000
Vancouver Family Resource Center	\$1,228,000
Vashon Food Bank New Building	\$1,300,000
Wenatchee Valley Cultural Center	\$2,500,000
Youth Community Center	\$640,000

(4) The appropriation in this section is subject to the provisions of section 8018 of this act.

Appropriation:

State Building Construction Account—State	\$49,082,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$196,328,000
TOTAL	\$245,410,000

NEW SECTION. Sec. 1016. FOR THE DEPARTMENT OF COMMERCE

2025-27 Energy Retrofits for Public Buildings Grants (40000670)

The appropriations in this section are subject to the following conditions and limitations:

(1) \$10,000,000 of the climate commitment account—state appropriation and \$1,000,000 of the state building construction account—state appropriation in this section is provided solely for grants to local governments, public higher education institutions, school districts, tribal governments, and state agencies for facility improvements and related projects that result in energy and operational cost savings.

(a) At least 20 percent of each competitive grant round is designated for awards to eligible projects in small cities or towns with a population of 5,000 or fewer residents.

(b) In each competitive round, a higher energy savings to investment ratio must result in a higher project ranking. Priority consideration must be given to applicants that have not received grant awards for this purpose in prior biennia.

(c) The department must determine a minimum match ratio to maximize the leverage of nonstate funds.

(2) \$5,000,000 of the state building construction account—state appropriation in this section is provided solely for energy efficiency and environmental performance improvements to minor works, stand-alone, and emergency projects at facilities owned by state agencies that repair or replace existing building systems and reduce greenhouse gas emissions from state operations, including, but not limited to, HVAC, lighting, insulation, windows, and other mechanical systems. Eligibility for this funding is dependent on an analysis using the office of financial management's life-cycle cost tool that compares project design alternatives for initial and long-term cost-effectiveness. Assuming a reasonable return on investment, the department shall provide grants in the amount required to improve the project's energy efficiency compared to the original project request.

(3) The department shall develop metrics that indicate the performance of energy efficiency efforts.

(4) If a grant is provided in subsection (1) or (2) of this section to purchase heating devices or systems, the agency must, whenever possible and most cost effective, select devices and systems that do not use fossil fuels.

(5) Grants provided in subsections (1) and (2) of this section to state agencies are exempt from the match requirements in this section.

(6) \$4,000,000 of the state building construction account—state appropriation in this section is provided solely for the Seattle Central College EcoDistrict project.

(7) The state building construction account—state appropriation in this section is subject to the provisions of section 8018 of this act.

Appropriation:

Climate Commitment Account—State	\$10,000,000
State Building Construction Account—State	\$10,000,000
Subtotal Appropriation	\$20,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$80,000,000
TOTAL	\$100,000,000

NEW SECTION. **Sec. 1017. FOR THE DEPARTMENT OF COMMERCE**

2025-27 Weatherization Plus Health Grants (40000671)

The appropriations in this section are subject to the following conditions and limitations:

(1) \$5,000,000 of the state building construction account—state appropriation in this section is provided solely for grants for the Washington State University energy extension community energy efficiency program (CEEP) to support homeowners, tenants, and small business owners in making sound energy efficiency investments by providing consumer education and marketing, workforce support through training and lead generation, and direct consumer incentives for upgrades to existing homes and small commercial buildings. This is the maximum amount the department may expend for this purpose.

(2) The department must, to the extent practicable, implement the recommendations in the weatherization plus health 2022 report.

(3) If funding from these appropriations is used to purchase heating devices or systems, the agency shall, whenever possible and most cost effective, select devices and systems that do not use fossil fuels.

(4) The department must:

(a) Recruit community energy efficiency program sponsors that are community-based organizations located in geographic areas of the state that have not received funding for low-income weatherization programs, targeting hard-to-reach market segments;

(b) Leverage funding from community energy efficiency program sponsors in an amount greater than or equal to the amount provided by the state through the weatherization program;

(c) Ensure that community energy efficiency program utility sponsors work with nonprofit community-based organizations to deliver community energy efficiency program services; and

(d) Identify community energy efficiency program sponsors that support the conversion of space and water heating from fossil fuels to electricity, as part of a set of energy efficiency investments.

(5) The state building construction account—state appropriation in this section is subject to the provisions of section 8018 of this act.

Appropriation:

State Building Construction Account—State	\$10,000,000
Climate Commitment Account—State	\$25,000,000
Subtotal Appropriation	\$35,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$140,000,000
TOTAL	\$175,000,000

NEW SECTION. Sec. 1018. FOR THE DEPARTMENT OF COMMERCE

2025-27 Public Works Board (40000672)

The appropriations in this section are subject to the following conditions and limitations:

(1) \$10,000,000 of the state building construction account—state appropriation, \$90,000,000 of the state taxable building construction account—state appropriation, and \$265,000,000 of the public works assistance account—state appropriation in this section are provided solely for the public works board to award new or reimburse previously authorized grants and loans to local governments for infrastructure projects in accordance with chapter 43.155 RCW. When reimbursing projects that are awarded funding by the board under this appropriation authority, the department and the board must first spend funding available from the state taxable building construction account—state appropriation and the state building construction account—state appropriation in this section. When the state building construction account—state and state taxable building construction account—state appropriations provided in this section are fully spent, the department and the board may then award and reimburse projects using up to \$265,000,000 from the public works assistance account—state appropriation, but only to the extent that there is a sufficient balance in the public works assistance account—state to support additional project awards and reimbursements.

(2) The state building construction account—state appropriation and the state taxable building construction account—state appropriation in this section are subject to the provisions of section 8018 of this act.

Appropriation:

State Building Construction Account—State	\$10,000,000
State Taxable Building Construction Account— State	\$90,000,000
Public Works Assistance Account—State	\$265,000,000
Subtotal Appropriation	\$365,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$1,460,000,000
TOTAL	\$1,825,000,000

NEW SECTION. Sec. 1019. FOR THE DEPARTMENT OF COMMERCE

2025-27 Community EV Charging (40000673)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation in this section is provided solely for grants for the development of community electric vehicle charging infrastructure.

(2) Funding provided in this section must be used for projects that provide a benefit to the public through development, demonstration, and deployment of clean energy technologies that save energy and reduce energy costs, reduce harmful air emissions, or increase energy independence for the state.

(3) Projects that receive funding under this section must be implemented by, or include partners from, one or more of the following: Local governments, federally recognized tribal governments, or public and private electrical utilities that serve retail customers in the state.

(4) Grant funding must be used for level two or higher charging infrastructure and related costs including, but not limited to, construction and site improvements. Projects may include a robust public and private outreach plan that includes engaging with affected parties in conjunction with the new electric vehicle infrastructure.

(5) The department must prioritize funding for projects in the following order:

- (a) Multifamily housing;
- (b) Publicly available charging at any location;
- (c) Schools and school districts;
- (d) State and local government buildings and public hospitals; and
- (e) All other eligible projects.

(6) The department must coordinate with other electrification programs, including projects developed by the department of transportation, to determine the most effective distribution of the systems. The department must also collaborate with the interagency electric vehicle coordinating council established in RCW 43.392.030 to implement this section and must work to meet benchmarks established in chapter 182, Laws of 2022.

(7) The department may:

(a) Provide information to applicants about available clean energy tax credits and incentives, including elective pay, that may be applicable to the project for which state funding is being sought;

(b) Inquire, as part of the application, which tax credits and incentives the applicant plans to seek for the project;

(c) Prioritize projects seeking any applicable clean energy tax credits and incentives when developing and applying competitive criteria for selecting recipients under this section; and

(d) Consider the availability of any federal tax credits or other federal or nonfederal grants or incentives that the applicant may benefit from in review of the application.

(8) Funding awards made under this section may not exceed 100 percent of the cost of the project.

(9) Up to three percent of the appropriation in this section is for the department to administer the grant program.

(10) \$3,000,000 of the appropriation in this section is provided solely for the Cowlitz MHD ZEV Depot in Longview.

Appropriation:

Climate Commitment Account—State	\$23,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$80,000,000
TOTAL	\$103,000,000

NEW SECTION. Sec. 1020. FOR THE DEPARTMENT OF COMMERCE

2025-27 Connecting Housing to Infrastructure Program (40000675)

The appropriation in this section is subject to the following conditions and limitations:

(1)(a) The appropriation in this section is provided solely for grants to local governments and public utility districts to defray the cost of waiving a portion of or all of the fees normally applied to developers for utility connection charges and related street improvements related to new affordable housing projects for low- and moderate-income households.

(b) Where applicable, the utility extension and related street improvements must be consistent with the approved comprehensive plans under the growth management act and must be within the established boundaries of the urban growth area as set forth in the approved comprehensive plans. Street improvements are eligible if the improvements are related directly to the utility extension or connection and are adjacent to the new housing units being constructed.

(c) Projects must be located within a jurisdiction that imposes a sales and use tax under RCW 82.14.530(1)(a)(ii) or (b)(i)(B), 82.14.540, or 84.52.105.

(2)(a) \$30,000,000 of the state building construction account—state appropriation is provided solely for grants for system development charges, utility improvements, and street improvements associated with utility infrastructure for affordable housing projects serving low-income households located within a city or county with a population of 150,000 or fewer persons.

(b) \$5,000,000 of the state building construction account—state appropriation in this section is provided for the department for pilot grants for system development charges, utility improvements, and street improvements associated with utility infrastructure for affordable housing projects serving moderate-income households. The pilot program must be offered in three counties located in the north central region of the state. The counties must share borders with one another, be located east of the crest of the Cascade mountains, and each have a population of 85,000 persons or fewer. By June 1, 2027, the department must submit a report to the office of financial management and to the appropriate committees of the legislature that:

(i) Summarizes the results of the pilot program, including an analysis of the need for infrastructure assistance for local governments to support the development of housing affordable to moderate-income households, and the benefits to communities that may result from increasing economic diversity in housing that is made more affordable through infrastructure subsidies;

(ii) Describes the number and total dollar amount of application requests and funding awards; and

(iii) Makes recommendations regarding continuation or expansion of the pilot program and recommended future funding levels.

(3) To be eligible for funding under this section, an applicant must demonstrate, at minimum:

(a) That affordable housing development will begin construction within 24 months of the grant or loan award; and

(b) A strong probability of serving the original target group or income level for a period of at least 25 years.

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

(a) "Affordable housing" means residential housing that requires payment of monthly housing costs, including utilities other than telephone, of no more than 30 percent of the household's income.

(b) "Low-income household" has the same meaning as in RCW 43.185A.010.

(c) "Moderate-income household" means: For purposes of the pilot program authorized in this section, a single person, family, or unrelated persons living together whose adjusted income is above 80 percent of the median household income adjusted for family size, for the county where the affordable housing project is located, but less than the state median income, as reported by the United States department of housing and urban development.

(d) "System development charges" means charges for new utility improvements.

(e) "Utility improvements" means drinking water, wastewater, or stormwater utility improvements.

(5) \$10,000,000 of the appropriation in this section is provided solely for the Fort Lawton redevelopment project. The funding provided in this subsection is not subject to the provisions of subsection (3) of this section. The legislature intends to provide funds in the amount of \$10,000,000 in the 2027-2029 fiscal biennium to the Fort Lawton redevelopment project.

(6) The appropriation in this section is subject to the provisions of section 8018 of this act.

Appropriation:

State Building Construction Account—State	\$100,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$400,000,000
TOTAL	\$500,000,000

NEW SECTION. Sec. 1021. FOR THE DEPARTMENT OF COMMERCE

2025-27 Housing Trust Fund (40000677)

The appropriations in this section are subject to the following conditions and limitations:

(1) \$133,000,000 of the state building construction account—state and \$402,000,000 of the state taxable building construction account—state appropriations are provided solely for the new construction, acquisition, or acquisition and rehabilitation of affordable housing projects that serve and benefit low-income and special needs populations including, but not limited to,

people with chronic mental illness or behavioral health conditions, farmworkers, people who are homeless, and people in need of permanent supportive housing. The department shall strive to invest at least 20 percent of the appropriation provided under this section with by and for organizations, as defined by the office of equity.

(a) \$53,000,000 of the state building construction account—state and \$162,000,000 of the state taxable building construction account—state appropriations are provided solely for multifamily rental housing projects.

(b) \$50,000,000 of the state taxable building construction account—state appropriation is provided solely for affordable housing projects that serve and benefit low-income people with developmental or intellectual disabilities. The department must use a separate application form and evaluation criteria for applications under this subsection. The department must coordinate with the department of social and health services regarding any needed supportive services and make efforts to enact the recommendations of the housing needs study for individuals with intellectual and developmental disabilities, as provided in section 1068(6), chapter 332, Laws of 2021. The department must consider prioritizing funding under this subsection for housing that serves individuals who are exiting residential habilitation centers or facilities.

(c) \$100,000,000 of the state taxable building construction account—state appropriation is provided solely for permanent supportive housing projects in accordance with the apple health and homes rapid permanent supportive housing program created in RCW 43.330.187. Of the amounts provided in this subsection (1)(c), \$4,250,000 is provided solely for the Maple Court Permanent Supportive Housing project.

(d) \$30,000,000 of the state building construction account—state appropriation and \$45,000,000 of the state taxable building construction account—state appropriation in this section are provided solely for the development of homeownership projects affordable to first-time low-income households. Projects serving homebuyers whose income is up to 80 percent of the area median income, adjusted for household size for the county where the property is located are eligible to apply, except that projects located in rural areas of the state, as defined by the department, serving homebuyers whose income is up to 100 percent of the area median income, adjusted for household size for the county where the property is located are eligible to apply. Eligible activities include, but are not limited to, down payment assistance, closing costs, acquisition, rehabilitation costs, and new construction. The department shall strive to invest at least 20 percent of these funds with by and for organizations, as defined by the office of equity, and make efforts to enact the recommendations of the homeownership disparities work group created in section 128(100), chapter 297, Laws of 2022.

Of the amounts provided in this subsection (1)(d), \$2,500,000 of the state building construction account—state appropriation is provided solely for the Orchard Gardens project.

(e)(i)(A) \$17,500,000 of the state taxable building construction account—state appropriation is provided solely for the northwest cooperative development center to provide subgrants for the acquisition and preservation of mobile or manufactured home communities where at least 50 percent of the preserved homes are and will remain occupied by low-income households. Funding

provided under this subsection (1)(e)(i) may be used for the purpose of avoiding household displacement due to sale or other transactions and ensuring preservation of housing affordability for low-income households for a minimum of 40 years and may be awarded only to eligible organizations as defined in RCW 59.20.030.

(B) \$2,500,000 of the state taxable building construction account—state appropriation is provided solely for the Bayside Housing project.

(ii) \$10,000,000 of the state taxable building construction account—state appropriation is provided solely for the northwest cooperative development center to provide subgrants to organizations that are mobile home park cooperatives or manufactured housing cooperatives, as those terms are defined in RCW 59.20.030, for critical improvements, repairs, and infrastructure upgrades to promote the preservation of mobile or manufactured home communities as affordable housing. The grantee must award subgrants based on needs relating to health, safety, and cost for resident-owned manufactured housing community cooperatives in Washington.

(f) \$10,000,000 of the state taxable building construction account—state appropriation is provided solely for eligible organizations under RCW 43.185A.040 to acquire, acquire and renovate, or prepare real property for rapid conversion into permanent supportive housing, transitional housing, indoor emergency housing, tiny homes, or indoor emergency shelters, with a primary focus on serving people with extremely low-incomes who are experiencing sheltered and unsheltered homelessness, including families with children, unaccompanied youth and young people, older adults, and people with disabilities. Acquisitions completed with temporary financing are eligible for funding provided in this section. The department may approve funding only for projects that result in increased shelter or housing capacity for extremely low-income people and households. In awarding funding pursuant to this subsection (1)(f), the department shall prioritize the acquisition of multifamily housing units and housing projects that rapidly move people experiencing sheltered or unsheltered homelessness into housing, including, but not limited to, individuals living in unsanctioned encampments, the public rights-of-way, or other public spaces. Amounts provided in this subsection (1)(f) may not be used for operating or maintenance costs, supportive services, or debt service.

(g) \$50,000,000 of the state building construction account—state appropriation is provided solely for affordable housing preservation projects, which may include, but are not limited to:

(i) Projects preserving and extending the affordability commitment period for projects in the housing trust fund portfolio. The funds may be provided for major building improvements, preservation, and system replacements, necessary for the existing housing trust fund portfolio to maintain its long-term viability. The department must require a capital needs assessment be provided before contract execution. Funds may not be used to add or expand the capacity of the property. When allocating funds, the department must prioritize buildings that are older than 15 years and that serve very low-income and extremely low-income populations.

(ii) Projects preserving affordable multifamily housing at risk of losing its affordability due to expiration of use restrictions that otherwise require affordability including, but not limited to, United States department of

agriculture funded multifamily housing. The department must prioritize projects that satisfy the goal of long-term preservation of Washington's affordable multifamily housing stock, particularly in rural areas of the state. Funds may be used for acquisition or for acquisition and rehabilitation of properties to preserve the affordable housing units beyond their existing use restrictions and place them in Washington's housing trust fund portfolio for a minimum of 40 years. If a capital needs assessment is required, the department must work with the applicant to ensure that this does not create an unnecessary impediment to rapidly accessing these funds.

(iii) The funding provided under this subsection (g) is not subject to the 60-day application period in RCW 43.185A.150.

(h) \$5,000,000 of the state taxable building construction account—state appropriation in this section is provided solely for facilities housing low-income migrant, seasonal, or temporary farmworkers. The department shall prioritize funding of projects to areas of highest need. Funding may also be provided, to the extent qualified projects are submitted, for projects that address health and safety.

(i) The department shall strive to invest at least 10 percent of the appropriations provided under (a) and (d) of this subsection (1) for either affordable multifamily rental housing or homeownership projects, or both, benefiting low-income households in federally recognized Indian tribes in the state of Washington. The department must conduct a separate application process and use separate evaluation criteria to solicit tribal housing projects and prioritize projects to tribal communities of highest need.

(2) \$3,000,000 of the state building construction account—state appropriation is provided solely for the department to provide preconstruction and technical assistance awards in accordance with RCW 43.185A.170. By January 1, 2027, the department must provide the governor and the appropriate committees of the legislature with a progress report for entities receiving awards made under this subsection (2). The progress report must list which entities applied for, and were successful in securing, additional financing for the construction or preservation of affordable housing.

(3) \$5,000,000 of the state building construction account—state appropriation in this section is provided solely for affordable housing urgent repair grants to be provided on an ongoing basis. Funding is not subject to the 60-day notification requirement in RCW 43.185A.150. The funding may be provided to address nonrecurring repair projects including repair of units or buildings, abatement of potentially hazardous materials, and safety-related structural improvements of affordable housing. Each repair grant award may not exceed \$200,000 per award. However, the department may not limit the number of awards or amount received per organization.

(a) For purposes of this subsection (3), "affordable housing" means:

- (i) Permanent supportive housing as defined in RCW 36.70A.030; and
- (ii) Multifamily affordable housing projects in the housing trust fund portfolio.

(b) If the department receives application requests that exceed the appropriation level in this subsection (3), the department must prioritize projects under (a)(i) of this subsection (3).

(4) \$57,738,000 of the state taxable building construction account—state appropriation is provided for the following list of projects:

315 W 9th Seniors	\$1,500,000
35th and Pacific Family Housing.	\$2,050,000
American Legion Veteran Housing and Resource Center	\$950,000
Bridge Meadows	\$5,050,000
Bryant Manor Redevelopment.	\$3,000,000
City of Port Angeles Multifamily Housing Pipeline	\$2,050,000
Hillsdale Town.	\$1,750,000
Homestead Community Land Trust.	\$8,050,000
Hummingbird Village Site Acquisition and Capital Development.	\$3,050,000
Kulshan View.	\$443,000
Lincoln Street Studios	\$4,050,000
Montgomery Housing South Yakima Senior Housing	\$2,050,000
SPS Habitat Boulevard Affordable Homeownership Net Zero. .	\$5,050,000
St. Vincent de Paul Star of Hope	\$1,545,000
Thrive Center Tacoma	\$2,050,000
University of Washington Sunbreak Tower Affordable Housing	\$8,050,000
WELD Seattle Recovery Housing.	\$2,050,000
YWCA North Central Washington	\$5,000,000

(5) \$4,500,000 of the state building construction account—state appropriation is provided solely for Mary's Place Emergency Family Shelter.

(6) The department must strive to allocate all of the amounts appropriated in subsections (1) through (3) of this section within the 2025-2027 fiscal biennium in the manner prescribed in each subsection. However, if upon review of applications the department determines there are not adequate suitable projects in a category, the department may allocate funds to other affordable housing projects serving other low-income and special needs populations, provided those projects are located in an area with an identified need for the type of housing proposed.

Appropriation:

State Building Construction Account—State	\$145,500,000
State Taxable Building Construction Account— State	\$459,738,000
Subtotal Appropriation.	\$605,238,000
Prior Biennia (Expenditures).	\$0
Future Biennia (Projected Costs).	\$2,420,952,000
TOTAL	\$3,026,190,000

NEW SECTION. Sec. 1022. FOR THE DEPARTMENT OF COMMERCE

2025-27 Clean Energy Fund Program (40000679)

The appropriation in this section is subject to the following conditions and limitations:

(1) \$26,000,000 of the state building construction account—state appropriation in this section is provided solely for competitive grants to eligible entities for predevelopment, design, and construction of projects that provide a public benefit through research, development, demonstration, or deployment of clean energy technologies that save energy and reduce energy costs, reduce harmful air emissions, or increase energy independence for the state. Priority must be given to projects that benefit vulnerable populations and overburdened communities, including tribes.

(2) Entities eligible for grant funding under this section include local governments, federally recognized tribal governments and tribes' contracted service providers, public and private utilities that serve retail customers in the state, for-profit entities, research institutions, nonprofit organizations, and state agencies.

(3) To be eligible, a project must be consistent with the state energy strategy adopted under chapter 43.21F RCW and policies under chapter 19.405 RCW. To the extent practicable, the department must prioritize projects that build upon Washington's strengths in aerospace, maritime, information and communications technology, grid modernization, advanced materials, and decarbonizing the built environment.

(4) The department must invite stakeholders to participate in the design and implementation of grant programs funded under this section. The department must consider equity and environmental justice when developing the program structure and opportunities for applicant participation.

(5) When soliciting and evaluating proposals, awarding contracts, and monitoring projects under this section, the department must:

(a) Ensure that competitive processes, rather than sole source contracting processes, are used to select all projects;

(b) Ensure that a public benefit results from the use of public funds through due diligence and monitoring of contracted projects, including ensuring compliance with all applicable laws related to the project selection process, project monitoring, and contracting; and

(c) Prioritize projects for funding that leverage the greatest amount of matching funds, such as local levy funding.

(6)(a) The department must require project applicants to:

(i) Disclose all sources of public funding invested in a project; and

(ii) Identify by name any former or current state of Washington employees employed by the applicant or its governing body in the 24 months preceding the application submittal. The identification must include the person's separation date and job title or position held. If the department determines that a conflict of interest or other violation of chapter 42.52 RCW exists, the application must be disqualified from further consideration.

(b) If, after a grant has been awarded, the department finds that a grantee has violated chapter 42.52 RCW, either in procuring or performing under the grant, the department in its sole discretion may terminate the grant funding by written notice. If the grant is terminated, the department must reserve its right to pursue all available remedies under law to address the violation.

(7) The department must specify the requirements in subsections (5) and (6) of this section in funding contracts entered into by the department under this section.

(8) \$5,000,000 of the state building construction account—state appropriation in this section is provided solely for grants to tribes for clean energy development projects. Eligible uses of grant funding include planning, predesign, design, construction, project predevelopment, and deployment of clean energy projects that contribute to achieving the state's greenhouse gas emissions reduction goals and related policies. The department must collaborate with tribes in the design and development of this grant program.

(9) \$4,000,000 of the climate commitment account—state appropriation in this section is provided solely for the Pacific Northwest national laboratory test bed. The appropriation in this subsection is contingent upon the receipt of federal funding in sufficient amounts to complete the project.

(10) The state building construction account—state appropriation in this section is subject to the provisions of section 8018 of this act.

Appropriation:

State Building Construction Account—State	\$31,000,000
Climate Commitment Account—State	\$4,000,000
Subtotal Appropriation	\$35,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$140,000,000
TOTAL	\$175,000,000

NEW SECTION. Sec. 1023. FOR THE DEPARTMENT OF COMMERCE

2025-27 Communities of Concern (40000680)

The appropriation in this section is subject to the following conditions and limitations:

(1) The department may not expend the appropriation in this section unless and until the nonstate share of project costs have been either expended or firmly committed, or both, in an amount sufficient to complete the project or a distinct phase of the project that is useable to the public for the purpose intended by the legislature. This requirement does not apply to projects where a share of the appropriation is for design costs only.

(2) Before receiving funds, project recipients must demonstrate that the project site is under control for a minimum of 10 years, either through ownership or a long-term lease. This requirement does not apply to appropriations for preconstruction activities or appropriations in which the sole purpose is to purchase real property that does not include a construction or renovation component.

(3) Projects funded in this section may be required to comply with Washington's high performance building standards under chapter 39.35D RCW.

(4) Project funds are available on a reimbursement basis only and may not be advanced under any circumstances.

(5) In contracts for grants authorized under this section, the department shall include provisions that require that capital improvements be held by the grantee for a specified period of time appropriate to the amount of the grant and that facilities be used for the express purpose of the grant. If the grantee is found to be out of compliance with provisions of the contract, the grantee shall repay to the state general fund the principal amount of the grant plus interest calculated at

the rate of interest on state of Washington general obligation bonds issued most closely to the date of authorization of the grant.

(6) Projects funded in this section, including those that are owned and operated by nonprofit organizations, are generally required to pay state prevailing wages.

(7) The department must comply with the requirements set forth in executive order 21-02 and must consult with the department of archaeology and historic preservation and affected tribes on the potential effects of these projects on cultural resources and historic properties. Consultation with the department of archaeology and historic preservation and affected tribes must be initiated before project funds are made available.

(8) The appropriation in this section is provided solely for the following list of projects:

Skagit Farmworker Led Community Farm project	\$750,000
Intramuros Village and Cultural Community Center.	\$3,271,000

(9) In future budget cycles, it is the intent of the legislature to appropriate grant funds, for the purposes provided in this section, through other ongoing state capital budget grant programs such as the regional approaches or community participatory budgeting programs through the department of commerce. Past and prospective program applicants are encouraged to apply for funding through those programs.

(10) The appropriation in this section is subject to the provisions of section 8018 of this act.

Appropriation:

State Building Construction Account—State	\$4,021,000
Prior Biennia (Expenditures).	\$0
Future Biennia (Projected Costs).	\$0
TOTAL	\$4,021,000

NEW SECTION. Sec. 1024. FOR THE DEPARTMENT OF COMMERCE

2025-27 Solar and Energy Storage Grants (40000682)

The appropriations in this section are subject to the following conditions and limitations:

(1) \$15,000,000 of the climate commitment account—state appropriation and \$5,000,000 of the state building construction account—state appropriation in this section are provided for grants to increase the deployment of distributed solar and battery energy storage systems to enhance grid resilience, provide backup power for critical needs, and reduce energy costs. Projects may be solar energy systems, battery energy storage, or solar paired with battery energy storage. Funding may also be used to enable electric utility demand response programs that include customer-sited solar and battery energy storage systems. Eligible uses of the amounts provided in this section include, but are not limited to, planning and predevelopment work with communities.

(2) Entities eligible for grant funding under this section include public higher education institutions, school districts, tribal governments and tribal entities, state and local governments, nonprofit organizations, and entities participating in federally funded solar programs administered by the department.

(3)(a) For energy storage projects, the department must prioritize facilities that serve community members during power outages or provide critical infrastructure; and

(b) Are grid-connected.

(4) The department may:

(a) Provide information to applicants about available clean energy tax credits and incentives, including elective pay, that may be applicable to the project for which state funding is being sought;

(b) Inquire, as part of the application, which tax credits and incentives the applicant plans to seek for the project;

(c) Prioritize projects seeking any applicable clean energy tax credits and incentives when developing and applying competitive criteria for selecting recipients under this section; and

(d) Consider the availability of any federal tax credits or other federal or nonfederal grants or incentives that the applicant may benefit from in review of the application.

(5) Funding awards made under this section may not exceed 100 percent of the cost of the project.

(6) \$650,000 of the state building construction account—state appropriation in this section is provided solely for the Northshore Senior Center Battery Storage project.

(7) The state building construction account—state appropriation in this section is subject to the provisions of section 8018 of this act.

Appropriation:

State Building Construction Account—State	\$5,650,000
Climate Commitment Account—State	\$15,000,000
Subtotal Appropriation	\$20,650,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$82,600,000
TOTAL	\$103,250,000

NEW SECTION. Sec. 1025. FOR THE DEPARTMENT OF COMMERCE

2025-27 Clean Buildings Performance Grants (40000683)

Appropriation:

Climate Commitment Account—State	\$5,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$20,000,000
TOTAL	\$25,000,000

NEW SECTION. Sec. 1026. FOR THE DEPARTMENT OF COMMERCE

2025-27 Low-Income Home Rehabilitation Grant Program (40000684)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is subject to the provisions of section 8018 of this act.

Appropriation:

State Building Construction Account—State	\$5,000,000
Prior Biennia (Expenditures)	\$0

Future Biennia (Projected Costs)	\$20,000,000
TOTAL	\$25,000,000

NEW SECTION. Sec. 1027. FOR THE DEPARTMENT OF COMMERCE

2026 Local and Community Projects (40000709)

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided for under subsection (12) of this section, the department may not expend the appropriation in this section unless and until the nonstate share of project costs have been either expended or firmly committed, or both, in an amount sufficient to complete the project or a distinct phase of the project that is useable to the public for the purpose intended by the legislature. This requirement does not apply to projects where a share of the appropriation is for design costs only.

(2) Before receiving funds, project recipients must demonstrate that the project site is under control for a minimum of 10 years, either through ownership or a long-term lease. This requirement does not apply to appropriations for preconstruction activities or appropriations in which the sole purpose is to purchase real property that does not include a construction or renovation component.

(3) Projects funded in this section may be required to comply with Washington's high performance building standards under chapter 39.35D RCW.

(4) Project funds are available on a reimbursement basis only and may not be advanced under any circumstances.

(5) In contracts for grants authorized under this section, the department shall include provisions that require that capital improvements be held by the grantee for a specified period of time appropriate to the amount of the grant and that facilities be used for the express purpose of the grant. If the grantee is found to be out of compliance with provisions of the contract, the grantee shall repay to the state general fund the principal amount of the grant plus interest calculated at the rate of interest on state of Washington general obligation bonds issued most closely to the date of authorization of the grant.

(6) Projects funded in this section, including those that are owned and operated by nonprofit organizations, are generally required to pay state prevailing wages.

(7) The department must comply with the requirements set forth in executive order 21-02 and must consult with the department of archaeology and historic preservation and affected tribes on the potential effects of these projects on cultural resources and historic properties. Consultation with the department of archaeology and historic preservation and affected tribes must be initiated before project funds are made available.

(8) The state building construction account—state appropriation in this section is provided solely for the following list of projects:

196th/Scriber Creek Control Structure Removal.	\$500,000
23rd & Cherry Renovation/Construction.	\$1,236,000
4th St NW Stormwater Improvement Project	\$773,000
Accessibility Renovations for Community Homes	\$155,000
Adams County Fire Protection District 6 Fire Hall.	\$418,000

Airlift Northwest Hangar	\$3,250,000
Airway Heights Public Safety Campus	\$907,000
Alatheia Building Project.	\$263,000
Alliance Place	\$500,000
Allyn Community Hub	\$72,000
Anacortes Early Learning Center - Whitney Campus	\$42,000
Anderson Is. Emergency Communications System.	\$8,000
Aquatic Center at MLK Jr. Park	\$257,000
Aquatic Resource Mitigation Program	\$309,000
Arlington Boys & Girls Club Fire Safety	\$200,000
ASHHO Cultural Community Center	\$927,000
Asia Pacific Cultural Center	\$1,030,000
Astria Toppenish Hospital Roof Replacement.	\$567,000
Auburn Ave Theater Rebuild.	\$500,000
Ballard Boys & Girls Club Security Fence & Lights	\$80,000
Battle Ground Downtown Revitalization Design	\$515,000
Baw Faw Grange	\$12,000
Bayview Trail Lake Stevens	\$500,000
Bayview Trail Marysville	\$500,000
Beerbower Park	\$253,000
Bellevue Downtown Integration	\$250,000
Bellevue Family YMCA and Housing.	\$250,000
Bellingham Central Library Interior Renovation.	\$1,030,000
Benston Hall Kitchen and Septic Renovation	\$175,000
Benton REA's Wildfire Resilience Project	\$1,000,000
BGC Roof & HVAC Project	\$412,000
Boat Yard Expansion Project.	\$500,000
Boys & Girls Clubs of Benton and Franklin Counties Prosser	\$515,000
Bremerton Masonic Temple Kitchen Renovation	\$247,000
Brier Park Bathroom Rebuild	\$489,000
Camano Island Legion Veterans Comprehensive Health Initiative	\$300,000
Camas Washougal Firefighters Safety Equipment	\$155,000
Camp Thunderbird (Summit Lake Outdoor School) Water System	\$525,000
Capitol Theatre Capital Improvements	\$100,000
Cashmere Branch Library ADA (Cashmere).	\$33,000
Castle Rock Impound/Storage Facility	\$370,000
CAYA Center Predevelopment	\$225,000
Center Senior Living Assisted Living Housing.	\$395,000
Central Washington Fair Barns	\$400,000
Cham Community Center	\$1,000,000
Chehalis Recreation Park.	\$50,000
Chelan Co. Emergency Management Facility	\$500,000
Chelan Eagles	\$15,000
Chief Leschi Park.	\$58,000
City of Elma HVAC Replacement Project.	\$206,000

City of Lakewood - Edgewater Park Improvement Project	\$360,000
City of Langley City Hall Solar Plus Storage	\$257,000
City of Sunnyside Downtown Gazebo Rebuild	\$257,000
City of Sunnyside: Community Pool	\$515,000
City of Sunnyside: Tina Knoth Park Soccer Field Development	\$515,000
City of Tukwila HVAC Replacement	\$773,000
Civic Center Renovation	\$1,000,000
Clallam EOC	\$2,000,000
Clark County Public Safety	\$1,500,000
Cle Elum Boys & Girls Club Clubhouse	\$103,000
Clymer Museum Elevator And ADA Upgrades	\$230,000
Collins Grange #893	\$158,000
Columbia Park East Boat Launch Replacement	\$750,000
Community Center Entryway Improvements	\$103,000
Community Center HVAC	\$206,000
Community Library Building Project	\$400,000
Community Roots Mill Plain Housing Project	\$1,000,000
Community Wildlife Readiness-Simcoe Mountains	\$26,000
Completion of New Fire Station - Franklin County Fire	\$1,000,000
Coulee City Rodeo Grounds Improvements	\$464,000
Coupeville BGC Gymnasium Project	\$515,000
Creating A More Accessible State Arboretum	\$900,000
Crescent Grange	\$300,000
Critical Equipment, Research, and Rearing Capacity	\$1,718,000
Culinary Upgrade To Battle Ground Public Schools	\$278,000
Darrington Wood Innovation and Education Center	\$145,000
Daybreak Star Infrastructure Project	\$600,000
DeMolay Sandspit Park Improvements	\$515,000
Des Moines Marina Steps	\$1,030,000
Distribution System Enhancements	\$625,000
Dry Creek Grange	\$28,000
Dundee Hill Community Homes	\$376,000
East Adams Rural Healthcare: Central Monitoring System	\$232,000
East Wenatchee City Hall	\$150,000
Eastside Terrace Club Kitchen Renovation	\$74,000
Eatonville Community Stadium & Lighting	\$800,000
ED Safer Rooms	\$1,030,000
Edgewood Grange	\$217,000
Edmonds Food Bank	\$103,000
Edwin Pratt Memorial Park	\$155,000
El Centro de la Raza Mercado Project	\$1,030,000
Elks Park Little League Fields Renovations	\$103,000
Emergency Fueling Station	\$500,000
Emergency Power Generators Yakima County Fire District 12	\$295,000

Energy-Efficient Lighting Upgrade	\$26,000
Enumclaw LED Lighting	\$1,029,000
Everett Boys & Girls Club Kitchen Renovation Project	\$309,000
Excelsior Wellness Site Infrastructure Project	\$915,000
Expanded Facility for South Kitsap Helpline	\$263,000
FareStart Barista & Customer Service Job Training Class	\$309,000
FEMA Omak Floodplain Impact Pre-design	\$515,000
Ferndale Library and Campus EV and Solar Initiative	\$515,000
Fishing Pier at Spanaway Lake	\$773,000
Five Mile Prairie Grange	\$23,000
Float Our Future	\$103,000
Food Distribution and Storage Improvements	\$341,000
Foss Waterway Commercial Pump Out	\$103,000
Freedom Center	\$338,000
Friends of Lopez Island Pool	\$523,000
Frontier Park - Goat Barns	\$103,000
Fruitland Grange #999	\$67,000
Garrison Springs Creek Restoration Project	\$515,000
Gig Harbor Sports Fields	\$1,030,000
God's Pantry Building	\$45,000
Grand Cinema	\$618,000
Grandview Police Center	\$550,000
Grandview Splash Pad	\$108,000
Grant County Animal Outreach Shelter Building	\$256,000
Grid-Scale Coordination for WA	\$700,000
Habitat for Humanity Site Acquisition	\$300,000
Handicap Ramp and ADA Bathroom Additions	\$182,000
Haynie Grange Facilities Modernization Project	\$170,000
Healing Headquarters: A Campaign for Rebuilding Hope	\$250,000
Heating Vitalization and Collying System	\$177,000
Heritage Heights Remodel Phase 4 Generator	\$258,000
Historic Museum Restoration & Preservation Project	\$150,000
Historic Slavonian Hall	\$515,000
Historic Theatre Restoration	\$377,000
Hopkins Ditch ESA ITP Application Grant	\$52,000
Hotel Lincoln Historic Restoration Project	\$250,000
Improvements to Low-Income Child Care Center	\$225,000
Inland Grange	\$98,000
Integrated Care Clinic	\$1,030,000
Interurban Trail Connection - Milton to Edgewood	\$779,000
Issaquah Bomb Cyclone Recovery	\$1,400,000
Issaquah's Creeks to Peaks	\$103,000
Jenkins Creek Recreational Trail	\$500,000
Julia Butler Hansen House	\$115,000
Kettle River Grange Windows & Doors	\$67,000
King Co. Water Dist. 54 Treatment Modernization	\$1,030,000
Kitsap Lake Park Accessibility Improvements	\$321,000

Klickitat Natural Resource Conservation Center	\$103,000
KVH Orthopedics and Surgical Services	
Remodel/Renovation	\$618,000
La Center Downtown 2.0.	\$400,000
Lake Boren Park	\$335,000
Lake Chelan Community Center Gymnasium Project	\$475,000
Lake Chelan Health Emergency Medical Services	
Building	\$1,097,000
Lake City Community Mural Project	\$23,000
Lake Forest Park, Lakefront Park	\$1,030,000
Lake Gardner Regional Park Dock	\$78,000
Lake Stevens Library	\$350,000
Latino Civic Alliance Workforce Training & Small Business	
Hub	\$515,000
LeMay Grit City Robotics Center	\$500,000
Lions Park Community Center	\$1,000,000
Longview Library Elevator Repairs	\$300,000
Lopez Island Food Center	\$361,000
Lummi Island Grange	\$77,000
Lynnwood Public Facilities District Convention	
Center	\$1,000,000
Maker & Innovation Lab	\$1,400,000
Mariner Community Campus	\$810,000
Marymoor Cricket Facility	\$1,200,000
Matlock Grange Hall Structural And Safety	
Improvements	\$252,000
McKinney Center HVAC System	\$1,000,000
MDC Capital Improvement	\$1,236,000
Meeker Street Project	\$901,000
Meridian Grange	\$155,000
Meridian Habitat Park Community Nature Center	\$919,000
Mid-Columbia Children's Museum	\$1,000,000
Mill Creek Boys & Girls Club	\$1,030,000
Mission Avenue Frontage Improvements	\$1,030,000
MLK Jr. Community Center Renovation & Expansion	\$927,000
Molson Grange #1069	\$117,000
Monroe Rotary Field Turf Replacement	\$360,000
Mossyrock Grange	\$80,000
Mother Earth Farms	\$52,000
Mountlake Terrace Library Resiliency Upgrades	\$500,000
Mt Spokane - ADA Improvements & Asbestos Abatement	\$700,000
Mt. View Pressure Zone Reservoir	\$515,000
Multi-Purpose Building Pole Structure	\$206,000
MultiCare Spokane Internal Medicine Residency	
Program	\$500,000
Multicultural Resilience Center	\$1,545,000
Municipal Services Facility Backup Power Generator	\$309,000
Muslim Association of Puget Sound	\$2,500,000
NAAM Expansion	\$206,000

New Community Recreation Center, Sauk-Suiattle Indian	\$515,000
Newman Lake Revitalization.	\$120,000
NF Skykomish River Valley: Emergency Response	\$1,000,000
Nisqually Vocational Education & EOC Training.	\$4,050,000
Nooksack Water Adjudication Facility Needs.	\$1,250,000
Nordic Cottages	\$412,000
North Bellingham Grange #201.	\$51,000
North Mason Electrical Capacity & Reliability.	\$1,000,000
North Sound Public Safety Training Facility.	\$250,000
Northeast PDA Housing & Childcare	\$350,000
Northern State Hospital Historic Cemetery Improve	\$175,000
Northwest Kidney Centers Burien Pharmacy Relocation	\$79,000
Northwest Maritime Vessel Design and Feasibility.	\$463,000
Ocean Shores Food Bank Relocation Project	\$283,000
Old Swim Hole ADA Ramp	\$83,000
Othello Rodeo Bleachers	\$258,000
Outdoors for All Foundation	\$1,030,000
Pacific Bonsai Museum Renovations	\$766,000
Parkland Community Center	\$1,000,000
Partners INW Resource Center	\$515,000
Pea Patch Community Campus	\$3,000,000
Peck Community Sports Park Expansion	\$1,030,000
Peninsula Community Health - Bainbridge Island	\$556,000
Peninsula Health - Community Kitchen	\$625,000
Perry Tech for Clean Energy Jobs	\$5,050,000
Peter Kirk Pool.	\$515,000
Pierce Center for Arts & Technology	\$1,030,000
Pierce County Health Care Workforce Investment	\$2,050,000
Pioneer Memorial Park Path Accessible to All	\$142,000
Pioneer Street Slope Stabilization and Slide Alleviation	\$1,545,000
Plante's Ferry Sports Complex.	\$1,000,000
Point Hudson Energy Efficiency Improvement Project.	\$309,000
Port Angeles Marine Discovery Center.	\$1,030,000
Port Angeles Waterfront Center.	\$2,000,000
Port of Edmonds Mid-Marina Breakwater Repair.	\$412,000
Port of Hoodspport's Public Dock	\$71,000
Port of Skagit Agricultural Innovation Center.	\$515,000
Port of Vancouver	\$155,000
Port Orchard Downtown Re-Construction	\$1,000,000
Portland Avenue Park Sprayground.	\$773,000
Preserving Washington's Oldest Locomotive	\$103,000
Puyallup Avenue Flood Reduction Project	\$1,030,000
Rainier Beach Action Coalition FIC P1	\$326,000
Rainier Valley Food Bank	\$1,030,000
Razor Road Water Main.	\$119,000
Recreation Accessibility Improvements Kamiakin MS.	\$515,000
Redmond Asbestos Cement Pipe Replacement.	\$1,000,000
Redmond Intercultural City Services Center.	\$636,000

Regional Animal Shelter and Control Facility	\$1,000,000
Regional Meat Processing Infrastructure.....	\$250,000
Remy Park	\$1,500,000
Renton Legacy Square Project.....	\$1,545,000
Rimrock Grange.....	\$121,000
Rise Up Academy	\$1,000,000
Road 80 Neighborhood Park	\$515,000
Romance Hill Booster	\$170,000
Roof Repair & Replacement Project.....	\$187,000
Roy City Park	\$155,000
Rural Access to Care & Social Connections	\$3,138,000
S. L.K. Stevens Grange.....	\$160,000
Sail Sand Point.....	\$100,000
SAM Building Automation System Replacement.....	\$280,000
Samish Nation - Summit Park Building	\$206,000
Samish Valley Grange #926.....	\$54,000
Sammamish Bomb Cyclone Recovery	\$330,000
Save the Tokeland Hotel - Critical System Upgrades	\$261,000
Scargo-Lewiston Permanent Supportive Housing.....	\$1,030,000
Scott Hill Park & Sports Complex of Woodland.....	\$45,000
Seaport Landing Building Demolition.....	\$150,000
Seattle International Public Market.....	\$1,325,000
Security and Visibility for EYFO	\$71,000
Security Gate & Fence at Smilow Rainier Vista Boys & Girl	\$66,000
Sheffield Trail	\$1,030,000
Shore Aquatic Center Child Care Expansion Project	\$773,000
Short-Term Lodging Facility - Cancer Patients.....	\$1,545,000
Sinto Senior Activity Ctr Cafe Floor.....	\$10,000
Sinto Senior Activity Ctr LED Lighting	\$4,000
Skagit County RFA Apparatus Communications	\$505,000
Skagit Valley Grange #620	\$48,000
Skamania County Courthouse Rehabilitation	\$515,000
Ski Park Bridge	\$1,030,000
Skokomish Grange #379 - Stem Wall Repair	\$103,000
Skyline Health Critical Hospital Infrastructure	\$1,000,000
Snohomish CD's Natural Resource Center	\$500,000
Snohomish Public Safety & City Services Campus	\$1,000,000
South Bay Grange	\$91,000
South Beach Regional Fire Authority Generator.....	\$144,000
South Tacoma Fire Station.....	\$2,050,000
Southwest Washington Dance Center Facility Improvements.....	\$152,000
Southwest Washington Fairgrounds 4-H Barn	\$767,000
Spokane PD/CJTC BLEA Training Center.....	\$750,000
Spokane Valley Heritage Museum.....	\$206,000
Spokane Valley Sport Courts.....	\$415,000
Spring Hill Grange.....	\$155,000
Springdale Frontier Days Rodeo Grounds.....	\$67,000

Stanwood Police Station	\$100,000
Starfire Commons	\$2,550,000
Steilacoom Tribal Cultural Center and Museum	\$309,000
Steilacoom-Pierce County NetZero Resiliency Center	\$1,133,000
Sultan BGC Gymnasium Restroom Project	\$155,000
Sultan Osprey Park Sports Field Expansion	\$798,000
Suyematsu Farm Preservation	\$124,000
Tacoma Historical Society	\$2,000,000
Tacoma Urban Performing Arts Center	\$1,622,000
Tahoma SD Playground Accessibility	\$378,000
Tasveer Film Arts Center	\$1,030,000
Terminal 4 Expansion & Redevelopment Project	\$3,500,000
The Nyholm Windmill Relocation and Restoration	\$118,000
The Pickford Theater on Grand	\$237,000
The Willows	\$1,000,000
Thurston County Medical Equipment Bank	\$103,000
Toppenish Police Station & City Services	\$515,000
Trent Elementary Community Upgrades	\$225,000
Tukwila Health & Wellness Center Project	\$1,030,000
TYT Feasibility Study and Site Preparation	\$62,000
Uplift Northwest Training Center & HQ Remodel	\$1,030,000
Upper Kittitas County Community Recreation Center	\$155,000
Upper Yakima River Spring Chinook Supplementation	\$305,000
Vashon Community Pool	\$70,000
Veterans Memorial Park	\$618,000
Voice of Vashon Digital Renovation Project	\$167,000
Wagner Performing Arts Center Restrooms	\$443,000
Wahkiakum Community Learning Center	\$248,000
Walla Walla County Fairgrounds Grandstand Renovation	\$25,000
Walla Walla Interpretive Signage	\$27,000
Waller Grange	\$84,000
Wallingford Boys and Girls Club	\$798,000
Wapato Lions Park Youth Soccer Field Improvements	\$80,000
Washington Poison Center	\$79,000
Washington State Horse Park Facilities Expansion	\$375,000
Washougal Community Library Building Project	\$1,818,000
Wastewater Treatment Facility	\$1,000,000
Water Reservoir Mixer	\$232,000
Water Resilience and Efficiency Project	\$3,000,000
Water System Improvements	\$150,000
Waterfront Pedestrian Safety & Accessibility	\$1,500,000
Wellness House Yakima	\$25,000
West Mason Fire Headquarters Modernization	\$515,000
West Wall of Key Peninsula Civic Center	\$103,000
Western Skamania County Public Safety Complex	\$940,000
Whitehawk Gratzler Parks Master Plan	\$77,000
Wilkeson Infrastructure Improvement Projects	\$452,000
Willapa Harbor Healthcare Facility Replacement	\$285,000
Winter Hospitality Overflow Accessibility	\$515,000

Woodcrest Neighborhood Utility Improvement Project	\$1,500,000
Yakima Valley Public Market	\$743,000
YWCA Clark County Housing & Empowerment Campus	\$400,000

(9) \$2,000,000 of the climate commitment account—state appropriation in this section is provided solely for the Port of Chehalis Hydrogen Fueling Station and Production Facility project.

(10) \$440,000 of the climate commitment account—state appropriation in this section is provided solely for the UW Air Quality Monitoring project.

(11) \$3,000,000 of the model toxics control capital account—state appropriation in this section is provided solely for the Budd Inlet Sediment Clean Up project.

(12) \$1,000,000 of the model toxics control capital account—state appropriation in this section is provided solely for the Lakebay Marina Creosote Piling Removal project. The requirements of subsection (1) of this section do not apply to the project in this subsection.

(13) The state building construction account-state appropriation in this section is subject to the provisions of section 8018 of this act.

Appropriation:

Climate Commitment Account—State	\$2,440,000
Model Toxics Control Capital Account—State	\$4,000,000
State Building Construction Account—State	\$194,932,000
Subtotal Appropriation	\$201,372,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$201,372,000

NEW SECTION. Sec. 1028. FOR THE DEPARTMENT OF COMMERCE

2025-27 Tribal Climate Adaptation Pass-through Grants (40000812)

The appropriation in this section is subject to the following conditions and limitations:

(1) \$28,633,000 of the appropriation in this section is provided solely for grants to provide tribal assistance to mitigate and adapt to the effects of climate change, including, but not limited to, supporting relocation for Indian tribes located in areas of heightened risk due to anticipated sea level rise, flooding, or other disturbances caused by climate change. In developing the grant program, the department must collaborate with tribes to determine program parameters for award amounts, distribution, and benchmarks for success. In order to meet the requirements of RCW 70A.65.230(1)(b), tribal applicants are encouraged to include a tribal resolution supporting their request with their application.

(2) \$21,367,000 of the appropriation in this section is provided solely for the following list of projects:

Ebright Creek Conservation Project	\$1,910,000
Hoh Tribe	\$2,175,000
Indigenous Greenhouse Gas Removal Commission	\$250,000
Muckleshoot Hatchery Water Wells	\$2,600,000
Muckleshoot Tribe Keta Creek Study	\$1,440,000
Puyallup Tribe Hatcheries	\$3,253,000
Puyallup Tribe of Indians	\$5,000,000

Quinault Indian Nation Allotment 100	\$1,800,000
Quinault Indian Nation Longhouse	\$1,500,000
Quinault Indian Nation Lower Village Clean Up	\$500,000
Tulalip Tribal Hatchery	\$939,000

Appropriation:

Climate Commitment Account—State	\$50,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$200,000,000
TOTAL	\$250,000,000

NEW SECTION. Sec. 1029. FOR THE DEPARTMENT OF COMMERCE

2025-27 Community Participatory Budgeting (40000829)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation in this section is provided solely for the department to develop and administer a participatory, community-driven, noncompetitive grant program to identify and fund either decarbonization or resiliency projects, or both, that benefit overburdened communities as defined in RCW 70A.02.010.

(2)(a) \$2,800,000 of the appropriation is provided solely for the department, in consultation with the environmental justice council created in RCW 70A.02.110, to engage with at least two of the six overburdened communities identified by the department of health under section 222(124), chapter 376, Laws of 2024.

(b) The department must develop a participatory, community-driven process for identifying projects that mitigate the disproportional impacts of climate change on overburdened communities. The process must allow for full community engagement.

(3) \$5,500,000 of the appropriation is provided solely for the department to provide grants for projects identified pursuant to subsection (2) of this section.

(4) The department shall submit a report to the governor and appropriate committees of the legislature by June 30, 2027, including the work performed in subsections (2) and (3) of this section and summarizing its progress in granting funding through the participatory budgeting process.

(5) The department may use up to three percent of amounts appropriated in this section for administrative expenses.

Appropriation:

Air Quality and Health Disparities Improvement Account—State	\$8,300,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$8,300,000

NEW SECTION. Sec. 1030. FOR THE DEPARTMENT OF COMMERCE

Water Quality Projects (91000415)

The appropriations in this section are subject to the following conditions and limitations:

(1) The model toxics control capital account—state appropriation in this section is provided solely for the following list of projects:

City of Moses Lake Well 29 Treatment	\$810,000
City of Roy Well Improvements	\$1,500,000
Spokane County West Plains PFAS	\$7,500,000

(2)(a) The state building construction account—state appropriation in this section is provided solely for the following list of projects:

Quincy Industrial Wastewater Treatment Facility	\$3,000,000
Summit Pacific Medical Center Culverts	\$800,000

(b) The state building construction account—state appropriation in this subsection is subject to the provisions of section 8018 of this act.

Appropriation:

State Building Construction Account—State	\$3,800,000
Model Toxics Control Capital Account—State	\$9,810,000
Subtotal Appropriation	\$13,610,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$13,610,000

NEW SECTION. Sec. 1031. FOR THE DEPARTMENT OF COMMERCE

City of Centralia Nitrates Project (91000419)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is subject to the provisions of section 8018 of this act.

Appropriation:

State Building Construction Account—State	\$5,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$5,000,000

NEW SECTION. Sec. 1032. FOR THE DEPARTMENT OF COMMERCE

Grants for Recovery Residences (91002685)

The appropriation in this section is subject to the following conditions and limitations:

(1) \$10,200,000 of the state building construction account—state appropriation in this section is provided solely for grants to acquire, construct, or rehabilitate recovery residences. The department must coordinate with the Washington alliance for quality recovery residences to create a competitive grant program for the following purposes:

(a) Acquisition of homes that are currently operated or will be operated as chartered Oxford houses; and

(b) New construction, acquisition, or rehabilitation of recovery residences that are listed or that are planned to be listed on the recovery residences registry established pursuant to RCW 41.05.760.

(2) \$4,573,000 of the state building construction account—state appropriation in this section is provided solely for the following list of projects:

Three Rivers Recovery Housing	\$3,800,000
---	-------------

Pregnant & Parenting Inpatient Substance Use Disorder

Treatment\$773,000

(3) The appropriation in this section is subject to the provisions of section 8018 of this act.

Appropriation:

State Building Construction Account—State \$14,773,000

Prior Biennia (Expenditures)..... \$0

Future Biennia (Projected Costs)..... \$0

TOTAL \$14,773,000

NEW SECTION. **Sec. 1033. FOR THE DEPARTMENT OF COMMERCE**

Youth Shelters and Housing (91002686)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation in this section is provided solely for the following list of projects:

Griffin Campus Affordable Housing \$2,500,000

Joe Rantz House.....\$436,000

Oasis Youth Shelter\$400,000

ROOTS Young Adult Shelter \$2,000,000

Skyland Ranch.....\$100,000

Youth and Young Adult Shelter Planning\$258,000

Youthcare Constellation Center \$3,400,000

(2) The appropriation in this section is subject to the provisions of section 8018 of this act.

Appropriation:

State Building Construction Account—State \$9,094,000

Prior Biennia (Expenditures)..... \$0

Future Biennia (Projected Costs)..... \$0

TOTAL \$9,094,000

NEW SECTION. **Sec. 1034. FOR THE DEPARTMENT OF COMMERCE**

TVW Facilities (91002737)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is subject to the provisions of section 8018 of this act.

Appropriation:

State Building Construction Account—State \$2,500,000

Prior Biennia (Expenditures)..... \$0

Future Biennia (Projected Costs)..... \$0

TOTAL \$2,500,000

NEW SECTION. **Sec. 1035. FOR THE DEPARTMENT OF COMMERCE**

Revitalized Local and Community Projects (91002939)

The appropriation in this section is subject to the following conditions and limitations:

(1) The amount provided in this section is provided solely for the following list of projects:

CAP Camp Boucher Campus	\$1,200,000
Hands On Children's Museum	\$1,500,000
Harlequin Theater Last-In Renovation	\$355,000
Issaquah Opportunity Center	\$3,000,000
Little Saigon Landmark	\$2,000,000
Port of Mattawa Outdoor Youth Athletic Field Project	\$1,000,000
Puyallup Food Bank Facilities	\$558,000
Sea Mar - Kent	\$1,292,000
Sea Mar - South Park	\$1,650,000
Summit Pacific Medical Center EV Charging	\$116,000
University YMCA Project	\$1,925,000

(2) The appropriation in this section is subject to the provisions of section 8018 of this act.

Appropriation:

State Building Construction Account—State	\$14,596,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$14,596,000

NEW SECTION. Sec. 1036. FOR THE DEPARTMENT OF COMMERCE

Seattle Energy District Electrification (91002964)

Appropriation:

Climate Commitment Account—State	\$2,500,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,500,000

NEW SECTION. Sec. 1037. FOR THE DEPARTMENT OF COMMERCE

Algae Carbon Sequestration and Regenerative Soils (91002965)

Appropriation:

Climate Commitment Account—State	\$2,500,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,500,000

NEW SECTION. Sec. 1038. FOR THE DEPARTMENT OF COMMERCE

2025-27 Dental Capacity Grants (92001952)

The appropriation in this section is subject to the following conditions and limitations:

(1) Funding provided in this section must be used for construction and equipment directly associated with dental facilities. The funding provided in this section is for projects that are maintained for at least a 10-year period and provide capacity to address unmet patient need and increase efficiency in dental access.

(2) The amount provided in this section is provided solely for the following list of projects:

CHAS Health	\$510,000
Columbia Basin Health Association	\$1,030,000
HealthPoint (Tukwila)	\$1,030,000
Peninsula Community Health Services	\$927,000
Tri-Cities Community Health	\$88,000
Yakima Neighborhood Health Services	\$1,898,000

(3) The appropriation in this section is subject to the provisions of section 8018 of this act.

Appropriation:

State Building Construction Account—State	\$5,483,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$21,932,000
TOTAL	\$27,415,000

NEW SECTION. Sec. 1039. FOR THE DEPARTMENT OF COMMERCE

Local Infrastructure (92001953)

(1) The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for the following list of projects:

Chehalis River Raw Water Main Replacement Project	\$1,750,000
City of Selah Wastewater Treatment Plant	\$11,075,000
DD7 Levee Improvement Project	\$1,029,000
Greenwood Water Main Replacement Project	\$976,000
Infiltration and Inflow Reduction Project	\$360,000
Key Center Water System Emergency Backup Power System	\$211,000
Mason County PUD No. 1's Water System Improvements	\$1,072,000
Mercer Island New Water Supply Pipeline Project	\$1,200,000
Port of Chinook Dredge Project	\$515,000
Port of Walla Walla Tri City Intermodal	\$773,000
Rose Way Extension and Industrial Infrastructure	\$752,000
Skagit District 15: Irrigation Project	\$361,000
Skagit PUD Fiber Extension	\$530,000
Toppenish Wastewater Treatment Plant	\$2,050,000
Town of Concrete Water Meter Improvements	\$541,000
Washington Street Neighborhood Waterline Improvements	\$515,000
Wastewater Improvements Project	\$773,000
Wastewater Treatment Plant Upgrade Project	\$824,000
Well 1 Booster Pumps	\$114,000
Well 17 Pump	\$172,000

(2) The appropriation in this section is subject to the provisions of section 8018 of this act.

Appropriation:

State Building Construction Account—State	\$25,593,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$25,593,000

NEW SECTION. Sec. 1040. FOR THE DEPARTMENT OF COMMERCE

Transit Oriented Housing Development (92001956)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for the following list of projects:

Affordable Housing at Lynden Transit Center.	\$500,000
Sam Smith Apartments	\$721,000
U District TOD	\$7,050,000

Appropriation:

State Taxable Building Construction Account—	
State	\$8,271,000
Prior Biennia (Expenditures).	\$0
Future Biennia (Projected Costs).	\$0
TOTAL	\$8,271,000

NEW SECTION. Sec. 1041. FOR THE DEPARTMENT OF COMMERCE

Affordable Housing Supply and Preservation (92001957)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for the following list of projects:

Affordable Housing Preservation	\$515,000
Alexandria's House Rehab.	\$1,030,000
Christian Aid Center	\$160,000
Frederickson South Project	\$515,000
Fusion Family Center Expansion.	\$1,000,000
Homes First Preservation of Affordable	
Low-Income Housing	\$773,000
HopeSource Teanaway Court	\$7,866,000
Kelso Affordable Housing and Community Center	\$1,545,000
Mason Affordable Housing Development.	\$309,000
Mother Nation Spirit Journey Healing Village	\$3,500,000
Peninsula Community Health Oak House.	\$300,000
Peninsula Community Health Pine House.	\$300,000
Peninsula Community Health Spruce House.	\$300,000
The House of Bethlehem	\$2,320,000
The Pointe at Thomas	\$1,803,000

Appropriation:

State Building Construction Account—State	
Prior Biennia (Expenditures).	\$0
Future Biennia (Projected Costs).	\$0
TOTAL	\$22,236,000

NEW SECTION. Sec. 1042. FOR THE DEPARTMENT OF COMMERCE

Medically Tailored Meals of Washington Coalition (92002197)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is subject to the provisions of section 8018 of this act.

Appropriation:

State Building Construction Account—State	\$6,625,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$6,625,000

NEW SECTION. **Sec. 1043. FOR THE DEPARTMENT OF COMMERCE**

Industrial Symbiosis (92002215)

Appropriation:

Climate Commitment Account—State	\$5,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$5,000,000

NEW SECTION. **Sec. 1044. FOR THE DEPARTMENT OF COMMERCE**

Open Doors Multicultural Village (92002217)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is subject to the provisions of section 8018 of this act.

Appropriation:

State Building Construction Account—State	\$12,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$12,000,000

NEW SECTION. **Sec. 1045. FOR THE DEPARTMENT OF COMMERCE**

New Health Medical Dental Behavioral Workforce (92002227)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is subject to the provisions of section 8018 of this act.

Appropriation:

State Building Construction Account—State	\$5,050,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$5,050,000

NEW SECTION. **Sec. 1046. FOR THE DEPARTMENT OF COMMERCE**

2025-27 School-Based Health and Behavioral Health Clinics (92002230)

(1) The appropriation in this section is subject to the following conditions and limitations: The amount provided in this section is provided solely for the following list of projects:

CHC of Snohomish County (Granite Falls High School)	\$563,000
CHC of Snohomish County (Lynnwood High School)	\$419,000
Clarkston School District.	\$777,000
Mount Baker School District.	\$670,000
Neighborcare	\$175,000

(2) The appropriation in this section is subject to the provisions of section 8018 of this act.

Appropriation:

State Building Construction Account—State	\$2,604,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$10,416,000
TOTAL	\$13,020,000

NEW SECTION. Sec. 1047. FOR THE OFFICE OF FINANCIAL MANAGEMENT

Emergency Repairs (30000041)

The appropriation in this section is subject to the following conditions and limitations:

(1) Emergency repair funding is provided solely to address unexpected building or grounds failures that will impact public health and safety and the day-to-day operations of the facility. To be eligible for funds from the emergency repair pool, a request letter for emergency funding signed by the affected agency director must be submitted to the office of financial management and the appropriate legislative fiscal committees. The request must include a statement describing the health and safety hazard and impacts to facility operations, the possible cause, the proposed scope of emergency repair work and related cost estimate, and identification of other funding that may be applied to the project.

(2) For emergencies occurring during a legislative session, an agency must notify the legislative fiscal committees before requesting emergency funds from the office of financial management.

(3) The office of financial management must notify the legislative evaluation and accountability program committee and the legislative fiscal committees as emergency projects are approved for funding and include what funded level was approved.

Appropriation:

State Building Construction Account—State	\$5,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$20,000,000
TOTAL	\$25,000,000

NEW SECTION. Sec. 1048. FOR THE OFFICE OF FINANCIAL MANAGEMENT

Construction Cost Forms and Calculations (40000007)

The appropriation in this section is subject to the following conditions and limitations:

(1)(a) The appropriation in this section is provided solely for the office of financial management to contract for a review and update of existing formulas for state agency cost estimating.

(b) In conducting its review under (1)(a) of this subsection, the office must consult with the capital budget committees of the legislature including by, but not limited to, providing the opportunity to provide input both before the contractor commences its review and before finalizing changes to the cost construction forms.

(2) The contract is exempt from the competitive procurement requirements in chapter 39.26 RCW.

Appropriation:

Thurston County Capital Facilities Account—State	\$250,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$250,000

****NEW SECTION. Sec. 1049. FOR THE OFFICE OF FINANCIAL MANAGEMENT***

Capital Budget Cost Study (91000440)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation in this section is provided solely for the office of financial management to contract with a consultant to provide the following:

(a) A comprehensive review and assessment of the state's cost estimating processes for state-funded capital budget projects; (b) a comparative analysis of the state's capital public works project development, bidding, and budget structure with other relevant states' processes and structures; and (c) development of detailed recommendations for improving the accuracy of capital project cost estimates, including increasing staff capacity in professional cost estimation, improving oversight of agency project development and cost estimating, reducing costs by increasing competition in the capital project bidding process, and changes to the state's capital budget structure to enhance the competitiveness of the bidding process.

(2) The office of financial management must provide a report to the appropriate fiscal committees of the legislature and the governor, pursuant to subsection (1) of this section, that contains the review and assessment, comparative analysis, and recommendations no later than January 1, 2026.

Appropriation:

State Taxable Building Construction Account—

State	\$150,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$150,000

**Sec. 1049 was vetoed. See message at end of chapter.*

NEW SECTION. Sec. 1050. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Legislative Building Systems Rehabilitation (30000791)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for the following list of projects:

Legislative Building HVAC Improvements.	\$13,975,000
Legislative Building Fire Systems Upgrade	\$3,150,000

Appropriation:

State Building Construction Account—State	\$17,125,000
Prior Biennia (Expenditures)	\$876,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$18,001,000

NEW SECTION. Sec. 1051. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Facility Professional Services Staffing (40000244)

Appropriation:

State Building Construction Account—State	\$22,297,000
Prior Biennia (Expenditures)	\$22,297,000
Future Biennia (Projected Costs)	\$89,188,000
TOTAL	\$133,782,000

NEW SECTION. Sec. 1052. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

NRB - Replace Piping for Wet Fire Suppression (40000249)

Reappropriation:

State Building Construction Account—State	\$246,000
---	-----------

Appropriation:

State Building Construction Account—State	\$9,493,000
Prior Biennia (Expenditures)	\$4,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$9,743,000

NEW SECTION. Sec. 1053. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Modular Building - Critical Repairs and Upgrades (40000314)

Reappropriation:

State Building Construction Account—State	\$2,550,000
---	-------------

Appropriation:

State Building Construction Account—State	\$25,000,000
Prior Biennia (Expenditures)	\$300,000
Future Biennia (Projected Costs)	\$24,037,000
TOTAL	\$51,887,000

NEW SECTION. Sec. 1054. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

GA - Building Demolition (40000317)

The appropriations in this section are subject to the following conditions and limitations:

(1) \$16,000 of the state building construction account—state appropriation in this section is provided solely for fencing to secure the site once the building has been demolished.

(2) The reappropriation is subject to the provisions of section 1053, chapter 474, Laws of 2023.

Reappropriation:

State Building Construction Account—State	\$2,705,000
---	-------------

Appropriation:

State Building Construction Account—State	\$6,116,000
---	-------------

Model Toxics Control Capital Account—State	\$6,100,000
Subtotal Appropriation	\$12,216,000
Prior Biennia (Expenditures)	\$1,595,000
Future Biennia (Projected Costs)	\$3,680,000
TOTAL	\$20,196,000

NEW SECTION. Sec. 1055. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

East Plaza - Water Infiltration & Elevator Repairs (40000333)

Appropriation:

State Building Construction Account—State	\$580,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$26,537,000
TOTAL	\$27,117,000

NEW SECTION. Sec. 1056. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

O'Brien Building HVAC Repair (40000339)

Appropriation:

Thurston County Capital Facilities Account—State	\$2,543,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,543,000

NEW SECTION. Sec. 1057. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Legislative Building Centennial Skylights (40000340)

The appropriations in this section are subject to the following conditions and limitations:

(1) The reappropriation is subject to the provisions of section 1056, chapter 474, Laws of 2023.

(2) The appropriations in this section do not include additional funding for reinforcement that may be recommended by the structural assessment. The department shall submit cost options for any additional mechanism or support necessary for maintenance personnel to service lighting and audio-visual equipment in the 2026 supplemental budget cycle.

Reappropriation:

Capitol Building Construction Account—State	\$804,000
Thurston County Capital Facilities Account—State	\$1,329,000
Subtotal Reappropriation	\$2,133,000

Appropriation:

State Building Construction Account—State	\$4,744,000
Thurston County Capital Facilities Account—State	\$1,200,000
Subtotal Appropriation	\$5,944,000
Prior Biennia (Expenditures)	\$563,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$8,640,000

NEW SECTION. Sec. 1058. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Cherberg - O'Brien Tunnel Repair (40000341)

Appropriation:

Capitol Building Construction Account—State	\$4,007,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$4,007,000

NEW SECTION. Sec. 1059. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Capitol Campus Emergency Generator Replacement (40000393)

Reappropriation:

State Building Construction Account—State	\$812,000
---	-----------

Appropriation:

Thurston County Capital Facilities Account—State	\$1,211,000
Prior Biennia (Expenditures)	\$42,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,065,000

NEW SECTION. Sec. 1060. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

West Campus - Hillside Stabilization (40000396)

Appropriation:

Thurston County Capital Facilities Account—State	\$847,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$13,022,000
TOTAL	\$13,869,000

NEW SECTION. Sec. 1061. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Legislative Building Cleaning (40000400)

The appropriations in this section are subject to the following conditions and limitations: The model toxics control capital account - state appropriation in this section is provided solely for activities associated with the O'Brien - Hazardous Material Abatement project.

Reappropriation:

Capitol Building Construction Account—State	\$1,879,000
---	-------------

Appropriation:

Model Toxics Control Capital Account—State	\$1,013,000
Thurston County Capital Facilities Account—State	\$2,927,000
Subtotal Appropriation	\$3,940,000
Prior Biennia (Expenditures)	\$91,000
Future Biennia (Projected Costs)	\$4,043,000
TOTAL	\$9,953,000

NEW SECTION. Sec. 1062. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Capitol Campus Arc Flash Study (40000474)

Appropriation:

State Building Construction Account—State	\$1,354,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,354,000

NEW SECTION. Sec. 1063. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Minor Works - Preservation (40000485)

Appropriation:

Thurston County Capital Facilities Account—State	\$1,366,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$5,464,000
TOTAL	\$6,830,000

NEW SECTION. Sec. 1064. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Minor Works - Infrastructure (40000505)

Appropriation:

State Building Construction Account—State	\$2,259,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$9,036,000
TOTAL	\$11,295,000

NEW SECTION. Sec. 1065. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Minor Works - Clean Buildings (40000527)

Appropriation:

Climate Commitment Account—State	\$5,047,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$20,188,000
TOTAL	\$25,235,000

NEW SECTION. Sec. 1066. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Minor Works - Elevator Modernization (40000551)

Appropriation:

Capitol Building Construction Account—State	\$4,114,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$16,456,000
TOTAL	\$20,570,000

NEW SECTION. Sec. 1067. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Minor Works - Fire and Life Safety Systems (40000553)

Appropriation:

Capitol Building Construction Account—State	\$1,570,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$6,280,000
TOTAL	\$7,850,000

NEW SECTION. Sec. 1068. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Campus Energy System Replacement (91000449)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation in this section is provided solely for the design of an ambient temperature loop project to replace the heating and cooling system on the capitol campus.

(2) Upon completion of 90 percent of the project design, or as soon as is feasible, the department must provide a report to the house capital budget and senate ways and means committees that includes:

(a) The estimated project timeline, including the estimated funds that will be needed at each step of the project. The department must consider phasing the construction of the project over three to four fiscal biennia;

(b) If the total estimated project funds vary from the estimates previously provided to the legislature, an explanation as to the reason for the cost variance;

(c) If the design of the system varies from the system details previously provided to the legislature, an explanation as to the reason for the design variance; and

(d) Specific steps that will be incorporated in the bid process to ensure the contractor awarded the project:

(i) Has experience with projects of this size and with this type of system;

(ii) Has a strong relationship with installers and equipment vendors; and

(iii) Uses equipment with adequate warranties in the event of mechanical failures.

(3) During the course of design and construction, the department must timely notify the capital budget chairs and ranking minority members of any cost overruns. If the department intends to seek additional funding in the next agency budget submittal, the agency must submit reduced cost options together with its budget request.

Reappropriation:

Climate Commitment Account—State\$86,000

Appropriation:

Climate Commitment Account—State \$9,237,000

Prior Biennia (Expenditures).....\$364,000

Future Biennia (Projected Costs)..... \$160,885,000

TOTAL \$170,572,000

NEW SECTION. Sec. 1069. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

LSS - Dolliver Building Relocation (91000474)

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section are provided solely for relocation costs, including design, permitting, and renovation costs, associated with moving legislative support services to the Dolliver building.

Reappropriation:

State Building Construction Account—State\$500,000

Appropriation:

State Building Construction Account—State\$340,000

Prior Biennia (Expenditures)..... \$0

Future Biennia (Projected Costs)..... \$0

TOTAL\$840,000

NEW SECTION. Sec. 1070. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Legislative Campus Modernization (92000020)

The appropriations in this section are subject to the following conditions and limitations:

(1) The reappropriation is subject to the provisions of section 1044, chapter 375, Laws of 2024, as amended by section 7033 of this act.

(2) The department must consult with the senate facilities and operations committee or its designees and the house of representatives executive rules committee or its designees at least every other month.

(3) All appropriations must be coded and tracked as separate discrete subprojects in the agency financial reporting system.

(4) If the department receives information, after value engineering has been performed, that projected costs for any of the subprojects in subsections (5) or (6) of this section will exceed the amount provided in the respective subsections, including projected costs in future biennia, the department must timely notify and provide that information in writing to the project executive team. Prior to proceeding with design or construction, the department must:

(a) Provide at least three options that do not include square footage reduction to reduce the subproject costs to stay within the amount provided for that subproject and the project schedule;

(b) Consult with the project executive team on the options offered, before proceeding with a reduced cost option; and

(c) Receive majority consensus from the project executive team to either adopt and move forward with reduced cost options that bring the subproject costs within amounts appropriated or adopt a tentative modified budget for the subproject. If a tentative modified budget is adopted, the department must seek additional funding in the next agency budget submittal.

(5) \$135,043,000 of the state building construction account—state appropriation in this section is provided solely for the rehabilitation, design, and construction of the Pritchard building and the renovation of the John L. O'Brien building subproject.

(6) \$10,923,000 of the state building construction account—state appropriation and \$672,000 of the climate commitment act—state reappropriation in this section is provided solely for the legislative campus modernization global subproject that includes, but is not limited to, the capitol lot (opportunity site six east), 15th avenue southwest, the John A. Cherberg parking lot on 15th avenue southwest, the John L. O'Brien parking lot on 15th avenue southwest, Columbia street site work, the legislative modular building, and Water street site work.

Reappropriation:

Climate Commitment Account—State	\$672,000
State Building Construction Account—State	\$66,585,000
Subtotal Reappropriation	\$67,257,000

Appropriation:

State Building Construction Account—State	\$49,501,000
Prior Biennia (Expenditures)	\$146,656,000

Future Biennia (Projected Costs).....	\$0
TOTAL.....	\$263,414,000

NEW SECTION. Sec. 1071. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Cal Anderson Memorial (92000058)

Reappropriation:

State Building Construction Account—State	\$1,000
---	---------

Appropriation:

State Building Construction Account—State	\$315,000
Prior Biennia (Expenditures).....	\$74,000
Future Biennia (Projected Costs).....	\$0
TOTAL.....	\$390,000

NEW SECTION. Sec. 1072. FOR THE MILITARY DEPARTMENT

Moses Lake Readiness Center Renovation (40000194)

Reappropriation:

General Fund—Federal	\$2,658,000
State Building Construction Account—State	\$2,102,000
Subtotal Reappropriation	\$4,760,000

Appropriation:

General Fund—Federal	\$576,000
State Building Construction Account—State	\$349,000
Subtotal Appropriation.....	\$925,000
Prior Biennia (Expenditures).....	\$782,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$6,467,000

NEW SECTION. Sec. 1073. FOR THE MILITARY DEPARTMENT

Minor Works Program 2025-27 Biennium (40000345)

Appropriation:

General Fund—Federal	\$8,444,000
State Building Construction Account—State	\$1,441,000
Subtotal Appropriation.....	\$9,885,000
Prior Biennia (Expenditures).....	\$0
Future Biennia (Projected Costs).....	\$39,540,000
TOTAL	\$49,425,000

NEW SECTION. Sec. 1074. FOR THE MILITARY DEPARTMENT

Minor Works Preservation 2025-27 Biennium (40000346)

Appropriation:

General Fund—Federal	\$10,290,000
State Building Construction Account—State	\$5,751,000
Subtotal Appropriation.....	\$16,041,000
Prior Biennia (Expenditures).....	\$0
Future Biennia (Projected Costs).....	\$64,164,000
TOTAL	\$80,205,000

NEW SECTION. Sec. 1075. FOR THE MILITARY DEPARTMENT

Camp Murray Mechanical Security Barricade Repair (40000347)

Appropriation:

General Fund—Federal	\$2,660,000
Prior Biennia (Expenditures).....	\$0

Future Biennia (Projected Costs).....	\$0
TOTAL	\$2,660,000

NEW SECTION. Sec. 1076. FOR THE MILITARY DEPARTMENT

Joint Base Lewis-McChord Army Aviation Support Facility 1 HVAC
(40000348)

Appropriation:

General Fund—Federal	\$4,462,000
Prior Biennia (Expenditures).....	\$0
Future Biennia (Projected Costs).....	\$0
TOTAL	\$4,462,000

NEW SECTION. Sec. 1077. FOR THE MILITARY DEPARTMENT

Moses Lake Readiness Center Stormwater Repairs (40000349)

Appropriation:

General Fund—Federal	\$113,000
State Building Construction Account—State	\$113,000
Subtotal Appropriation	\$226,000
Prior Biennia (Expenditures).....	\$0
Future Biennia (Projected Costs).....	\$1,962,000
TOTAL	\$2,188,000

NEW SECTION. Sec. 1078. FOR THE MILITARY DEPARTMENT

Yakima Readiness Center Repairs (40000350)

Appropriation:

General Fund—Federal	\$223,000
State Building Construction Account—State	\$193,000
Subtotal Appropriation	\$416,000
Prior Biennia (Expenditures).....	\$0
Future Biennia (Projected Costs).....	\$3,507,000
TOTAL	\$3,923,000

NEW SECTION. Sec. 1079. FOR THE MILITARY DEPARTMENT

Yakima Training Center 960 (MATES) HVAC System Replacement
(40000351)

Appropriation:

General Fund—Federal	\$5,741,000
Prior Biennia (Expenditures).....	\$0
Future Biennia (Projected Costs).....	\$0
TOTAL	\$5,741,000

NEW SECTION. Sec. 1080. FOR THE MILITARY DEPARTMENT

Yakima Training Center Military Vehicle Parking Repair (40000352)

Appropriation:

General Fund—Federal	\$3,623,000
Prior Biennia (Expenditures).....	\$0
Future Biennia (Projected Costs).....	\$0
TOTAL	\$3,623,000

NEW SECTION. Sec. 1081. FOR THE MILITARY DEPARTMENT

Geiger Field 200 Restoration (40000354)

Appropriation:

General Fund—Federal	\$566,000
----------------------------	-----------

State Building Construction Account—State	\$436,000
Subtotal Appropriation	\$1,002,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$8,702,000
TOTAL	\$9,704,000

NEW SECTION. Sec. 1082. FOR THE MILITARY DEPARTMENT

Geiger Field 402 Renovation (40000356)

Appropriation:

General Fund—Federal	\$537,000
State Building Construction Account—State	\$465,000
Subtotal Appropriation	\$1,002,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$8,681,000
TOTAL	\$9,683,000

NEW SECTION. Sec. 1083. FOR THE MILITARY DEPARTMENT

Joint Base Lewis-McChord 9608 (UTES) Interior Modification (40000357)

Appropriation:

General Fund—Federal	\$782,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$6,791,000
TOTAL	\$7,573,000

NEW SECTION. Sec. 1084. FOR THE MILITARY DEPARTMENT

Longview Readiness Center Renovation (40000359)

Appropriation:

General Fund—Federal	\$399,000
State Building Construction Account—State	\$295,000
Subtotal Appropriation	\$694,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$6,025,000
TOTAL	\$6,719,000

NEW SECTION. Sec. 1085. FOR THE MILITARY DEPARTMENT

Sedro Woolley Field Maintenance Shop Renovation (40000366)

Appropriation:

General Fund—Federal	\$5,520,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$5,520,000

NEW SECTION. Sec. 1086. FOR THE MILITARY DEPARTMENT

Tumwater Field Maintenance Shop (40000367)

Reappropriation:

General Fund—Federal	\$3,900,000
State Building Construction Account—State	\$480,000
Subtotal Reappropriation	\$4,380,000

Appropriation:

State Building Construction Account—State	\$3,700,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$41,897,000
TOTAL	\$49,977,000

NEW SECTION. **Sec. 1087. FOR THE MILITARY DEPARTMENT**

Yakima Readiness Center Deep Energy Retrofit and Decarbonization (40000368)

Appropriation:

General Fund—Federal	\$205,000
State Building Construction Account—State	\$78,000
Subtotal Appropriation	\$283,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$2,305,000
TOTAL	\$2,588,000

NEW SECTION. **Sec. 1088. FOR THE MILITARY DEPARTMENT**

Yakima Training Center (MATES) Renovation (40000369)

Appropriation:

General Fund—Federal	\$7,950,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$7,950,000

NEW SECTION. **Sec. 1089. FOR THE MILITARY DEPARTMENT**

Redmond Readiness Center (500 and 501) Renovation (40000403)

Appropriation:

General Fund—Federal	\$649,000
State Building Construction Account—State	\$127,000
Subtotal Appropriation	\$776,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$13,616,000
TOTAL	\$14,392,000

NEW SECTION. **Sec. 1090. FOR THE DEPARTMENT OF
ARCHAEOLOGY AND HISTORIC PRESERVATION**

2025-27 Historic Cemetery Capital Grant Program (40000037)

Appropriation:

State Building Construction Account—State	\$515,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$2,060,000
TOTAL	\$2,575,000

NEW SECTION. **Sec. 1091. FOR THE DEPARTMENT OF
ARCHAEOLOGY AND HISTORIC PRESERVATION**

2025-27 Heritage Barn Grants (40000038)

Appropriation:

State Building Construction Account—State	\$900,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$3,600,000
TOTAL	\$4,500,000

NEW SECTION. **Sec. 1092. FOR THE DEPARTMENT OF
ARCHAEOLOGY AND HISTORIC PRESERVATION**

2025-27 Historic Theater Capital Grant Program (40000039)

Appropriation:

State Building Construction Account—State	\$515,000
Prior Biennia (Expenditures)	\$0

Future Biennia (Projected Costs)	\$2,060,000
TOTAL	\$2,575,000

**NEW SECTION. Sec. 1093. FOR THE DEPARTMENT OF
ARCHAEOLOGY AND HISTORIC PRESERVATION**

2025-27 Historic County Courthouse Rehabilitation Grant Program
(40000040)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for the following list of projects:

Chelan County Courthouse	\$312,000
Douglas County Courthouse	\$610,000
Grays Harbor County Courthouse	\$467,000
Klickitat County Courthouse	\$618,000
Lewis County Courthouse	\$150,000
Okanogan County Courthouse	\$800,000
Pend Oreille County Courthouse	\$125,000
San Juan County Courthouse	\$1,500,000
Spokane County Courthouse	\$500,000
Wahkiakum County Courthouse	\$365,000
Walla Walla County Courthouse	\$1,996,000

Appropriation:

State Building Construction Account—State	\$7,443,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$29,772,000
TOTAL	\$37,215,000

PART 2

HUMAN SERVICES

**NEW SECTION. Sec. 2001. FOR THE CRIMINAL JUSTICE
TRAINING COMMISSION**

Omnibus Minor Works (40000025)

Appropriation:

State Building Construction Account—State	\$2,616,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$10,464,000
TOTAL	\$13,080,000

**NEW SECTION. Sec. 2002. FOR THE CRIMINAL JUSTICE
TRAINING COMMISSION**

Shooting Range Indoor Ventilation System (40000041)

Appropriation:

State Building Construction Account—State	\$2,910,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,910,000

**NEW SECTION. Sec. 2003. FOR THE CRIMINAL JUSTICE
TRAINING COMMISSION**

Dormitory Buildings (92000014)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for the commission to conduct a cost estimate review for construction of new dormitories on the Burien campus. The commission must consider cost saving options.

Appropriation:

State Building Construction Account—State	\$35,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$35,000

NEW SECTION. **Sec. 2004. FOR THE CRIMINAL JUSTICE TRAINING COMMISSION**

Indoor Shooting Range Replacement (92000015)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for the commission to conduct a cost estimate review for construction of a new weapons training facility on the Burien campus. The commission must consider cost saving options.

Appropriation:

State Building Construction Account—State	\$35,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$35,000

NEW SECTION. **Sec. 2005. FOR THE DEPARTMENT OF LABOR AND INDUSTRIES**

Minor Works Preservation Projects (30000035)

Reappropriation:

Accident Account—State	\$2,095,000
Medical Aid Account—State	\$2,085,000
Subtotal Reappropriation	\$4,180,000

Appropriation:

Accident Account—State	\$1,117,000
Medical Aid Account—State	\$228,000
Subtotal Appropriation	\$1,345,000
Prior Biennia (Expenditures)	\$2,446,000
Future Biennia (Projected Costs)	\$5,380,000
TOTAL	\$13,351,000

NEW SECTION. **Sec. 2006. FOR THE DEPARTMENT OF LABOR AND INDUSTRIES**

Emergency Generator and Building Switchgear Upgrades (40000019)

Appropriation:

Accident Account—State	\$896,000
Medical Aid Account—State	\$896,000
Subtotal Appropriation	\$1,792,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,792,000

NEW SECTION. Sec. 2007. FOR THE DEPARTMENT OF LABOR AND INDUSTRIES

Transmission Electron Microscope Workspace Construction (40000023)

Appropriation:

Accident Account—State	\$1,275,000
Medical Aid Account—State.....	\$225,000
Subtotal Appropriation.....	\$1,500,000
Prior Biennia (Expenditures).....	\$0
Future Biennia (Projected Costs).....	\$0
TOTAL	\$1,500,000

NEW SECTION. Sec. 2008. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Statewide: Communications Systems Condition Assessment (40000959)

The appropriations in this section are subject to the following conditions and limitations: The legislature intends to provide funding in the amount of \$26,142,000 over the course of the 2025-2027 and 2027-2029 fiscal biennia for this project.

Reappropriation:

Charitable, Educational, Penal, and Reformatory Institutions Account—State.....	\$5,271,000
--	-------------

Appropriation:

Charitable, Educational, Penal, and Reformatory Institutions Account—State.....	\$9,406,000
State Building Construction Account—State	\$1,736,000
Subtotal Appropriation.....	\$11,142,000
Prior Biennia (Expenditures).....	\$1,021,000
Future Biennia (Projected Costs).....	\$60,000,000
TOTAL	\$77,434,000

NEW SECTION. Sec. 2009. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Western State Hospital-Water System: Assessment and Improvements (40001089)

The appropriations in this section are subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 2003, chapter 375, Laws of 2024.

Reappropriation:

State Building Construction Account—State	\$1,922,000
---	-------------

Appropriation:

State Building Construction Account—State	\$27,162,000
Prior Biennia (Expenditures).....	\$568,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$29,652,000

NEW SECTION. Sec. 2010. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Olympic Heritage Behavioral Health - Facility Modernization (40001145)

Reappropriation:

Capital Community Assistance Account—State	\$13,376,000
State Building Construction Account—State	\$855,000
Subtotal Reappropriation	\$14,231,000
Appropriation:	
State Building Construction Account—State	\$6,037,000
Prior Biennia (Expenditures)	\$324,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$20,592,000

NEW SECTION. Sec. 2011. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Minor Works 2025-27 (40001155)	
Appropriation:	
Charitable, Educational, Penal, and Reformatory Institutions Account—State	
	\$582,000
State Building Construction Account—State	\$7,832,000
Subtotal Appropriation	\$8,414,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$33,656,000
TOTAL	\$42,070,000

NEW SECTION. Sec. 2012. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Olympic Heritage Behavioral Health - Joint Commission Compliance (40001175)	
Appropriation:	
State Building Construction Account—State	\$8,772,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$8,772,000

NEW SECTION. Sec. 2013. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Statewide - Infrastructure: Emergency Generator Replacement (40001182)	
Appropriation:	
State Building Construction Account—State	\$22,611,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$22,532,000
TOTAL	\$45,143,000

NEW SECTION. Sec. 2014. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Statewide-Campus: Pendant Alarm System Replacement (40001183)	
The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely to install a pendant alarm system at Eastern State Hospital. The legislature intends to provide funding in an amount no less than \$10,885,000 over the course of the 2025-2027 and 2027-2029 fiscal biennia for this project.	
Appropriation:	
Charitable, Educational, Penal, and Reformatory Institutions Account—State	
	\$972,000

Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$9,913,000
TOTAL	\$10,885,000

NEW SECTION. Sec. 2015. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Western State Hospital - Campus Shower Upgrades (40001186)

Appropriation:

State Building Construction Account—State	\$1,775,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,775,000

NEW SECTION. Sec. 2016. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Western State Hospital: New Forensic Hospital (91000067)

Reappropriation:

State Building Construction Account—State	\$581,956,000
---	---------------

Appropriation:

State Building Construction Account—State	\$282,000,000
Prior Biennia (Expenditures)	\$83,044,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$947,000,000

NEW SECTION. Sec. 2017. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Medical Lake Land Transfer (91000094)

The appropriation in this section is subject to the following conditions and limitations:

(1) Up to \$100,000 of the state building construction account—state appropriation is provided solely to facilitate the transfer of Spokane county parcel number 1-4192.0001 and that portion of the adjacent Spokane county parcel number 0-4241.0006 that is bordered on the south by W Fancher road and on the west by S Pine street from the department of social and health services to the city of Medical Lake for purposes of public outdoor recreation, and to facilitate the granting of an easement from the department to the city of Medical Lake for the purpose of a recreational trail that runs the length of the western edge of Medical Lake. Public outdoor recreation may include campgrounds and overnight recreational facility structures. The city of Medical Lake must operate and maintain the property for the intended purpose in perpetuity.

(2) By May 30, 2026, the department must reach a memorandum of understanding to transfer the property as provided in subsection (1) of this section. The department may use up to \$100,000 toward the cost of transferring the property, including but not limited to: Closing costs; surveying costs related to the division of property and boundary line adjustments; recording costs; costs related to the recording of easements; and costs related to entering into an interagency agreement with the department of enterprise services to transfer the land. Any costs necessary to complete the transfer above the appropriated amount must be assumed by the city. The memorandum must be reported to the house of representatives capital budget committee, the senate ways and means committee, and the governor's office by June 30, 2026.

Appropriation:

State Building Construction Account—State	\$100,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$100,000

NEW SECTION. Sec. 2018. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Maple Lane - Rapid BH Bed Capacity (92000046)

Reappropriation:

State Building Construction Account—State	\$18,932,000
---	--------------

Appropriation:

State Building Construction Account—State	\$22,107,000
Prior Biennia (Expenditures)	\$2,938,000
Future Biennia (Projected Costs)	\$6,967,000
TOTAL	\$50,944,000

NEW SECTION. Sec. 2019. FOR THE DEPARTMENT OF HEALTH
Reroute Existing Water Supply Mains (40000041)

Appropriation:

State Building Construction Account—State	\$623,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$6,786,000
TOTAL	\$7,409,000

NEW SECTION. Sec. 2020. FOR THE DEPARTMENT OF HEALTH
2025-27 DWSRF Repayment Appropriation (40000084)

Appropriation:

Drinking Water Assistance Account—State	\$120,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$120,000,000

NEW SECTION. Sec. 2021. FOR THE DEPARTMENT OF HEALTH
Planning and Engineering Loan (40000085)

Appropriation:

Drinking Water Assistance Account—State	\$3,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$3,000,000

NEW SECTION. Sec. 2022. FOR THE DEPARTMENT OF HEALTH
Federal Emerging Contaminants Grants (40000086)

Appropriation:

General Fund—Federal	\$26,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$26,000,000

NEW SECTION. Sec. 2023. FOR THE DEPARTMENT OF HEALTH
2025-27 DWSRF State Match (40000088)

The appropriation in this section is subject to the following conditions and limitations:

(1) For projects involving repair, replacement, or improvement of a clean water infrastructure facility or other public works facility for which an investment grade efficiency audit is reasonably obtainable, the department shall require as a contract condition that the project sponsor undertake an investment grade efficiency audit. The project sponsor may finance the costs of the audit as part of its drinking water state revolving fund program loan.

(2) The department must encourage local government use of federally funded drinking water infrastructure programs operated by the United States department of agriculture rural development agency.

Appropriation:

Drinking Water Assistance Account—State	\$25,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$100,000,000
TOTAL	\$125,000,000

NEW SECTION. Sec. 2024. FOR THE DEPARTMENT OF HEALTH
2025-27 Minor Works (91000035)

Appropriation:

State Building Construction Account—State	\$640,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$2,560,000
TOTAL	\$3,200,000

NEW SECTION. Sec. 2025. FOR THE DEPARTMENT OF VETERANS AFFAIRS

SVH - Skilled Nursing Facility Replacement (40000109)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for the purchase of land for construction of a skilled nursing facility in Spokane.

Appropriation:

State Building Construction Account—State	\$8,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$144,956,000
TOTAL	\$152,956,000

NEW SECTION. Sec. 2026. FOR THE DEPARTMENT OF VETERANS AFFAIRS

THP - BLDG 10 Fire Alarm System Replacement (40000110)

Appropriation:

Charitable, Educational, Penal, and Reformatory Institutions Account—State	\$1,416,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,416,000

NEW SECTION. Sec. 2027. FOR THE DEPARTMENT OF VETERANS AFFAIRS

WSH - Model Toxins - Pollution Remediation (40000112)

Appropriation:

Model Toxics Control Capital Account—State	\$40,000
Prior Biennia (Expenditures)	\$0

Future Biennia (Projected Costs).....	\$0
TOTAL	\$40,000

NEW SECTION. **Sec. 2028. FOR THE DEPARTMENT OF VETERANS AFFAIRS**

Transitional Housing Program Roosevelt Barracks HVAC Replacement (40000114)

Appropriation:

State Building Construction Account—State	\$5,576,000
Prior Biennia (Expenditures).....	\$0
Future Biennia (Projected Costs).....	\$0
TOTAL	\$5,576,000

NEW SECTION. **Sec. 2029. FOR THE DEPARTMENT OF VETERANS AFFAIRS**

Transitional Housing Program Betsy Ross Building HVAC Replacement (40000116)

Appropriation:

State Building Construction Account—State	\$4,356,000
Prior Biennia (Expenditures).....	\$0
Future Biennia (Projected Costs).....	\$0
TOTAL	\$4,356,000

NEW SECTION. **Sec. 2030. FOR THE DEPARTMENT OF VETERANS AFFAIRS**

SE Washington Veterans Cemetery (40000119)

Appropriation:

State Building Construction Account—State	\$500,000
Prior Biennia (Expenditures).....	\$0
Future Biennia (Projected Costs).....	\$0
TOTAL	\$500,000

NEW SECTION. **Sec. 2031. FOR THE DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES**

Echo Glen Secure Facility Improvements (40000546)

Reappropriation:

State Building Construction Account—State	\$10,653,000
---	--------------

Appropriation:

State Building Construction Account—State	\$800,000
Prior Biennia (Expenditures).....	\$1,901,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$13,354,000

NEW SECTION. **Sec. 2032. FOR THE DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES**

Green Hill School HVAC Upgrades (40000584)

Reappropriation:

Climate Commitment Account—State	\$3,449,000
State Building Construction Account—State	\$1,996,000
Subtotal Reappropriation	\$5,445,000

Appropriation:

State Building Construction Account—State	\$4,500,000
Prior Biennia (Expenditures).....	\$1,000

Future Biennia (Projected Costs)	\$8,864,000
TOTAL	\$18,810,000

NEW SECTION. Sec. 2033. FOR THE DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES

6yr Statewide Facilities Master Plan (40000587)

Appropriation:

Charitable, Educational, Penal, and Reformatory Institutions Account—State	\$250,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$250,000

NEW SECTION. Sec. 2034. FOR THE DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES

Minor Works Project (40000589)

Appropriation:

State Building Construction Account—State	\$5,578,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$22,312,000
TOTAL	\$27,890,000

NEW SECTION. Sec. 2035. FOR THE DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES

Echo Glen Upper Campus Main Boiler HVAC Replacement (40000593)

Appropriation:

State Building Construction Account—State	\$8,200,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$8,200,000

NEW SECTION. Sec. 2036. FOR THE DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES

Green Hill School Visitor Screening & Security Improvements (40000596)

Appropriation:

State Building Construction Account—State	\$4,500,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$4,500,000

NEW SECTION. Sec. 2037. FOR THE DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES

Echo Glen Central Family Visiting Center (40000603)

Appropriation:

State Building Construction Account—State	\$250,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$11,800,000
TOTAL	\$12,050,000

***NEW SECTION. Sec. 2038. FOR THE DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES**

Additional Juvenile Rehabilitation Capacity (91000078)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation in this section is provided solely to fund acquisition, predesign, and design of one or more facilities to be used as medium security juvenile rehabilitation facilities. Consideration must be given to geographic availability of services and the feasibility of renovating existing facilities that are able to be operational by the end of fiscal year 2029. The department must consider prioritizing facilities that support no more than 50 youth.

(2) \$500,000 of the state building construction account—state appropriation is provided solely for predesign and \$2,500,000 of the state building construction account—state appropriation is provided solely for acquisition and design.

(3) The predesign and design must include recommendations for living units and spaces for recreation, education, programming, and medical and behavioral health services. Recommendations must be informed by best practice models and must include a justification, estimated time of construction, and cost.

(4) The department shall conduct the predesign in fiscal year 2026, shall submit an estimate of anticipated construction costs as part of its decision package for consideration in the 2026 supplemental budget, and shall submit a full plan of construction costs, including a construction schedule, as part of its decision package for consideration in the 2027-2029 biennial budget.

Appropriation:

State Building Construction Account—State	\$3,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$3,000,000

**Sec. 2038 was partially vetoed. See message at end of chapter.*

NEW SECTION. Sec. 2039. FOR THE DEPARTMENT OF CORRECTIONS

MCC: WSR Perimeter Wall Renovation (30000117)

Reappropriation:

State Building Construction Account—State	\$869,000
---	-----------

Appropriation:

State Building Construction Account—State	\$3,674,000
Prior Biennia (Expenditures)	\$331,000
Future Biennia (Projected Costs)	\$34,540,000
TOTAL	\$39,414,000

NEW SECTION. Sec. 2040. FOR THE DEPARTMENT OF CORRECTIONS

SW IMU Recreation Yard Improvement (30001123)

Reappropriation:

State Building Construction Account—State	\$2,997,000
---	-------------

Appropriation:

State Building Construction Account—State	\$3,614,000
Prior Biennia (Expenditures)	\$2,003,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$8,614,000

NEW SECTION. Sec. 2041. FOR THE DEPARTMENT OF CORRECTIONS

MCC: SOU and TRU - Domestic Water and HVAC Piping System (40000246)

Reappropriation:

State Building Construction Account—State \$25,691,000

Appropriation:

State Building Construction Account—State \$13,897,000

Prior Biennia (Expenditures) \$3,438,000

Future Biennia (Projected Costs) \$41,691,000

TOTAL \$84,717,000

NEW SECTION. Sec. 2042. FOR THE DEPARTMENT OF CORRECTIONS

WCCW: MSC Living Unit Bathroom Renovations (40000263)

Reappropriation:

State Building Construction Account—State \$488,000

Appropriation:

State Building Construction Account—State \$8,448,000

Prior Biennia (Expenditures) \$12,000

Future Biennia (Projected Costs) \$0

TOTAL \$8,948,000

NEW SECTION. Sec. 2043. FOR THE DEPARTMENT OF CORRECTIONS

McNeil Island Transport Barge Replacement (40000419)

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section are provided solely to fund the design and construction of one new transport barge.

Reappropriation:

State Building Construction Account—State \$722,000

Appropriation:

State Building Construction Account—State \$6,128,000

Prior Biennia (Expenditures) \$178,000

Future Biennia (Projected Costs) \$6,128,000

TOTAL \$13,156,000

NEW SECTION. Sec. 2044. FOR THE DEPARTMENT OF CORRECTIONS

SW: Security Electronics Renewal & Adaptation (40000523)

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section are provided to address the highest priority security electronics systems identified in the condition assessment and identified by the department as the greatest need for the health and safety of employees and inmates.

Reappropriation:

State Building Construction Account—State \$800,000

Appropriation:

State Building Construction Account—State \$4,825,000

Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$19,300,000
TOTAL	\$24,925,000

NEW SECTION. Sec. 2045. FOR THE DEPARTMENT OF CORRECTIONS

SW: Fire Alarm Systems Stabilization Project (40000524)

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section are provided to address the highest priority fire alarm systems identified in the condition assessment and identified by the department as the greatest need for the health and safety of employees and inmates.

Reappropriation:

State Building Construction Account—State	\$750,000
---	-----------

Appropriation:

State Building Construction Account—State	\$6,100,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$24,400,000
TOTAL	\$31,250,000

NEW SECTION. Sec. 2046. FOR THE DEPARTMENT OF CORRECTIONS

SW: Perimeter Fence Detection Stabilization Project (40000525)

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section are provided to address the highest priority perimeter fence detection systems identified in the condition assessment and identified by the department as the greatest need for the health and safety of employees and inmates.

Reappropriation:

State Building Construction Account—State	\$750,000
---	-----------

Appropriation:

State Building Construction Account—State	\$6,445,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$25,780,000
TOTAL	\$32,975,000

NEW SECTION. Sec. 2047. FOR THE DEPARTMENT OF CORRECTIONS

Minor Works - Preservation Projects (40000769)

Appropriation:

State Building Construction Account—State	\$6,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$24,000,000
TOTAL	\$30,000,000

NEW SECTION. Sec. 2048. FOR THE DEPARTMENT OF CORRECTIONS

WCCW: Replace Roof Bldgs C, H, B, G, U & W (40000770)

Appropriation:

State Building Construction Account—State	\$6,749,000
---	-------------

Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$6,749,000

NEW SECTION. Sec. 2049. FOR THE DEPARTMENT OF CORRECTIONS

McNeil Island Parcel Analysis (40000781)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation in this section is provided solely for the department, in consultation with the department of social and health services and the department of fish and wildlife, to complete a study of McNeil Island, to include each parcel's ownership, restrictions, current use, and options for possible future uses, and to include estimated costs of decommissioning.

(a) The report must include a 10-year history of expenditures by the state to support operations and programs on the island, and projected capital costs for the next 10 years.

(b) The report must include a 10-year census count of residents and incarcerated individuals served by state programs on the island, and the number of full-time equivalent state employees staffing the operation of programs on the island.

(c) The report must include an analysis of effects of relocating or decommissioning services currently offered on McNeil Island in support of the special commitment center.

(2) The department must report findings and recommendations to the governor and the appropriate committees of the legislature by August 1, 2026.

Appropriation:

State Building Construction Account—State	\$522,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$522,000

PART 3

NATURAL RESOURCES

NEW SECTION. Sec. 3001. FOR THE DEPARTMENT OF ECOLOGY

2025-27 Waste Tire Pile Cleanup and Prevention (40000621)

Appropriation:

Waste Tire Removal Account—State	\$1,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$4,000,000
TOTAL	\$5,000,000

NEW SECTION. Sec. 3002. FOR THE DEPARTMENT OF ECOLOGY

2025-27 Coastal Wetlands Federal Funds (40000622)

Appropriation:

General Fund—Federal	\$10,000,000
Prior Biennia (Expenditures)	\$0

Future Biennia (Projected Costs).....	\$40,000,000
TOTAL	\$50,000,000

NEW SECTION. **Sec. 3003. FOR THE DEPARTMENT OF ECOLOGY**

2025-27 Freshwater Aquatic Invasive Plants Grant Program (40000623)

Appropriation:

Freshwater Aquatic Weeds Account—State	\$1,300,000
Prior Biennia (Expenditures).....	\$0
Future Biennia (Projected Costs).....	\$5,200,000
TOTAL	\$6,500,000

NEW SECTION. **Sec. 3004. FOR THE DEPARTMENT OF ECOLOGY**

2025-27 Freshwater Algae Grant Program (40000624)

Appropriation:

Aquatic Algae Control Account—State	\$468,000
Prior Biennia (Expenditures).....	\$0
Future Biennia (Projected Costs).....	\$1,872,000
TOTAL	\$2,340,000

NEW SECTION. **Sec. 3005. FOR THE DEPARTMENT OF ECOLOGY**

2025-27 Water Pollution Control Revolving Program (40000625)

Appropriation:

Water Pollution Control Revolving Fund—Federal	\$214,000,000
Water Pollution Control Revolving Fund—State	\$400,000,000
Subtotal Appropriation.....	\$614,000,000
Prior Biennia (Expenditures).....	\$0
Future Biennia (Projected Costs).....	\$2,456,000,000
TOTAL	\$3,070,000,000

NEW SECTION. **Sec. 3006. FOR THE DEPARTMENT OF ECOLOGY**

2025-27 State Match - Water Pollution Control Revolving Program (40000626)

Appropriation:

Water Pollution Control Revolving Fund—State	\$41,000,000
Prior Biennia (Expenditures).....	\$0
Future Biennia (Projected Costs).....	\$164,000,000
TOTAL	\$205,000,000

NEW SECTION. **Sec. 3007. FOR THE DEPARTMENT OF ECOLOGY**

2025-27 Protect Investments in Cleanup Remedies (40000627)

Appropriation:

Model Toxics Control Capital Account—State.....	\$4,450,000
Prior Biennia (Expenditures).....	\$0
Future Biennia (Projected Costs).....	\$17,800,000
TOTAL	\$22,250,000

NEW SECTION. **Sec. 3008. FOR THE DEPARTMENT OF ECOLOGY**

2025-27 Eastern Washington Clean Sites Initiative (40000628)

Appropriation:

Model Toxics Control Capital Account—State	\$4,250,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$17,000,000
TOTAL	\$21,250,000

NEW SECTION. Sec. 3009. FOR THE DEPARTMENT OF ECOLOGY

2025-27 Cleanup Settlement Account Projects (40000629)

Appropriation:

Cleanup Settlement Account—State	\$650,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$650,000

NEW SECTION. Sec. 3010. FOR THE DEPARTMENT OF ECOLOGY

2025-27 ASARCO Everett Smelter Plume Cleanup (40000641)

Appropriation:

Model Toxics Control Capital Account—State	\$7,239,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$14,939,000
TOTAL	\$22,178,000

NEW SECTION. Sec. 3011. FOR THE DEPARTMENT OF ECOLOGY

2025-27 Centennial Clean Water Program (40000642)

Appropriation:

Model Toxics Control Capital Account—State	\$40,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$160,000,000
TOTAL	\$200,000,000

NEW SECTION. Sec. 3012. FOR THE DEPARTMENT OF ECOLOGY

2025-27 Stormwater Financial Assistance Program (40000643)

Appropriation:

Model Toxics Control Stormwater Account—State	\$60,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$240,000,000
TOTAL	\$300,000,000

NEW SECTION. Sec. 3013. FOR THE DEPARTMENT OF ECOLOGY

2025-27 Affordable Housing Cleanup Grant Program (40000644)

Appropriation:

Model Toxics Control Capital Account—State	\$11,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$44,000,000
TOTAL	\$55,000,000

NEW SECTION. **Sec. 3014. FOR THE DEPARTMENT OF ECOLOGY**

2025-27 Product Replacement Program (40000651)

Appropriation:

Model Toxics Control Capital Account—State	\$2,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$8,000,000
TOTAL	\$10,000,000

NEW SECTION. **Sec. 3015. FOR THE DEPARTMENT OF ECOLOGY**

2025-27 Reducing Toxic Wood Stove Emissions (40000652)

The appropriation in this section is subject to the following conditions and limitations:

(1) \$4,064,000 of the appropriation in this section is provided solely for the replacement of uncertified heating devices to reduce toxic air pollution. Whenever possible and most cost-effective, the agency and local air agency partners must select home heating devices that are certified by the United States environmental protection agency or that do not use natural gas to replace noncompliant devices.

(2) \$100,000 of the appropriation in this section is provided solely for air agencies to offer the opportunity to replace a noncompliant woodstove with a compliant woodstove under this program.

Appropriation:

Model Toxics Control Capital Account—State	\$4,164,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$16,656,000
TOTAL	\$20,820,000

NEW SECTION. **Sec. 3016. FOR THE DEPARTMENT OF ECOLOGY**

2025-27 Clean Up Toxic Sites-Puget Sound Initiative (40000653)

Appropriation:

Model Toxics Control Capital Account—State	\$3,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$12,000,000
TOTAL	\$15,000,000

NEW SECTION. **Sec. 3017. FOR THE DEPARTMENT OF ECOLOGY**

2025-27 Swift Creek Natural Asbestos Flood Control and Cleanup (40000658)

Appropriation:

State Building Construction Account—State	\$4,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$31,477,000
TOTAL	\$35,477,000

NEW SECTION. Sec. 3018. FOR THE DEPARTMENT OF ECOLOGY

2025-27 Reducing Diesel Greenhouse Gases and Toxic Emissions (40000659)

Appropriation:

Model Toxics Control Capital Account—State	\$7,816,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$31,264,000
TOTAL	\$39,080,000

NEW SECTION. Sec. 3019. FOR THE DEPARTMENT OF ECOLOGY

2025-27 Floodplains by Design (40000660)

The appropriations in this section are subject to the following conditions and limitations: The state building construction account—state appropriation in this section is subject to the provisions of section 8018 of this act.

Appropriation:

State Building Construction Account—State	\$59,629,000
Natural Climate Solutions Account—State	\$16,154,000
Subtotal Appropriation	\$75,783,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$303,132,000
TOTAL	\$378,915,000

NEW SECTION. Sec. 3020. FOR THE DEPARTMENT OF ECOLOGY

2025-27 Sunnyside Valley Irrigation District Water Conservation (40000674)

Appropriation:

State Building Construction Account—State	\$3,320,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$13,280,000
TOTAL	\$16,600,000

NEW SECTION. Sec. 3021. FOR THE DEPARTMENT OF ECOLOGY

2025-27 Columbia River Water Supply Development Program (40000681)

The appropriations in this section are subject to the following conditions and limitations:

(1) \$34,915,000 of the state building construction account—state and \$3,585,000 of the Columbia River basin water supply revenue recovery account—state appropriation in this section are provided solely for planning, design, engineering, development, coordination, and construction of the Odessa - OGWRP EL 22.1 pipeline project. Funding in this subsection may also be used as matching funds.

(a) To be eligible for a grant under this subsection (1), a project must have at least 80 percent of its design work completed by July 1, 2025.

(b) The east Columbia basin irrigation district may only be allowed to make any administrative charges sufficient to administer the state grants, not to exceed

one percent of amounts provided to them within this appropriation, with the requirement to report administrative expenditures to the office of Columbia River annually.

(2) \$800,000 of the state building construction account—state appropriation in this section is provided solely for the department to enter into an agreement with the United States bureau of reclamation to reimburse the bureau for costs related to the design and review activities necessary to complete the transfer of the groundwater replacement delivery system title to the United States from the east Columbia basin irrigation district and to secure project reserved power for public delivery systems.

(3) Projects constructed with moneys provided pursuant to this section may be constructed by private contractors, by public entities, or by a combination of both.

(4) Projects constructed with moneys provided pursuant to this section may be constructed in phases.

(5) The state building construction account—state appropriation in this section is subject to the provisions of section 8018 of this act.

Appropriation:

Columbia River Basin Water Supply Revenue	
Recovery Account—State	\$5,000,000
State Building Construction Account—State	\$55,385,000
Subtotal Appropriation	\$60,385,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$241,540,000
TOTAL	\$301,925,000

NEW SECTION. Sec. 3022. FOR THE DEPARTMENT OF ECOLOGY

2025-27 Yakima River Basin Water Supply (40000705)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is subject to the provisions of section 8018 of this act.

Appropriation:

State Building Construction Account—State	\$52,020,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$208,080,000
TOTAL	\$260,100,000

NEW SECTION. Sec. 3023. FOR THE DEPARTMENT OF ECOLOGY

2025-27 PFAS Response (40000719)

The appropriation in this section is subject to the following conditions and limitations: \$2,000,000 of the appropriation in this section is provided solely for the remedial investigation, action plan, and other cleanup activities associated with PFAS contamination in the Lower Issaquah Valley.

Appropriation:

Model Toxics Control Capital Account—State	\$7,000,000
Prior Biennia (Expenditures)	\$0

Future Biennia (Projected Costs)	\$28,000,000
TOTAL	\$35,000,000

NEW SECTION. Sec. 3024. FOR THE DEPARTMENT OF ECOLOGY

2025-27 Puget Sound Nutrient Reduction Grant Program (40000720)

The appropriations in this section are subject to the following conditions and limitations: The state building construction account—state appropriation in this section is subject to the provisions of section 8018 of this act.

Appropriation:

State Building Construction Account—State	\$5,000,000
Model Toxics Control Capital Account—State	\$5,000,000
Subtotal Appropriation	\$10,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$40,000,000
TOTAL	\$50,000,000

NEW SECTION. Sec. 3025. FOR THE DEPARTMENT OF ECOLOGY

2025-27 Stormwater Community-Based Public-Private Partnerships (40000721)

Appropriation:

Model Toxics Control Stormwater Account—State	\$3,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$12,000,000
TOTAL	\$15,000,000

NEW SECTION. Sec. 3026. FOR THE DEPARTMENT OF ECOLOGY

2025-27 Chehalis Basin Strategy (40000724)

The appropriations in this section are subject to the following conditions and limitations:

(1) \$67,779,000 of the state building construction account—state and \$2,000,000 of the natural climate solutions account—state appropriation in this section are provided solely for Chehalis Basin board-approved projects:

(a) To protect and restore aquatic species habitat, including: Construction and property acquisition; preconstruction and acquisition planning and project development, feasibility, design, environmental review, and permitting; postconstruction and acquisition monitoring and adaptive management; and engagement of state agencies, tribes, conservation partners, landowners, and other parties;

(b) To reduce flood damage, including: Construction and property acquisition; preconstruction and acquisition project planning and development, feasibility, design, environmental review, and permitting; completion of environmental review and endangered species act consultation on the proposed flood protection facility; refinement and evaluation of the local action non-dam alternative; and engagement of state agencies, tribes, project sponsors, landowners, and other parties; and

(c) That advance both the habitat restoration and the flood damage reduction goals of the Chehalis Basin strategy using a multibenefit approach, including: Community outreach and education; construction and property acquisition; preconstruction and acquisition planning and project development, feasibility, design, environmental review, and permitting; postconstruction and acquisition monitoring and adaptive management; and engagement of federal, state, and local agencies, tribes, conservation partners, landowners, and other parties.

(2) \$5,250,000 of the state building construction account—state appropriation in this section is provided solely for the staffing and operations of the office of Chehalis Basin and Chehalis Basin board to oversee the development, implementation, and amendment of the Chehalis Basin strategy, and this is the maximum amount the board may expend for this purpose. Oversight operations include, but are not limited to: Providing financial accountability, project management, technical assistance of grants and contracts associated with the subprojects funded through this section, and board meeting administration and facilitation.

(3) Specific projects must be approved by at least six of the seven voting members of the Chehalis Basin board. The Chehalis Basin board has the discretion to allocate the funding between subsections (1)(a), (b), and (c) of this section as needed to meet the objectives of this appropriation and if approved by at least six of the seven voting members of the board. However, \$5,250,000 is the maximum amount the department may expend for the purposes of subsection (2) of this section.

(4) The state building construction account—state appropriation in this section is subject to the provisions of section 8018 of this act.

Appropriation:

Natural Climate Solutions Account—State	\$2,000,000
State Building Construction Account—State	\$73,029,000
Subtotal Appropriation	\$75,029,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$300,116,000
TOTAL	\$375,145,000

NEW SECTION. Sec. 3027. FOR THE DEPARTMENT OF ECOLOGY

2025-27 Streamflow Restoration Program (40000725)

Appropriation:

Watershed Restoration and Enhancement Bond Account—State	\$40,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$160,000,000
TOTAL	\$200,000,000

NEW SECTION. Sec. 3028. FOR THE DEPARTMENT OF ECOLOGY

2025-27 Remedial Action Grant Program (40000726)

The appropriation in this section is subject to the following conditions and limitations: When entering into project contracts using funding appropriated in this section, the department must prioritize ongoing projects that have received

funding from a previous capital budget appropriation for the remedial action grant program.

Appropriation:

Model Toxics Control Capital Account—State	\$84,425,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$337,700,000
TOTAL	\$422,125,000

NEW SECTION. Sec. 3029. FOR THE DEPARTMENT OF ECOLOGY

North Shore Levee (92000200)

The appropriations in this section are subject to the following conditions and limitations:

(1) The appropriation in this section is subject to the provisions of section 8018 of this act.

(2) The reappropriation in this section is subject to the provisions of section 7059 of this act.

Reappropriation:

State Building Construction Account—State	\$17,467,000
---	--------------

Appropriation:

State Building Construction Account—State	\$17,000,000
Prior Biennia (Expenditures)	\$1,033,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$35,500,000

NEW SECTION. Sec. 3030. FOR THE DEPARTMENT OF ECOLOGY

Yakima Tieton Irrigation Canal (92000220)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation in this section is provided solely for a grant to the Yakima-Tieton irrigation district for repair and replacement of the Yakima-Tieton irrigation district canal. Funds must be used to leverage nonstate funds to ensure water delivery to agricultural and municipal customers, protect and enhance fishery resources, and ensure fire suppression water supply is available to the region.

(2) The appropriation in this section is subject to the provisions of section 8018 of this act.

Appropriation:

State Building Construction Account—State	\$8,500,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$8,500,000

***NEW SECTION. Sec. 3031. FOR THE DEPARTMENT OF ECOLOGY**

Capitol Lake-Deschutes Estuary Project (92000226)

The appropriation in this section is subject to the following conditions and limitations:

(1) The legislature finds that the portion of the capital campus known as Capitol Lake is an important ecological and recreational resource for the State of Washington that was once connected to the Deschutes Estuary. Due to a lack of routine management over the last 25 to 50 years, the lake ecosystem is degraded, resulting in poor water quality, excessive algae growth, and invasive species proliferation.

The legislature further finds that the department of enterprise services has conducted significant outreach and study by engaging with the Squaxin Island Tribe, local municipal governments, the Port of Olympia, and other local stakeholders towards the goal of a long-term management solution that returns the lake to an estuary. The legislature acknowledges these efforts and partner commitments towards contributing to future maintenance and renewal but recognizes that the substantial investment necessary for the estuary restoration plan as currently proposed is not feasible. In an effort to both address the degraded lake water quality and identify a cost-effective approach to an estuary restoration that the state can responsibly support, the legislature intends to transfer management of this aquatic ecosystem to a state agency with natural resources expertise. Addressing the water quality of the lake will not only provide immediate benefit to the health of Capitol Lake and Budd Inlet, but also serve as a necessary precursor to a future estuary restoration.

(2) \$8,000,000 of the appropriation in this section is provided solely for the department, in consultation with the department of enterprise services and office of the governor, for the Deschutes estuary restoration. The department shall use past reports and studies, consider existing stakeholder input, and critically consider elements of the current, but incomplete, department of enterprise services design. The updated design must include a recommended series of projects phased over several biennia with defined deliverable outcomes that move the state forward to a completed estuary. For each project phase, the plan shall identify expected timelines, estimated expenditures, and opportunities for non-state matching fund sources that contribute to the planned restoration and construction costs. The design may include only those elements associated with the construction of the estuary habitat, roadway and bridge improvements necessary to remove the existing 5th avenue bridge and associated necessary infrastructure and must minimize overall project cost. Recreational or pedestrian enhancement elements of the project must be designed as a separate bid package that could be added to the project at a future date, subject to the availability of funding appropriated for these elements.

(3) \$4,000,000 of the appropriation in this section is provided solely for the department to develop and implement a lake management plan to improve the water quality of Capitol Lake and begin the plan's implementation.

(a) The lake management plan must be developed with the goals of improving water quality and enhancing ecosystem structure and function. The plan must include lake management strategies that: Reduce the presence of algae; remove aquatic invasive species; mitigate decades of sediment accumulation; manage internal and external nutrient inputs, including those contributing to the impairment of dissolved oxygen levels in Budd Inlet; improve sediment quality by removing the accumulation of toxic contaminants and bioavailable phosphorous; and increase acreage of freshwater wetlands, restored shoreline, and native emergent vegetation. The plan must incorporate

water quality data, bathymetric surveys, and other sampling and modeling data already collected as part of prior Capitol Lake and Deschutes Estuary studies.

(b) Management strategies identified to achieve the goals must be innovative and may include: The use of thermal treatments and saltwater backflushing for invasive species removal, direct algae control methods, circulation and aeration techniques, dredging, phosphorus sequestration, and other methods determined to be effective. The plan must also include a detailed implementation framework with cost estimates and specific milestones to be achieved over a five-year period.

(4) No later than September 1, 2026, the department must submit to the governor and the capital budget committee chairs and ranking members of the legislature:

(a) A lake management plan in accordance with the provisions of subsection (3) of this section;

(b) An update on the progress of design for the restoration of the Deschutes Estuary;

(c) A description of work performed to date, including any encountered obstacles or delays;

(d) An updated project management plan that includes both the lake management and estuary restoration components, expected timeline for each portion of the plan, estimated expenditures for each stage, and potential funding sources to cover the planned restoration and construction costs;

(e) A list of necessary transportation and infrastructure enhancements to support the community; and

(f) A request for any additional funds needed in the 2027-2029 biennium to continue implementation.

(5) \$2,000,000 of the appropriation in this section is provided solely for any land acquisition necessary for the project.

(6) \$750,000 of the appropriation in this section is provided solely for project management costs.

Appropriation:

State Building Construction Account—State	\$14,750,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$14,750,000

**Sec. 3031 was partially vetoed. See message at end of chapter.*

NEW SECTION. Sec. 3032. FOR THE WASHINGTON POLLUTION LIABILITY INSURANCE PROGRAM

2025-27 Underground Storage Tank Capital Financial Assistance Pgm (40000005)

Appropriation:

Pollution Liability Insurance Agency Underground Storage Tank Revolving Account—State	\$12,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$48,000,000
TOTAL	\$60,000,000

NEW SECTION. Sec. 3033. FOR THE WASHINGTON POLLUTION LIABILITY INSURANCE PROGRAM

2025-27 Heating Oil Capital Financing Assistance Program (40000007)

Appropriation:

Pollution Liability Insurance Agency Underground	
Storage Tank Revolving Account—State	\$3,750,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$15,000,000
TOTAL	\$18,750,000

NEW SECTION. Sec. 3034. FOR THE STATE PARKS AND RECREATION COMMISSION

Lake Easton - Infrastructure Improvements (30000177)

Appropriation:

State Building Construction Account—State	\$780,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$3,922,000
TOTAL	\$4,702,000

NEW SECTION. Sec. 3035. FOR THE STATE PARKS AND RECREATION COMMISSION

Local Grant Authority (30000857)

Appropriation:

Parks Renewal and Stewardship Account—	
Private/Local	\$2,000,000
Prior Biennia (Expenditures)	\$4,496,000
Future Biennia (Projected Costs)	\$8,000,000
TOTAL	\$14,496,000

NEW SECTION. Sec. 3036. FOR THE STATE PARKS AND RECREATION COMMISSION

Federal Grant Authority (30000858)

Appropriation:

General Fund—Federal	\$750,000
Prior Biennia (Expenditures)	\$800,000
Future Biennia (Projected Costs)	\$3,000,000
TOTAL	\$4,550,000

NEW SECTION. Sec. 3037. FOR THE STATE PARKS AND RECREATION COMMISSION

Parkland Acquisition (30000976)

Appropriation:

Parkland Acquisition Account—State	\$2,500,000
Prior Biennia (Expenditures)	\$2,178,000
Future Biennia (Projected Costs)	\$10,000,000
TOTAL	\$14,678,000

NEW SECTION. Sec. 3038. FOR THE STATE PARKS AND RECREATION COMMISSION

Mount Spokane Road Improvements (30000982)

Appropriation:

State Building Construction Account—State	\$938,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$4,104,000
TOTAL	\$5,042,000

NEW SECTION. Sec. 3039. FOR THE STATE PARKS AND RECREATION COMMISSION

Klickitat Trail Suburbia Bridge Replacement (30001024)

Appropriation:

State Building Construction Account—State	\$4,066,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$4,066,000

NEW SECTION. Sec. 3040. FOR THE STATE PARKS AND RECREATION COMMISSION

Ocean City Fish Barrier Removal (40000123)

Appropriation:

State Building Construction Account—State	\$3,895,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$4,728,000
TOTAL	\$8,623,000

NEW SECTION. Sec. 3041. FOR THE STATE PARKS AND RECREATION COMMISSION

Sun Lakes - Dry Falls Visitor's Center Renovation (40000156)

Appropriation:

State Building Construction Account—State	\$6,382,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$6,382,000

NEW SECTION. Sec. 3042. FOR THE STATE PARKS AND RECREATION COMMISSION

Nisqually Day Use Improvements (40000202)

Reappropriation:

State Building Construction Account—State	\$2,063,000
---	-------------

Appropriation:

State Building Construction Account—State	\$953,000
Prior Biennia (Expenditures)	\$788,000
Future Biennia (Projected Costs)	\$32,123,000
TOTAL	\$35,927,000

NEW SECTION. Sec. 3043. FOR THE STATE PARKS AND RECREATION COMMISSION

Wallace Falls Parking Expansion (40000207)

Appropriation:

State Building Construction Account—State	\$2,386,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,386,000

NEW SECTION. Sec. 3044. FOR THE STATE PARKS AND RECREATION COMMISSION

Twanoh State Park Shoreline Restoration (40000235)

Appropriation:

General Fund—Federal	\$1,000,000
State Building Construction Account—State	\$533,000

Subtotal Appropriation	\$1,533,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,533,000

NEW SECTION. Sec. 3045. FOR THE STATE PARKS AND RECREATION COMMISSION

Moran Campground Renovation (40000394)

Appropriation:

State Building Construction Account—State	\$1,275,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$6,844,000
TOTAL	\$8,119,000

NEW SECTION. Sec. 3046. FOR THE STATE PARKS AND RECREATION COMMISSION

Twin Harbors South Beach Area Admin and Maint Facility (40000460)

Appropriation:

State Building Construction Account—State	\$1,366,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$5,213,000
TOTAL	\$6,579,000

NEW SECTION. Sec. 3047. FOR THE STATE PARKS AND RECREATION COMMISSION

Fort Worden Beach Campground Electrical Upgrades (40000473)

Appropriation:

State Building Construction Account—State	\$2,864,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$1,872,000
TOTAL	\$4,736,000

NEW SECTION. Sec. 3048. FOR THE STATE PARKS AND RECREATION COMMISSION

Potlatch Day Use Comfort Station Removal (40000483)

Appropriation:

State Building Construction Account—State	\$419,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$419,000

NEW SECTION. Sec. 3049. FOR THE STATE PARKS AND RECREATION COMMISSION

Fort Flagler WWI Historic Facilities Preservation (40000485)

Appropriation:

State Building Construction Account—State	\$1,230,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$745,000
TOTAL	\$1,975,000

NEW SECTION. Sec. 3050. FOR THE STATE PARKS AND RECREATION COMMISSION

Moran Staff Housing (40000487)

Appropriation:

State Building Construction Account—State	\$567,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$1,662,000
TOTAL	\$2,229,000

NEW SECTION. Sec. 3051. FOR THE STATE PARKS AND RECREATION COMMISSION

Rasar Day Use Upgrades (40000489)

Appropriation:

State Building Construction Account—State	\$324,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$1,140,000
TOTAL	\$1,464,000

NEW SECTION. Sec. 3052. FOR THE STATE PARKS AND RECREATION COMMISSION

Millersylvania Retreat Center Road Fish Barrier Removal (40000499)

Appropriation:

State Building Construction Account—State	\$245,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$821,000
TOTAL	\$1,066,000

NEW SECTION. Sec. 3053. FOR THE STATE PARKS AND RECREATION COMMISSION

Recreational Marine Sewage Disposal Program (40000510)

Appropriation:

General Fund—Federal	\$2,600,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$10,400,000
TOTAL	\$13,000,000

NEW SECTION. Sec. 3054. FOR THE STATE PARKS AND RECREATION COMMISSIONCama Beach State Park Study (91000454)**The appropriation in this section is subject to the following conditions and limitations:**(1) The appropriation in this section must be used solely for an engineering study of both the short and long-term protection of the cabins, boathouse, store, roadways, and other structures in the historic resort area of Cama Beach state park. The study must include:**(a) A determination of the best methods and practices for protecting the resort area from geological processes including, but not limited to, erosion, sea level rise, high tides, wave action, winds, and soil movement, as well as the estimated cost, implementation timeline, and required permits necessary for each method or practice;**(b) An analysis of wastewater management options and cost estimates; and**(c) A proposal for mitigation of any nearshore or estuarine habitat damage or loss resulting from upgrades, replacement, or repairs to the*

existing seawall for marine shoreline stabilization and wastewater management for the site. The proposal must be developed in consultation with interested local tribes, the department of ecology, the department of natural resources, and the appropriate jurisdictions.

(2) In the performance of the work set forth in subsection (1) of this section, the commission must comply with the requirements in executive order 21-02 and must consult with the department of archaeology and historic preservation and affected tribes on the potential effects of the recommended methods and practices on cultural resources.

(3) The agency must submit a report to the appropriate committees of the legislature by October 1, 2026, that includes the work performed pursuant to subsection (1) of this section, and a summary of recommendations made in the study and proposal for mitigation.

Appropriation:

<i>State Building Construction Account—State</i>	<i>\$600,000</i>
<i>Prior Biennia (Expenditures).....</i>	<i>\$0</i>
<i>Future Biennia (Projected Costs).....</i>	<i>\$0</i>
<i>TOTAL.....</i>	<i>\$600,000</i>

**Sec. 3054 was vetoed. See message at end of chapter.*

NEW SECTION. Sec. 3055. FOR THE STATE PARKS AND RECREATION COMMISSION

2025-27 State Parks Capital Preservation Pool (92001133)

The appropriation in this section is subject to the following conditions and limitations:

(1) It is the intent of the legislature that the campground at Lyons Ferry State Park be restored and available for public use.

(2) In order for the appropriation in this section to be considered for reappropriation in the 2027-2029 fiscal biennium, the commission must restore public use of the Lyons Ferry State Park campground by December 31, 2026.

(3) \$3,000,000 of the appropriation in this section is provided solely for statewide ADA compliance projects.

Appropriation:

State Building Construction Account—State	\$5,600,000
Prior Biennia (Expenditures).....	\$0
Future Biennia (Projected Costs).....	\$22,400,000
TOTAL	\$28,000,000

NEW SECTION. Sec. 3056. FOR THE RECREATION AND CONSERVATION OFFICE

2025-27 Washington Wildlife Recreation Program (40000548)

The appropriations in this section are subject to the following conditions and limitations:

(1) The appropriations in this section are provided solely for projects identified in LEAP Capital Document No. RCO-1-2025, developed April 26, 2025.

(2) The appropriations in this section are subject to the provisions of section 8018 of this act.

Appropriation:

Farm and Forest Account—State	\$12,000,000
Habitat Conservation Account—State	\$54,000,000
Outdoor Recreation Account—State	\$54,000,000
Subtotal Appropriation	\$120,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$480,000,000
TOTAL	\$600,000,000

NEW SECTION. Sec. 3057. FOR THE RECREATION AND CONSERVATION OFFICE

2025-27 Salmon Recovery Funding Board Grant Programs (40000550)

The appropriations in this section are subject to the following conditions and limitations:

(1) \$2,400,000 of the state building construction account—state appropriation is provided solely to maintain the lead entity program as described in chapter 77.85 RCW.

(2) \$640,000 of the state building construction account—state appropriation is provided solely for regional fisheries enhancement groups created in RCW 77.95.060.

(3) The recreation and conservation office may retain a portion of the funds appropriated in this section for the administration of grants. The portion of funds retained for administration may not exceed 4.12 percent of the total grant award.

(4) The state building construction account—state appropriation in this section is subject to the provisions of section 8018 of this act.

Appropriation:

General Fund—Federal	\$80,000,000
State Building Construction Account—State	\$25,000,000
Subtotal Appropriation	\$105,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$420,000,000
TOTAL	\$525,000,000

NEW SECTION. Sec. 3058. FOR THE RECREATION AND CONSERVATION OFFICE

2025-27 Salmon Recovery Funding Board Riparian Grant Programs (40000552)

The appropriation in this section is subject to the following conditions and limitations:

(1) The recreation and conservation office may retain a portion of the funds appropriated to projects for the administration of grants. The portion of funds retained for administration may not exceed 4.12 percent of the total grant award.

(2) The appropriation in this section is subject to the provisions of section 8018 of this act.

Appropriation:

State Building Construction Account—State	\$20,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$80,000,000
TOTAL	\$100,000,000

NEW SECTION. Sec. 3059. FOR THE RECREATION AND CONSERVATION OFFICE

2025-27 Puget Sound Acquisition and Restoration (40000554)

The appropriations in this section are subject to the following conditions and limitations:

(1) The appropriations in this section are provided solely for projects identified in LEAP Capital Document No. RCO-2-2025, developed April 26, 2025.

(2) The recreation and conservation office may retain a portion of the funds appropriated to projects for the administration of grants. The portion of funds retained for administration may not exceed 4.12 percent of the total grant award.

(3) The Puget Sound partnership may retain up to \$250,000 of the funds appropriated in this section for program administration.

(4) The state building construction account—state appropriation in this section is subject to the provisions of section 8018 of this act.

Appropriation:

Natural Climate Solutions Account—State	\$10,100,000
State Building Construction Account—State	\$50,438,000
Subtotal Appropriation	\$60,538,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$242,152,000
TOTAL	\$302,690,000

NEW SECTION. Sec. 3060. FOR THE RECREATION AND CONSERVATION OFFICE

2025-27 Youth Athletics Facilities (40000556)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation in this section is provided solely for projects identified in LEAP Capital Document No. RCO-3-2025, developed April 26, 2025. The recreation and conservation office may retain a portion of the funds appropriated to projects for the administration of grants. The portion of funds retained for administration may not exceed four percent of the total grant award.

(2) The appropriation in this section is subject to the provisions of section 8018 of this act.

Appropriation:

State Building Construction Account—State	\$19,767,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$79,068,000
TOTAL	\$98,835,000

NEW SECTION. Sec. 3061. FOR THE RECREATION AND CONSERVATION OFFICE

2025-27 Aquatic Lands Enhancement Account (40000560)

The appropriations in this section are subject to the following conditions and limitations:

(1) The appropriations in this section are provided solely for projects identified in LEAP Capital Document No. RCO-4-2025, developed April 26, 2025. The recreation and conservation office may retain a portion of the funds

appropriated to projects for the administration of grants. The portion of funds retained for administration may not exceed 4.12 percent of the total grant award.

(2) The state building construction account—state appropriation in this section is subject to the provisions of section 8018 of this act.

Appropriation:

Aquatic Lands Enhancement Account—State	\$3,602,000
State Building Construction Account—State	\$749,000
Subtotal Appropriation	\$4,351,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$17,404,000
TOTAL	\$21,755,000

NEW SECTION. Sec. 3062. FOR THE RECREATION AND CONSERVATION OFFICE

2025-27 Community Forest Grant Program (40000562)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation in this section is provided solely for projects identified in LEAP Capital Document No. RCO-5-2025, developed April 26, 2025. The recreation and conservation office may retain a portion of the funds appropriated to projects for the administration of grants. The portion of funds retained for administration may not exceed 4.12 percent of the total grant award.

(2) The appropriation in this section is subject to the provisions of section 8018 of this act.

Appropriation:

State Building Construction Account—State	\$6,248,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$24,992,000
TOTAL	\$31,240,000

NEW SECTION. Sec. 3063. FOR THE RECREATION AND CONSERVATION OFFICE

2025-27 Brian Abbott Fish Barrier Removal Board (40000564)

The appropriations in this section are subject to the following conditions and limitations:

(1) The appropriations in this section are provided solely for projects identified in LEAP Capital Document No. RCO-6-2025, developed April 26, 2025.

(2) The recreation and conservation funding board may retain a portion of the funds appropriated in this section for the administration of the grants. The portion of the funds retained for administration may not exceed three percent of the total grant award.

(3) The department of fish and wildlife may retain a portion of the funds appropriated in this section for technical assistance in developing projects for consideration. The portion of the funds retained for technical assistance may not exceed 4.12 percent of the total grant award.

(4) The state building construction account—state appropriation in this section is subject to the provisions of section 8018 of this act.

Appropriation:

State Building Construction Account—State	\$27,002,000
Natural Climate Solutions Account—State.....	\$5,143,000
State Taxable Building Construction Account— State	\$400,000
Subtotal Appropriation.....	\$32,545,000
Prior Biennia (Expenditures).....	\$0
Future Biennia (Projected Costs).....	\$130,180,000
TOTAL	\$162,725,000

NEW SECTION. Sec. 3064. FOR THE RECREATION AND CONSERVATION OFFICE

2025-27 Estuary and Salmon Restoration Program (40000566)

(1) The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section are provided solely for projects identified in LEAP Capital Document No. RCO-7-2025, developed April 26, 2025.

(2) The recreation and conservation funding board may retain a portion of the funds appropriated in this section for the administration of the grants. The portion of the funds retained for administration may not exceed three percent of the total grant award.

(3) The department of fish and wildlife may retain a portion of the funds appropriated in this section for technical assistance in developing projects for consideration. The portion of the funds retained for technical assistance may not exceed 4.12 percent of the total grant award.

(4) The state building construction account—state appropriation in this section is subject to the provisions of section 8018 of this act.

Appropriation:

Natural Climate Solutions Account—State.....	\$8,997,000
State Building Construction Account—State	\$6,668,000
Subtotal Appropriation.....	\$15,665,000
Prior Biennia (Expenditures).....	\$0
Future Biennia (Projected Costs).....	\$62,660,000
TOTAL	\$78,325,000

NEW SECTION. Sec. 3065. FOR THE RECREATION AND CONSERVATION OFFICE

2025-27 Washington Coastal Restoration and Resiliency Initiative (40000568)

The appropriations in this section are subject to the following conditions and limitations:

(1) The appropriations in this section are provided solely for projects identified in LEAP Capital Document No. RCO-8-2025, developed April 26, 2025.

(2) The recreation and conservation funding board may retain a portion of the funds appropriated in this section for the administration of the grants. The portion of the funding retained for administration may not exceed 4.12 percent of the total grant award.

(3) The state building construction account—state appropriation in this section is subject to the provisions of section 8018 of this act.

Appropriation:

State Building Construction Account—State	\$5,800,000
Natural Climate Solutions Account—State	\$3,836,000
Subtotal Appropriation	\$9,636,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$38,544,000
TOTAL	\$48,180,000

NEW SECTION. Sec. 3066. FOR THE RECREATION AND CONSERVATION OFFICE

2025-27 Nonhighway and Off-Road Vehicle Activities (40000570)

Appropriation:

NOVA Program Account—State	\$12,174,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$48,696,000
TOTAL	\$60,870,000

NEW SECTION. Sec. 3067. FOR THE RECREATION AND CONSERVATION OFFICE

2025-27 Boating Facilities Program (40000572)

Appropriation:

Recreation Resources Account—State	\$13,618,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$54,472,000
TOTAL	\$68,090,000

NEW SECTION. Sec. 3068. FOR THE RECREATION AND CONSERVATION OFFICE

2025-27 Firearms and Archery Range Recreation (40000574)

Appropriation:

Firearms Range Account—State	\$645,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$2,580,000
TOTAL	\$3,225,000

NEW SECTION. Sec. 3069. FOR THE RECREATION AND CONSERVATION OFFICE

2025-27 Recreational Trails Program (40000576)

Appropriation:

General Fund—Federal	\$5,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$20,000,000
TOTAL	\$25,000,000

NEW SECTION. Sec. 3070. FOR THE RECREATION AND CONSERVATION OFFICE

2025-27 Boating Infrastructure Grants (40000578)

Appropriation:

General Fund—Federal	\$5,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$20,000,000
TOTAL	\$25,000,000

NEW SECTION. Sec. 3071. FOR THE RECREATION AND CONSERVATION OFFICE

2025-27 Land and Water Conservation Fund (40000580)

Appropriation:

General Fund—Federal	\$20,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$80,000,000
TOTAL	\$100,000,000

NEW SECTION. Sec. 3072. FOR THE RECREATION AND CONSERVATION OFFICE

2025-27 Planning for Recreation Access (40000582)

The appropriation in this section is subject to the following conditions and limitations:

(1) \$302,000 of the state building construction account—state appropriation in this section is provided solely for a staff position to provide technical assistance to grant applicants and recipients.

(2) \$1,000,000 of the appropriation in this section is subject to the provisions of section 8018 of this act.

Appropriation:

State Building Construction Account—State	\$1,302,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$5,208,000
TOTAL	\$6,510,000

NEW SECTION. Sec. 3073. FOR THE RECREATION AND CONSERVATION OFFICE

2025-27 Family Forest Fish Passage Program (40000803)

Appropriation:

Natural Climate Solutions Account—State	\$7,904,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$31,616,000
TOTAL	\$39,520,000

NEW SECTION. Sec. 3074. FOR THE RECREATION AND CONSERVATION OFFICE

Black River Forestry Carbon Sequestration Easement (92001853)

Appropriation:

Natural Climate Solutions Account—State	\$8,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$8,000,000

NEW SECTION. Sec. 3075. FOR THE CONSERVATION COMMISSION

2025-2027 Regional Conservation Partnership Program Match (40000043)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is subject to the provisions of section 8018 of this act.

Appropriation:

State Building Construction Account—State	\$6,320,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$25,280,000
TOTAL	\$31,600,000

NEW SECTION. Sec. 3076. FOR THE CONSERVATION COMMISSION

2025-2027 Farmland Protection and Land Access (40000044)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is subject to the provisions of section 8018 of this act.

Appropriation:

State Building Construction Account—State	\$4,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$16,000,000
TOTAL	\$20,000,000

NEW SECTION. Sec. 3077. FOR THE CONSERVATION COMMISSION

2025-2027 Water Resource Conservation Irrigation Efficiencies (40000045)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation is provided solely for technical assistance and grants to conservation districts for the purpose of implementing water conservation measures and irrigation efficiencies. The state conservation commission shall give preference to projects prioritized locally or regionally through a planning process that includes public and partner input addressing water resource concerns.

(2) Conservation districts statewide are eligible for grants listed in subsection (1) of this section. A conservation district receiving funds shall manage each grant to ensure that a portion of the water saved by the water conservation measure or irrigation efficiency will be available for other instream and out-of-stream uses and users. The proportion of saved water made available for other uses and users must be equal to the percentage of the public investment in the conservation measure or irrigation efficiency.

(3) The appropriation in this section is subject to the provisions of section 8018 of this act.

Appropriation:

State Building Construction Account—State	\$7,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$28,000,000
TOTAL	\$35,000,000

NEW SECTION. Sec. 3078. FOR THE CONSERVATION COMMISSION

2025-2027 Natural Resources Investments for the Economy and Environment (40000046)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is subject to the provisions of section 8018 of this act.

Appropriation:

State Building Construction Account—State	\$5,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$20,000,000
TOTAL	\$25,000,000

NEW SECTION. **Sec. 3079. FOR THE CONSERVATION COMMISSION**

2025-2027 Improve Shellfish Growing Areas (40000047)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is subject to the provisions of section 8018 of this act.

Appropriation:

State Building Construction Account—State	\$3,500,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$14,000,000
TOTAL	\$17,500,000

NEW SECTION. **Sec. 3080. FOR THE CONSERVATION COMMISSION**

2025-2027 Voluntary Stewardship Program Capital Cost-Share (40000048)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is subject to the provisions of section 8018 of this act.

Appropriation:

State Building Construction Account—State	\$3,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$12,000,000
TOTAL	\$15,000,000

NEW SECTION. **Sec. 3081. FOR THE CONSERVATION COMMISSION**

2025-2027 Voluntary Riparian Grant Program (40000049)

The appropriations in this section are subject to the following conditions and limitations:

- (1) The appropriations in this section are provided solely for the state conservation commission to provide grants for riparian restoration projects with landowners.
- (2)(a) Within funds appropriated in this section, the commission shall develop and implement the voluntary riparian grant program to fund protection and restoration of critical riparian management zones. The commission is responsible for developing the voluntary grant program criteria to achieve optimal restoration of functioning riparian ecosystems in priority critical riparian management zones.
- (b) In adopting program criteria, the commission shall:

- (i) Invite federally recognized tribes to be full participants;
- (ii) Coordinate with private landowners and other interested stakeholders;
- (iii) Coordinate with the department of ecology, the department of fish and wildlife, conservation districts, and the department of agriculture; and
- (iv) Consider the best available, locally applicable science that is specific to each region of the state where the program criteria will be applied.

(3) The commission shall prioritize critical riparian management zones at the watershed or subbasin scale where grant funding under the program would be primarily targeted. The prioritization must be informed by, consistent with, and aligned with one or more of the following: Watershed plans developed pursuant to chapter 90.82 RCW; the action agenda developed under RCW 90.71.260; regional recovery plans created under RCW 77.85.090; the habitat project lists developed pursuant to RCW 77.85.050; the prioritization process developed under RCW 77.95.160; and priority projects identified for salmon recovery through agency grant programs.

(4) Conditions for awarding funding for projects under this program include, but are not limited to:

(a) Consistency with the program criteria established under subsection (2) of this section;

(b) Tiered incentive rates tied to improving functionality for riparian areas; and

(c) Other requirements as determined by the commission.

(5) The commission must distribute riparian grant program funding equitably throughout the state, consistent with received grant applications and benefit to salmon habitat. The legislature intends for funding to be primarily for projects located in salmon recovery regions, as defined in RCW 77.85.010, but funding may also be distributed to a project not located in a salmon recovery region upon a determination by the commission that the project will provide a unique benefit to salmon habitat.

(6) Allowable expenses to a grantee receiving funds under this section include, but are not limited to, labor, equipment, fencing, mulch, seed, seedling trees, manual weed control, and yearly maintenance costs for up to 10 years.

(7) Any native woody trees and shrubs planted with funding provided under this section must be maintained for a minimum of five years or as otherwise set by the commission for each grantee. Vegetation must be chosen to prevent invasive weed populations and ensure survival and successful establishment of plantings.

(8) The commission shall determine appropriate recordkeeping and data collection procedures required for program implementation and shall establish a data management system that allows for coordination between the commission and other state agencies. Any data collected or shared under this section may be used only to assess the success of the riparian grant program in improving the functions of critical riparian habitat.

(9) The commission shall develop and implement a framework that includes monitoring, adaptive management, and metrics in order to ensure consistency with the requirements of the riparian grant program. The monitoring and adaptive management framework may include, but is not limited to, consideration of:

(a) Acres identified as eligible for restoration within a watershed;

- (b) Acres planned to be restored;
- (c) Acres actually planted and maintained;
- (d) Success in targeting and achieving aggregated project implementation resulting in an increase in linear miles restored;
- (e) Plan review criteria; and
- (f) Other similar factors as identified by the commission.

(10) The commission may use up to two percent of any amounts appropriated in this section for targeted outreach activities that focus on critically identified geographic locations for listed salmon species.

(11) The commission may use up to four percent of amounts appropriated in this section for administrative expenses.

(12) For the purposes of this section, "critical riparian management zone" means the area adjacent to freshwaters, wetlands, and marine waters that has been locally or regionally identified as an area where salmon recovery efforts would significantly benefit from enhanced protection or restoration.

(13) The state building construction account—state appropriation in this section is subject to the provisions of section 8018 of this act.

Appropriation:

Natural Climate Solutions Account—State	\$20,000,000
State Building Construction Account—State	\$5,000,000
Subtotal Appropriation	\$25,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$100,000,000
TOTAL	\$125,000,000

NEW SECTION. **Sec. 3082. FOR THE CONSERVATION COMMISSION**

2025-2027 Washington Shrubsteppe Restoration and Resiliency (40000050)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is subject to the provisions of section 8018 of this act.

Appropriation:

State Building Construction Account—State	\$3,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$12,000,000
TOTAL	\$15,000,000

NEW SECTION. **Sec. 3083. FOR THE CONSERVATION COMMISSION**

2025-27 WSCC Capital Project Management (92001498)

Appropriation:

State Building Construction Account—State	\$1,906,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$7,624,000
TOTAL	\$9,530,000

NEW SECTION. **Sec. 3084. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Minter Hatchery Intakes (30000277)

Reappropriation:

State Building Construction Account—State	\$6,673,000
---	-------------

Appropriation:

State Building Construction Account—State	\$4,497,000
Prior Biennia (Expenditures)	\$3,679,000
Future Biennia (Projected Costs)	\$216,000
TOTAL	\$15,065,000

NEW SECTION. Sec. 3085. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Wallace River Hatchery - Replace Intakes and Ponds (30000660)

Reappropriation:

State Building Construction Account—State	\$19,387,000
---	--------------

Appropriation:

State Building Construction Account—State	\$4,500,000
Prior Biennia (Expenditures)	\$13,146,000
Future Biennia (Projected Costs)	\$9,466,000
TOTAL	\$46,499,000

NEW SECTION. Sec. 3086. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Soos Creek Hatchery Renovation (30000661)

Appropriation:

State Building Construction Account—State	\$7,726,000
Prior Biennia (Expenditures)	\$22,095,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$29,821,000

NEW SECTION. Sec. 3087. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Spokane Hatchery Renovation (30000663)

Reappropriation:

Model Toxics Control Capital Account—State	\$8,647,000
State Building Construction Account—State	\$8,506,000
Subtotal Reappropriation	\$17,153,000

Appropriation:

State Building Construction Account—State	\$12,978,000
Prior Biennia (Expenditures)	\$2,447,000
Future Biennia (Projected Costs)	\$24,369,000
TOTAL	\$56,947,000

NEW SECTION. Sec. 3088. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Naselle Hatchery Renovation (30000671)

Reappropriation:

State Building Construction Account—State	\$26,516,000
---	--------------

Appropriation:

State Building Construction Account—State	\$9,324,000
Prior Biennia (Expenditures)	\$8,116,000
Future Biennia (Projected Costs)	\$19,656,000
TOTAL	\$63,612,000

NEW SECTION. Sec. 3089. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Beaver Creek Hatchery - Renovation (30000680)

Reappropriation:

State Building Construction Account—State \$2,037,000

Appropriation:

State Building Construction Account—State \$7,000,000

Prior Biennia (Expenditures) \$794,000

Future Biennia (Projected Costs) \$56,705,000

TOTAL \$66,536,000

NEW SECTION. Sec. 3090. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Samish Hatchery - Friday Creek Intake & Fish Passage (30000843)

Appropriation:

State Building Construction Account—State \$1,964,000

Prior Biennia (Expenditures) \$125,000

Future Biennia (Projected Costs) \$15,464,000

TOTAL \$17,553,000

NEW SECTION. Sec. 3091. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Toutle River Fish Collection Facility - Match (40000021)

Reappropriation:

State Building Construction Account—State \$1,114,000

Appropriation:

State Building Construction Account—State \$6,504,000

Prior Biennia (Expenditures) \$1,895,000

Future Biennia (Projected Costs) \$9,665,000

TOTAL \$19,178,000

NEW SECTION. Sec. 3092. FOR THE DEPARTMENT OF FISH AND WILDLIFE

SRKW - Sol Duc Hatchery Modifications (40000147)

Reappropriation:

State Building Construction Account—State \$646,000

Appropriation:

State Building Construction Account—State \$11,316,000

Prior Biennia (Expenditures) \$706,000

Future Biennia (Projected Costs) \$0

TOTAL \$12,668,000

NEW SECTION. Sec. 3093. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Sol Duc Barrier and Boat Chute Replacement (40000168)

Appropriation:

State Building Construction Account—State \$1,137,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$1,137,000

NEW SECTION. Sec. 3094. FOR THE DEPARTMENT OF FISH AND WILDLIFE

SRKW - Palmer Ponds Expansion (40000175)

Reappropriation:

State Building Construction Account—State\$906,000

Appropriation:

State Building Construction Account—State \$5,821,000

Prior Biennia (Expenditures) \$44,000

Future Biennia (Projected Costs) \$0

TOTAL \$6,771,000

NEW SECTION. Sec. 3095. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Bingham Creek Smolt & Adult Trap Site Repair & Upgrade (40000269)

Appropriation:

State Building Construction Account—State \$1,878,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$1,878,000

NEW SECTION. Sec. 3096. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Culvert Court Case Fish Passage Barrier Corrections (40000271)

Appropriation:

Natural Climate Solutions Account—State\$817,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$4,594,000

TOTAL \$5,411,000

NEW SECTION. Sec. 3097. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Nemah Hatchery Weir Replacement (40000272)

Appropriation:

State Building Construction Account—State\$381,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$1,705,000

TOTAL \$2,086,000

NEW SECTION. Sec. 3098. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Minor Works Preservation 2025-27 (40000278)

Appropriation:

State Building Construction Account—State \$6,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$24,000,000

TOTAL \$30,000,000

NEW SECTION. Sec. 3099. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Minor Works Programmatic 2025-27 (40000279)

Appropriation:

State Building Construction Account—State \$1,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs).....	\$4,000,000
TOTAL	\$5,000,000

NEW SECTION. Sec. 3100. FOR THE DEPARTMENT OF FISH AND WILDLIFE

2025-27 Migratory Waterfowl Habitat (40000345)

Appropriation:

Limited Fish and Wildlife Account—State	\$600,000
Prior Biennia (Expenditures).....	\$0
Future Biennia (Projected Costs).....	\$2,400,000
TOTAL	\$3,000,000

NEW SECTION. Sec. 3101. FOR THE DEPARTMENT OF FISH AND WILDLIFE

2025-27 Mitigation Projects and Dedicated Funding (40000347)

Appropriation:

General Fund—Federal	\$10,000,000
General Fund—Private/Local	\$1,000,000
Limited Fish and Wildlife Account—State	\$500,000
Special Wildlife Account—Federal.....	\$1,000,000
Special Wildlife Account—Private/Local	\$1,000,000
Subtotal Appropriation	\$13,500,000
Prior Biennia (Expenditures).....	\$0
Future Biennia (Projected Costs).....	\$54,000,000
TOTAL	\$67,500,000

NEW SECTION. Sec. 3102. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Point Whitney Appraisal and Sale (92001254)

The appropriation in this section is subject to the following conditions and limitations:

- (1) The appropriation in this section is provided solely for the appraisal and administrative costs associated with offering for sale the state-owned property at Point Whitney to the Jamestown S'Klallam tribe.
- (2) Before the department may offer the property for sale to the Jamestown S'Klallam tribe, the department must, after conferring with the recreation and conservation office, communicate to the Jamestown S'Klallam tribe the nature and extent of any public access elements or other requirements associated with grants that the department has received in connection with the property. The Jamestown S'Klallam tribe may take title to the property only on the conditions that: (a) It does so subject to any conditions, covenants, restrictions, and requirements associated with the property as a result of any grants that the department or the recreation and conservation office have received in connection with the property; (b) it agrees to satisfy any remedy required as a result of its uses of the property that may be in conflict with such conditions, covenants, restrictions, and requirements; and (c) it agrees to waive any claim or assertion of sovereign immunity from suit, including arbitration and enforcement of any decision in any arbitration, to interpret or enforce the provisions of such conditions, covenants, restrictions, and requirements.
- (3) Subject to the requirements of subsection (2) of this section, the department shall offer the sale of the property at appraised fair market value to

the tribe before June 30, 2026. If the tribe chooses to purchase the property, it must do so at the appraised fair market value and subject to the conditions set forth in subsection (2) of this section.

(4) The department may retain the funds generated by the sale for the primary purpose of satisfying any requirements that may be imposed by the recreation and conservation office as a result of grants received by the department or the recreation and conservation office in connection with the property, and may reinvest any remaining funds in other properties that offer public access to water, fishing, and other equivalent recreational opportunities.

Appropriation:

State Building Construction Account—State	\$50,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$50,000

NEW SECTION. Sec. 3103. FOR THE DEPARTMENT OF NATURAL RESOURCES

Omak Consolidation, Expansion and Relocation (40000156)

Reappropriation:

State Building Construction Account—State	\$585,000
---	-----------

Appropriation:

State Building Construction Account—State	\$6,000,000
Prior Biennia (Expenditures)	\$2,204,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$8,789,000

NEW SECTION. Sec. 3104. FOR THE DEPARTMENT OF NATURAL RESOURCES

Bridge Remediation (40000442)

Appropriation:

State Building Construction Account—State	\$1,260,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,260,000

NEW SECTION. Sec. 3105. FOR THE DEPARTMENT OF NATURAL RESOURCES

School Seismic Safety Site Class Assessments (40000444)

Appropriation:

State Building Construction Account—State	\$663,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$2,652,000
TOTAL	\$3,315,000

NEW SECTION. Sec. 3106. FOR THE DEPARTMENT OF NATURAL RESOURCES

2025-27 Forest Riparian Easement Program (40000450)

Appropriation:

Natural Climate Solutions Account—State	\$4,900,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$19,600,000
TOTAL	\$24,500,000

NEW SECTION. **Sec. 3107. FOR THE DEPARTMENT OF NATURAL RESOURCES**

2025-27 Safe and Sustainable Recreation (40000459)

Appropriation:

State Building Construction Account—State	\$2,958,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$11,832,000
TOTAL	\$14,790,000

NEW SECTION. **Sec. 3108. FOR THE DEPARTMENT OF NATURAL RESOURCES**

2025-27 Natural Areas Facilities Preservation and Access (40000467)

Appropriation:

State Building Construction Account—State	\$2,930,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$11,720,000
TOTAL	\$14,650,000

NEW SECTION. **Sec. 3109. FOR THE DEPARTMENT OF NATURAL RESOURCES**

2025-27 State Forest Land Replacement - Encumbered Lands (40000561)

The appropriation in this section is subject to the following conditions and limitations:

(1) Except as provided for under subsection (2) of this section, the appropriation in this section is provided solely for the department to disburse grants in the 2025-2027 fiscal biennium as follows: (a) \$1,820,000 to Pacific county; (b) \$1,820,000 to Wahkiakum county; and (c) \$1,820,000 to Skamania county.

(2) The department may retain up to \$273,000 of the appropriation in this section for its administrative costs.

(3) The appropriation in this section is subject to the provisions of section 8018 of this act.

Appropriation:

State Building Construction Account—State	\$5,460,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$21,840,000
TOTAL	\$27,300,000

NEW SECTION. **Sec. 3110. FOR THE DEPARTMENT OF NATURAL RESOURCES**

2025-27 Correction of Fish Passage Culverts (40000562)

Appropriation:

Natural Climate Solutions Account—State	\$246,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$246,000

NEW SECTION. **Sec. 3111. FOR THE DEPARTMENT OF NATURAL RESOURCES**

Derelict Structure Removal Program (40000583)

Appropriation:

Model Toxics Control Capital Account—State	\$4,399,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$4,399,000

NEW SECTION. Sec. 3112. FOR THE DEPARTMENT OF NATURAL RESOURCES

Environmental Mitigation Projects (40000586)

Appropriation:

Model Toxics Control Capital Account—State	\$997,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$3,988,000
TOTAL	\$4,985,000

NEW SECTION. Sec. 3113. FOR THE DEPARTMENT OF NATURAL RESOURCES

Derelict Vessel Removal Program (40000587)

Appropriation:

Model Toxics Control Capital Account—State	\$6,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$6,000,000

NEW SECTION. Sec. 3114. FOR THE DEPARTMENT OF NATURAL RESOURCES

2025-27 Federal Land Acquisition Grants (40000600)

Appropriation:

General Fund—Federal	\$72,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$288,000,000
TOTAL	\$360,000,000

NEW SECTION. Sec. 3115. FOR THE DEPARTMENT OF NATURAL RESOURCES

2025-27 Rivers and Habitat Open Space Program (40000601)

Appropriation:

Natural Climate Solutions Account—State	\$2,305,000
State Building Construction Account—State	\$2,326,000
Subtotal Appropriation	\$4,631,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$18,524,000
TOTAL	\$23,155,000

NEW SECTION. Sec. 3116. FOR THE DEPARTMENT OF NATURAL RESOURCES

Tukes Work Center Storm Water Mitigation (40000618)

Appropriation:

Model Toxics Control Stormwater Account—State	\$383,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$383,000

NEW SECTION. **Sec. 3117. FOR THE DEPARTMENT OF NATURAL RESOURCES**

Webster Nursery Expansion (40000650)

Appropriation:

State Building Construction Account—State	\$5,091,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$29,000,000
TOTAL	\$34,091,000

NEW SECTION. **Sec. 3118. FOR THE DEPARTMENT OF NATURAL RESOURCES**

Colville Firefighter Housing Project (40000651)

Appropriation:

State Building Construction Account—State	\$387,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$387,000

NEW SECTION. **Sec. 3119. FOR THE DEPARTMENT OF NATURAL RESOURCES**

State Trust Land Replacement (40000656)

Appropriation:

Community and Technical College Forest Reserve Account—State	\$1,000,000
Land Bank Account—State	\$30,000,000
Natural Resources Real Property Replacement Account—State	\$100,000,000
Subtotal Appropriation	\$131,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$131,000,000

NEW SECTION. **Sec. 3120. FOR THE DEPARTMENT OF NATURAL RESOURCES**

2025-27 Trust Land Transfer Program (40000685)

The appropriation in this section is subject to the following conditions and limitations:

- (1) \$16,650,000 of the appropriation in this section is provided solely for projects identified in LEAP Capital Document No. DNR-1-2025, developed April 26, 2025.
- (2) \$250,000 of the appropriation in this section is provided solely for the department to conduct an analysis of the ecological and conservation values of the Elwha watershed on department managed lands pursuant to the priorities and processes identified in chapters 79.70 and 79.71 RCW. The department shall provide a report to the house capital budget committee, senate ways and means committee, and the governor by October 1, 2026, that includes the following:
 - (a) A Washington natural heritage program site survey to identify rare flora, native ecological communities, structurally complex forests, and scenic or other natural features worthy of consideration for conservation;

(b) Identification of lands within the watershed that may be appropriate for conservation as a state natural area preserve as defined in RCW 79.70.020 or a natural resources conservation area under RCW 79.71.020;

(c) Uses currently occurring in the area, including recreation and cultural practices;

(d) A proposed boundary, if applicable, for any such proposed natural area for review by the natural heritage advisory council; and

(e) An acknowledgment that any applicable proposed natural area boundary will be developed through the site establishment process as described in chapters 79.70 and 79.71 RCW.

Appropriation:

State Building Construction Account—State	\$16,900,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$67,600,000
TOTAL	\$84,500,000

NEW SECTION. Sec. 3121. FOR THE DEPARTMENT OF NATURAL RESOURCES

Carbon Sequestration Forests (40000707)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation in subsection (2) of this section is provided solely for the department to acquire working forestlands to be managed for increased carbon sequestration and carbon storage through sustainable timber harvests consistent with RCW 79.10.310 and 79.10.320. Pursuant to subsection (2) of this section, it is the intent of the legislature that these lands serve as harvestable replacement lands for structurally complex, carbon-dense forested state trust lands designated for conservation and for existing encumbered state forestlands. Once acquired, these replacement lands must be held in the land bank created in RCW 79.19.020. The replacement lands must be purchased before the transfer of any existing forested state trust lands pursuant to this section is fully executed. The department must transfer the appropriated amount into the land bank account in accordance with RCW 79.19.120.

(2)(a) If the department acquires replacement lands pursuant to subsection (1) of this section, it must use the replacement lands for the following purposes:

(i) To serve as replacement forested state trust lands to replace structurally complex, carbon-dense forested state trust lands designated for permanent conservation consistent with the process set forth in subsection (3) of this section in counties located to the west of the crest of the Cascade mountains, which may include, but are not limited to, Clallam, Thurston, Whatcom, Snohomish, Jefferson, and Pierce counties; or

(ii) To serve as replacement state forestlands to replace existing encumbered state forestlands in Clallam, Pacific, Skamania, and Wahkiakum counties.

(b) If the department acquires land pursuant to subsection (1) of this section, it must allocate the value of any land acquired as follows:

(i) Up to \$10,000,000 for the purposes specified in subsection (2)(a)(i) of this section; and

(ii) Up to \$10,000,000 for the purposes specified in subsection (2)(a)(ii) of this section.

(c) The department must designate any lands acquired for the purposes specified in subsection (2)(a)(ii) of this section as state forest transfer lands.

(3) The department may not designate for conservation any forested state trust lands pursuant to subsection (2)(a)(i) of this section unless the department has received letters of support from the legislative authority of the counties in which the parcel of forestland proposed for conservation is located, and the board of natural resources has approved the boundaries of the parcel proposed for conservation. County concurrence and board approval pursuant to this process must be finalized before any forested state trust lands may be transferred out of trust status pursuant to this section.

(4) If the department acquires any replacement lands pursuant to this section, the department must ensure that any replacement of structurally complex, carbon-dense forested state trust lands pursuant to subsection (2)(a)(i) of this section be of equal value to the land designated for conservation.

(5)(a) In the 2025-2027 fiscal biennium, the legislative authority of a county seeking to participate in the conservation opportunity described in subsection (2)(a)(i) of this section may, for any state forestlands included within the lands designated for conservation, request that the department distribute to the county a portion of the current market value of the parcel as a one-time payment, subject to the requirement that the department must retain no less than \$12,000 per acre to invest in replacement trust land. Upon such a request in writing, and subject to prior approval by the board, the department shall distribute to the county the requested portion of the market value as provided in RCW 79.64.110. Any amount distributed to a county as a one-time payment must be deducted from the amount available to purchase replacement trust land for that county.

(b) The county treasurer shall distribute any revenues received pursuant to subsection (5)(a) of this section to each appropriate taxing district in which the conserved forested state trust lands are located in the same manner as the revenues would otherwise be distributed if the revenues were received from timber harvest or other revenue-generating activities on such lands.

(6) In the 2025-2027 fiscal biennium, the department may designate the structurally complex, carbon-dense forested state trust lands identified in subsection (2)(a)(i) of this section as a natural area preserve or a natural resource conservation area notwithstanding the requirements of chapters 79.70 and 79.71 RCW.

(7) \$3,000,000 of the appropriation is provided solely for the department to prepare commercial thinning timber sales for the purposes of restoring habitat, increasing carbon storage and sequestration, and facilitating access to more timber volume than is possible under normal operating funding.

(8) For the purposes of this section, "forested state trust lands" includes both "state forestlands" as defined in RCW 79.02.010 and forested "state lands" as defined in RCW 79.02.010.

Appropriation:

Natural Climate Solutions Account—State	\$23,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$23,000,000

NEW SECTION. Sec. 3122. FOR THE DEPARTMENT OF NATURAL RESOURCES

2025-27 Minor Works Preservation and Programmatic (91000332)

Appropriation:

State Building Construction Account—State	\$3,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$12,000,000
TOTAL	\$15,000,000

NEW SECTION. Sec. 3123. FOR THE DEPARTMENT OF AGRICULTURE

2025-27 WA State Fairs Health and Safety Grants (92000007)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is subject to the provisions of section 8018 of this act.

Appropriation:

State Building Construction Account—State	\$9,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$36,000,000
TOTAL	\$45,000,000

PART 4**TRANSPORTATION****NEW SECTION. Sec. 4001. FOR THE WASHINGTON STATE PATROL**

Fire Training Academy (FTA) Maintenance Building Roof Replacement (40000091)

Appropriation:

State Building Construction Account—State	\$300,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$300,000

NEW SECTION. Sec. 4002. FOR THE WASHINGTON STATE PATROL

Fire Training Academy (FTA) Fuel Farm Refurbishment (40000092)

Appropriation:

State Building Construction Account—State	\$1,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,000,000

NEW SECTION. Sec. 4003. FOR THE DEPARTMENT OF TRANSPORTATION

2025-27 CARB Loans (40000004)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section must be deposited in the public use general aviation airport loan revolving account.

Appropriation:

State Taxable Building Construction Account—	
State	\$5,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$20,000,000
TOTAL	\$25,000,000

PART 5
EDUCATION

NEW SECTION. **Sec. 5001. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

West Sound Technical Skills Center Modernization (40000015)

The appropriations in this section are subject to the following conditions and limitations:

- (1) The reappropriation is subject to the provisions of section 5003, chapter 296, Laws of 2022.
- (2) It is the intent of the legislature to appropriate a total of \$94,761,000 for this project. No additional state funding will be appropriated. Any costs exceeding this amount must be covered by the West Sound Technical Skills Center.

Reappropriation:

Common School Construction Fund—State	\$27,734,000
---	--------------

Appropriation:

State Building Construction Account—State		\$42,000,000
Prior Biennia (Expenditures)		\$25,027,000
Future Biennia (Projected Costs)		\$0
TOTAL		\$94,761,000

NEW SECTION. **Sec. 5002. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

2025-27 K-12 Capital Programs Administration (40000142)

The appropriation in this section is subject to the following conditions and limitations: It is the intent of the legislature that the office of the superintendent of public instruction use a portion of the funding provided in this section for additional full-time positions for administration of capital grant programs in the 2025-27 fiscal biennium as follows: (1) Two additional, temporary positions related to an anticipated personnel transition during the 2025-2027 fiscal biennium; and (2) one additional, ongoing position related to publication of data analysis.

Appropriation:

Common School Construction Fund—State		\$6,312,000
Prior Biennia (Expenditures)		\$0
Future Biennia (Projected Costs)		\$25,248,000
TOTAL		\$31,560,000

NEW SECTION. **Sec. 5003. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

2025-27 School Inventory & Condition Data Collection (40000143)

Appropriation:

State Building Construction Account—State	\$1,360,000
Prior Biennia (Expenditures).....	\$0
Future Biennia (Projected Costs).....	\$5,440,000
TOTAL	\$6,800,000

NEW SECTION. Sec. 5004. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

2025-27 Classroom Indoor Air Quality Projects (40000144)

The appropriations in this section are subject to the following conditions and limitations:

(1)(a) \$5,568,000 of the climate commitment account—state appropriation and \$2,273,000 of the state building construction account—state appropriation in this section are provided solely for grants to school districts with enrollments exceeding 3,000 students for indoor air quality assessment, installation, repair, or replacement of HVAC, air filtration enhancements, and general air quality improvements that improve student health and safety.

(b) Grantees under this subsection (1) may: (i) Seek technical assistance from state-funded entities, such as the office of the superintendent of public instruction, the department of commerce, and the department of health; (ii) seek technical assistance from other entities, such as local health jurisdiction school safety programs and the smart buildings center's K-12 ventilation and indoor air quality resource team; and (iii) use funding awarded to seek guidance and technical assistance from commercial entities that have specialized knowledge of troubleshooting modern HVAC or smart building systems.

(c) Subject to subsection (3) of this section and if applications for assessment grants under this subsection exceed available funding, the office of the superintendent of public instruction must first prioritize grants for school districts: (i) Without existing HVAC systems; (ii) that have documented proof of indoor air quality performance that does not meet current state energy code; (iii) with outdated or underperforming HVAC systems; and (iv) that have the most limited financial capacity. Assessments funded under this subsection (1)(c) must include professional cost estimates for mitigating the indoor air quality deficiencies identified.

(2)(a) \$6,932,000 of the climate commitment account—state appropriation and \$2,727,000 of the state building construction account—state appropriation in this section are provided solely for grants to school districts with enrollments that are less than or equal to 3,000 students for assessment, installation, repair, or replacement of HVAC, air filtration enhancements, and general air quality improvements that improve student health and safety.

(b) Grantees under this subsection may: (i) Seek technical assistance from state funded entities, such as the office of the superintendent of public instruction, the department of commerce, and the department of health; (ii) seek technical assistance from other entities, such as local health jurisdiction school safety programs and the smart buildings center's K-12 ventilation and indoor air quality resource team; and (iii) use funding awarded to seek guidance and technical assistance from commercial entities that have specialized knowledge of troubleshooting modern HVAC or smart building systems.

(c) Subject to subsection (3) of this section and if applications grants under this subsection exceed available funding, the office of the superintendent of

public instruction must first prioritize grants for school districts: (i) Without existing HVAC systems; (ii) that have documented proof of indoor air quality performance that does not meet current state energy code; (iii) with outdated or underperforming HVAC systems; and (iv) that have the most limited financial capacity.

(3) The office of the superintendent of public instruction must first allocate, to the maximum extent feasible, the funding appropriated under this section to grants prioritized under subsections (1) and (2) of this section. However, as necessary to award grants using the climate commitment account—state appropriation in this section, the superintendent of public instruction may also prioritize grants under this section that will improve compliance with the state's energy-related building standards in chapter 19.27A RCW by reducing energy use intensity.

(4) The state building construction account—state appropriation in this section is subject to the provisions of section 8018 of this act.

Appropriation:

State Building Construction Account—State	\$5,000,000
Climate Commitment Account—State	\$12,500,000
Subtotal Appropriation	\$17,500,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$70,000,000
TOTAL	\$87,500,000

NEW SECTION. Sec. 5005. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

2025-27 School District Health and Safety (40000146)

The appropriation in this section is subject to the following conditions and limitations:

(1) \$11,000,000 of the appropriation in this section is provided solely for emergency repair grants to address unexpected and imminent health and safety hazards at K-12 public schools, including skill centers, that will impact the day-to-day operations of the school facility, and this is the maximum amount that may be spent for this purpose. For emergency repair grants only, an emergency declaration must be signed by the school district board of directors and submitted to the superintendent of public instruction for consideration. The emergency declaration must include a description of the imminent health and safety hazard, the possible cause, the proposed scope of emergency repair work and related cost estimate, and identification of local funding to be applied to the project. Grants of emergency repair moneys must be conditioned upon the written commitment and plan of the school district board of directors to repay the grant with any insurance payments or other judgments that may be awarded, if applicable.

(2) \$20,000,000 of the appropriation in this section is provided solely for health and safety and equal access grants.

(a) \$15,000,000 of the appropriation in this section is provided solely for urgent repair grants to address nonrecurring urgent small repair projects at K-12 public schools, excluding skill centers, that could impact the health and safety of students and staff if not completed, and this is the maximum amount that may be spent for this purpose. The office of the superintendent of public instruction,

after consulting with maintenance and operations administrators of school districts, shall develop criteria and assurances for providing funding for specific projects through a competitive grant program. The criteria and assurances must include, but are not limited to, the following: (i) Limiting school districts to one grant, not to exceed \$600,000, per three-year period; (ii) prioritizing applications based on limited school district financial resources for the project; and (iii) requiring any district receiving funding provided in this section to demonstrate a consistent commitment to addressing school facility needs. The grant applications must include a comprehensive description of the health and safety issues to be addressed, a detailed description of the remedy, including a detailed cost estimate of the repair or replacement work to be performed, and identification of local funding, if any, which will be applied to the project. Grants may be used for, but are not limited to: Repair or replacement of failing building systems, abatement of potentially hazardous materials, and safety-related structural improvements.

(b) \$5,000,000 of the appropriation in this section is provided solely for equal access grants for facility repairs and alterations at K-12 public schools, including skills centers, to improve compliance with the Americans with disabilities act and individuals with disabilities education act, and this is the maximum amount that may be spent for this purpose. The office of the superintendent of public instruction shall develop criteria and assurances for providing funding for specific projects through a competitive grant program. The criteria and assurances must include, but are not limited to, the following: (i) Limiting districts to one grant, not to exceed \$150,000, per three-year period; (ii) prioritizing applications based on limited school district financial resources for the project; and (iii) requiring recipient districts to demonstrate a consistent commitment to addressing school facility needs. The grant applications must include a description of the Americans with disabilities act or individuals with disabilities education act compliance deficiency, a comprehensive description of the facility accessibility issues to be addressed, a detailed description of the remedy including a detailed cost estimate of the repair or replacement work to be performed, and identification of local funding, if any, which will be applied to the project. Priority for grant funding must be given to school districts that demonstrate a lack of capital resources to address the compliance deficiencies outlined in the grant application.

(3) The superintendent of public instruction must notify the office of financial management, the legislative evaluation and accountability program committee, the house of representatives capital budget committee, and the senate ways and means committee as projects described in subsection (1) of this section are approved for funding.

(4) The appropriation in this section is subject to the provisions of section 8018 of this act.

Appropriation:

State Building Construction Account—State	\$31,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$124,000,000
TOTAL	\$155,000,000

NEW SECTION. Sec. 5006. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

2025-27 Healthy Kids-Healthy Schools (40000147)

The appropriation in this section is subject to the following conditions and limitations:

(1)(a) \$12,000,000 of the appropriation in this section is provided solely for healthy kids and healthy schools grants for projects that are consistent with the healthiest next generation priorities.

(b) The appropriation in this subsection (1) is provided solely for grant funding to school districts for the purchase of equipment or to make repairs to existing equipment that is related to improving: (i) Children's physical health, and may include, but is not limited to, fitness playground equipment, covered play areas, and physical education equipment or related structures or renovation; and (ii) children's nutrition, and may include, but is not limited to, garden related structures and greenhouses to provide students access to fresh produce, and kitchen equipment or upgrades.

(c) The office of the superintendent of public instruction shall develop criteria for grant funding under this subsection (1) that include, but are not limited to, the following requirements: (i) Districts may apply for grants, but no single district may receive more than \$200,000 of the appropriation for grants awarded under this section; (ii) any district receiving funding provided in this section must demonstrate a consistent commitment to addressing school facilities' needs; and (iii) applicants with a high percentage of students who are eligible and enrolled in the free and reduced-price meals program may be prioritized.

(2) \$1,000,000 of the appropriation in this section is provided solely for grants to school districts, charter schools, and state-tribal education compact schools for the replacement of lead-contaminated pipes, drinking water fixtures, and the purchase of water filters, including the labor costs of remediation design, installation, and construction.

Appropriation:

Common School Construction Fund—State	\$13,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$52,000,000
TOTAL	\$65,000,000

NEW SECTION. Sec. 5007. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

2025-27 Career Preparation and Launch Grants (40000148)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation in this section is provided solely for the superintendent of public instruction to provide competitive grants to school districts to purchase and install career and technical education equipment that expands career-connected learning and work-integrated learning opportunities.

(2) The office of the superintendent of public instruction, after consulting with school districts, career connect Washington, and the workforce training and education coordinating board, shall develop criteria and assurances for providing funding and outcomes for specific projects through a competitive grant program to stay within the appropriation level provided in this section consistent with the

following priorities. The criteria must include, but are not limited to, the following:

- (a) Districts or schools must demonstrate that the request provides necessary equipment to deliver career and technical education; and
- (b) Applicants with a high percentage of students who are eligible and enrolled in the free and reduced-price meals program must be prioritized.
- (3) No single district may receive more than \$200,000 of the appropriation.

Appropriation:

Common School Construction Fund—State	\$4,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$16,000,000
TOTAL	\$20,000,000

NEW SECTION. Sec. 5008. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

2025-27 Small District and STEC Schools Modernization Program (40000150)

The appropriations in this section are subject to the following conditions and limitations:

(1) \$174,450,000 of the state building construction account—state appropriation in this section is provided solely for modernization grants for small school districts authorized under RCW 28A.525.159.

(2) \$530,000 of the common school construction account—state appropriation in this section is provided solely for planning grants for small school districts authorized under RCW 28A.525.159. Planning grants may not exceed \$50,000 per district. Planning grants may only be awarded to school districts with an estimated total project cost of \$6,000,000 or less. In awarding planning grants pursuant to this section, the office of the superintendent of public instruction must follow the list of planning grants submitted to the governor and the legislature for the 2025-2027 fiscal biennium, except that the office shall review the planning grant list for project redundancies and may not award planning grants for any project receiving design or construction funding appropriated in other sections of part 5 of this act.

(3) \$27,371,000 of the state building construction account—state appropriation in this section is provided solely for planning grants and modernization grants to state-tribal compact schools. The superintendent of public instruction may prioritize planning grants for state-tribal compact schools with the most serious building deficiencies and the most limited financial capacity.

(4) The superintendent of public instruction shall submit a list of small school district modernization projects, as prioritized by the advisory committee under RCW 28A.525.159, to the legislature and the governor by September 15, 2026. The list must include: (a) A description of the project; (b) the proposed state funding level, not to exceed \$6,000,000 per project, adjusted for inflation based on the office of financial management's C-100 form; (c) estimated total project costs; and (d) local funding resources.

(5) In the 2025-2027 fiscal biennium, school districts receiving a small district modernization grant under this section may not combine this grant

funding either with a school construction assistance program grant or with other grants awarded under this section to fund a single project.

(6) The appropriations in this section may be awarded only to projects approved by the legislature, as identified in LEAP Capital Document No. OSPI-1-2025, developed April 26, 2025.

(7) The state building construction account—state appropriation in this section is subject to the provisions of section 8018 of this act.

Appropriation:

Common School Construction Fund—State	\$530,000
State Building Construction Account—State	\$201,821,000
Subtotal Appropriation	\$202,351,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$809,404,000
TOTAL	\$1,011,755,000

NEW SECTION. Sec. 5009. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

2025-27 School Construction Assistance Program (40000153)

The appropriations in this section are subject to the following conditions and limitations:

(1) \$425,065,000 of the state building construction account—state appropriation in this section is provided solely for school construction assistance grants for qualifying public school construction projects.

(2) \$3,007,000 of the common school construction account—state appropriation and \$1,500,000 of the common school construction account—federal appropriation in this section are provided solely for study and survey grants and for completing inventory and building condition assessments for public school districts every six years, and for the acquisition of art pursuant to RCW 28A.335.210.

(3) The state building construction account—state appropriation in this section is subject to the provisions of section 8018 of this act.

Appropriation:

Common School Construction Fund—State	\$3,007,000
Common School Construction Fund—Federal	\$1,500,000
State Building Construction Account—State	\$425,065,000
Subtotal Appropriation	\$429,572,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$1,718,288,000
TOTAL	\$2,147,860,000

NEW SECTION. Sec. 5010. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

2025-27 Skills Center Minor Works (40000158)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is subject to the provisions of section 8018 of this act.

Appropriation:

State Building Construction Account—State	\$5,818,000
Prior Biennia (Expenditures)	\$0

Future Biennia (Projected Costs)	\$23,272,000
TOTAL	\$29,090,000

NEW SECTION. Sec. 5011. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

School Seismic Safety Grant Program (40000159)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation in this section is provided solely for the following school seismic safety project grants, as authorized under RCW 28A.525.320: (1) The Cape Flattery - Neah Bay K-12 Campus Relocation project; (2) the Taholah - K-12 School Relocation project; (3) the North Beach - Ocean Shores Vertical Evacuation Tower project; and (4) the North Beach - Pacific Beach Elementary Relocation project.

(2) The appropriation in this section is subject to the provisions of section 8018 of this act.

Appropriation:

State Building Construction Account—State	\$151,451,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$605,804,000
TOTAL	\$757,255,000

NEW SECTION. Sec. 5012. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

Distressed Schools (92001915)

The appropriations in this section are subject to the following conditions and limitations:

(1) \$237,000 of the state building construction account—state appropriation in this section is provided solely for the Acme Elementary Modernization project.

(2) \$6,227,000 of the state building construction account—state appropriation in this section is provided solely for the Lawton Elementary School project.

(3) \$4,000,000 of the state building construction account—state appropriation and \$1,000,000 of the model toxics control capital account—state appropriation in this section are provided solely for the Maritime 253: South Puget Sound Maritime Skills Center.

(4) \$3,500,000 of the state building construction account—state appropriation is provided solely for the TOPS K-8 School project.

(5) The state building construction account—state appropriation in this section is subject to the provisions of section 8018 of this act.

Appropriation:

State Building Construction Account—State	\$13,964,000
Model Toxics Control Capital Account—State	\$1,000,000
Subtotal Appropriation	\$14,964,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$55,856,000
TOTAL	\$70,820,000

NEW SECTION. Sec. 5013. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

2025-27 Agricultural Science in Schools Grant to FFA Foundation (92001922)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is subject to the provisions of section 8018 of this act.

Appropriation:

State Building Construction Account—State	\$5,150,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$20,600,000
TOTAL	\$25,750,000

NEW SECTION. Sec. 5014. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

SCAPR Transitional Projects (91002551)

The appropriations in this section are subject to the following conditions and limitations:

- (1) It is the intent of the legislature to work with the office of the superintendent of public instruction and stakeholders to revise the school construction assistance program and to holistically examine the state's programmatic support of K-12 school construction through the planning process required under section 5011, chapter 375, Laws of 2024. Pursuant to this section, the legislature intends that this revision and examination will be completed in a manner that will modify and improve efficiencies within, and access to, the school construction assistance program, while also identifying cost-saving measures for awarding state grants for the construction and modernization of common school facilities. The legislature further intends that this revision and planning process will result in a prioritized list of school construction projects that recognizes the substantial variation between district sizes and financial capacities, and which categorizes reasonably comparable applicants into distinct school district groupings to foster a fair and equitable prioritization of projects. However, the legislature also recognizes that some school district projects will be ready to proceed to construction during this planning and revision period. Therefore, the legislature intends to provide funding to the school district projects listed in this section in recognition of this transitional period.
- (2) School districts receiving grant funding pursuant to this section may combine this funding with a school construction assistance program grant and must use available local resources to contribute financially to the completion of the project.
- (3) \$8,131,000 of the common school construction account—state appropriation in this section is provided solely for the Pe Ell school district's K-12 school modernization project.
- (4) \$6,000,000 of the common school construction account—state appropriation in this section is provided solely for the Bridgeport school district's Bridgeport elementary school modernization project.
- (5) \$3,972,000 of the common school construction account—state appropriation and \$6,000,000 of the state building construction account—state

appropriation in this section are provided solely for the Inchelium school district's K-12 school modernization project.

(6) Grant funding provided to each school district in this section is contingent upon each of the applicable districts named in this section relinquishing all unspent construction grant funding previously awarded under section 7063 of this act.

(7) The state building construction account—state appropriation in this section is subject to the provisions of section 8018 of this act.

Appropriation:

Common School Construction Fund—State	\$18,103,000
State Building Construction Account—State	\$6,000,000
Subtotal Appropriation	\$24,103,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$24,103,000

NEW SECTION. Sec. 5015. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

School Security and Preparedness Infrastructure Grants (92002069)

The appropriation in this section is subject to the following conditions and limitations:

(1) \$6,000,000 of the appropriation in this section is provided solely for school security and preparedness infrastructure grants to increase the physical security of K-12 public school facilities and campuses.

(2) Public school districts are eligible to apply for the grants. Eligible projects include:

- (a) Entrance and door security including panic buttons;
 - (b) Fencing;
 - (c) Perimeter security infrastructure;
 - (d) Construction or infrastructure projects designed to direct the public entering school grounds through as few entrances as possible, such as through the main entrance of a school administrative office;
 - (e) Repair or upgrades of existing physical security infrastructure;
 - (f) Infrastructure designed to assist with or expedite law enforcement response to a threat or emergency within the school grounds; and
 - (g) Planning grants for improved security on campuses.
- (3) No more than three percent of each grant may be expended by the grant recipients for management and administration of the grant.

(4) The office of the superintendent of public instruction must develop an application process and project evaluation criteria to evaluate applications. Priority for awards must be based on physical security needs and resulting improved safety. No award per school district may exceed \$500,000 in a biennium.

(5) By December 1, 2025, the office of the superintendent of public instruction must provide a progress report to the relevant policy and fiscal committees of the legislature. The report must include:

- (a) The total number of applications and amount of funding requested; and
- (b) A list and description of projects approved for funding.

(6) The appropriation in this section is subject to the provisions of section 8018 of this act.

Appropriation:

State Building Construction Account—State	\$6,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$24,000,000
TOTAL	\$30,000,000

NEW SECTION. Sec. 5016. FOR THE STATE SCHOOL FOR THE BLIND

Dormitory Modernization (40000054)

Appropriation:

State Building Construction Account—State	\$350,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$25,000,000
TOTAL	\$25,350,000

NEW SECTION. Sec. 5017. FOR THE STATE SCHOOL FOR THE BLIND

Minor works projects 2025-27 (40000060)

Appropriation:

State Building Construction Account—State	\$2,110,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$8,440,000
TOTAL	\$10,550,000

NEW SECTION. Sec. 5018. FOR THE CENTER FOR DEAF AND HARD OF HEARING YOUTH

Northrop Primary School Building Renovation (40000006)

Reappropriation:

State Building Construction Account—State	\$905,000
---	-----------

Appropriation:

State Building Construction Account—State	\$16,162,000
Prior Biennia (Expenditures)	\$1,195,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$18,262,000

NEW SECTION. Sec. 5019. FOR THE CENTER FOR DEAF AND HARD OF HEARING YOUTH

2025-27 Minor Works (40000012)

Appropriation:

State Building Construction Account—State	\$2,125,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$8,500,000
TOTAL	\$10,625,000

NEW SECTION. Sec. 5020. FOR THE UNIVERSITY OF WASHINGTON

UW Major Infrastructure (30000808)

Reappropriation:

University of Washington Building Account—State	\$6,577,000
---	-------------

Appropriation:

University of Washington Building Account—State	\$10,300,000
---	--------------

Prior Biennia (Expenditures)	\$50,223,000
Future Biennia (Projected Costs)	\$42,300,000
TOTAL	\$109,400,000

NEW SECTION. Sec. 5021. FOR THE UNIVERSITY OF WASHINGTON

Chemical Sciences & Bagley Hall (40000146)

Reappropriation:

State Building Construction Account—State	\$5,000,000
---	-------------

Appropriation:

State Building Construction Account—State	\$124,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$129,000,000

NEW SECTION. Sec. 5022. FOR THE UNIVERSITY OF WASHINGTON

Infrastructure Renewal 25-27 (40000159)

Appropriation:

University of Washington Building Account—State	\$39,350,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$39,350,000

NEW SECTION. Sec. 5023. FOR THE UNIVERSITY OF WASHINGTON

UW Tacoma - Campus Power Repairs (Phase 3) (40000160)

Appropriation:

University of Washington Building Account—State	\$3,900,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$3,900,000

NEW SECTION. Sec. 5024. FOR THE UNIVERSITY OF WASHINGTON

UW Bothell - Asset Preservation (Minor Works) 25-27 (40000161)

Appropriation:

University of Washington Building Account—State	\$4,530,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$18,120,000
TOTAL	\$22,650,000

NEW SECTION. Sec. 5025. FOR THE UNIVERSITY OF WASHINGTON

UW Seattle - Asset Preservation (Minor Works) 25-27 (40000163)

Appropriation:

University of Washington Building Account—State	\$22,080,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$88,320,000
TOTAL	\$110,400,000

NEW SECTION. Sec. 5026. FOR THE UNIVERSITY OF WASHINGTON

UW Tacoma - Asset Preservation (Minor Works) 25-27 (40000164)

Appropriation:

University of Washington Building Account—State	\$5,415,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$21,660,000
TOTAL	\$27,075,000

NEW SECTION. **Sec. 5027. FOR THE UNIVERSITY OF WASHINGTON**

Preventive Facility Maintenance and Building System Repairs (91000029)

Appropriation:

University of Washington Building Account—State	\$25,825,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$103,300,000
TOTAL	\$129,125,000

NEW SECTION. **Sec. 5028. FOR THE UNIVERSITY OF WASHINGTON**

FIFA World Cup Improvements (92000014)

Appropriation:

State Building Construction Account—State	\$1,700,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,700,000

NEW SECTION. **Sec. 5029. FOR WASHINGTON STATE UNIVERSITY**

Pullman Sciences Building (40000284)

Appropriation:

State Building Construction Account—State	\$25,000,000
Prior Biennia (Expenditures)	\$500,000
Future Biennia (Projected Costs)	\$50,000,000
TOTAL	\$75,500,000

NEW SECTION. **Sec. 5030. FOR WASHINGTON STATE UNIVERSITY**

Vancouver Central Chiller Plant Upgrades (40000371)

Appropriation:

State Building Construction Account—State	\$3,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$3,000,000

NEW SECTION. **Sec. 5031. FOR WASHINGTON STATE UNIVERSITY**

Puyallup Washington Animal Disease Diagnostic Lab Facility (40000372)

Appropriation:

State Building Construction Account—State	\$3,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$20,000,000
TOTAL	\$23,000,000

NEW SECTION. Sec. 5032. FOR WASHINGTON STATE UNIVERSITY

Pullman Dairy Modernization (40000373)

Appropriation:

State Building Construction Account—State	\$500,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$500,000

NEW SECTION. Sec. 5033. FOR WASHINGTON STATE UNIVERSITY

(40000376) Wenatchee Tree Fruit Research & Ext. Center Plant Growth Facility

Appropriation:

State Building Construction Account—State	\$10,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$10,000,000

NEW SECTION. Sec. 5034. FOR WASHINGTON STATE UNIVERSITY

Preventive Facility Maintenance and Building System Repairs (91000037)

Appropriation:

Washington State University Building Account— State	\$10,115,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$40,460,000
TOTAL	\$50,575,000

NEW SECTION. Sec. 5035. FOR WASHINGTON STATE UNIVERSITY

2025-27 Minor Works Preservation and Program (91000046)

Appropriation:

Washington State University Building Account— State	\$45,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$180,000,000
TOTAL	\$225,000,000

NEW SECTION. Sec. 5036. FOR WASHINGTON STATE UNIVERSITY

Greenhouse Renovations (92001136)

Appropriation:

State Building Construction Account—State	\$750,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$750,000

NEW SECTION. Sec. 5037. FOR WASHINGTON STATE UNIVERSITY

Ensminger Beef Center (92001137)

Appropriation:

State Building Construction Account—State	\$150,000
---	-----------

Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$150,000

NEW SECTION. Sec. 5038. FOR EASTERN WASHINGTON UNIVERSITY

Dental Therapy Lab and Clinic (40000157)

Appropriation:

State Building Construction Account—State	\$10,498,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$10,498,000

NEW SECTION. Sec. 5039. FOR EASTERN WASHINGTON UNIVERSITY

Preventative Maintenance/Backlog Reduction (40000222)

Appropriation:

Eastern Washington University Capital Projects Account—State	\$2,217,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$8,868,000
TOTAL	\$11,085,000

NEW SECTION. Sec. 5040. FOR EASTERN WASHINGTON UNIVERSITY

2025-27 Minor Works Preservation and Program (91000031)

Appropriation:

Eastern Washington University Capital Projects Account—State	\$9,800,000
State Building Construction Account—State	\$6,000,000
Subtotal Appropriation	\$15,800,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$63,200,000
TOTAL	\$79,000,000

NEW SECTION. Sec. 5041. FOR CENTRAL WASHINGTON UNIVERSITY

Humanities & Social Science Complex (40000081)

Reappropriation:

Climate Commitment Account—State	\$5,139,000
State Building Construction Account—State	\$45,825,000
Subtotal Reappropriation	\$50,964,000

Appropriation:

State Building Construction Account—State	\$11,158,000
Prior Biennia (Expenditures)	\$46,841,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$108,963,000

NEW SECTION. Sec. 5042. FOR CENTRAL WASHINGTON UNIVERSITY

Aviation Degree Expansion (40000125)

Appropriation:

State Building Construction Account—State	\$9,968,000
---	-------------

Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$9,968,000

NEW SECTION. Sec. 5043. FOR CENTRAL WASHINGTON UNIVERSITY

Secondary Geothermal Module (40000161)

The appropriations in this section are subject to the following conditions and limitations: The appropriation in this section is provided solely for Central Washington University to design and construct the smaller-scale geothermal system that was presented to the governor and the legislature for consideration during the 2024 legislative session.

Reappropriation:

Climate Commitment Account—State	\$11,830,000
--	--------------

Appropriation:

State Building Construction Account—State	\$4,000,000
Prior Biennia (Expenditures)	\$634,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$16,464,000

NEW SECTION. Sec. 5044. FOR CENTRAL WASHINGTON UNIVERSITY

Emergency Backup Power System (40000163)

Appropriation:

State Building Construction Account—State	\$11,773,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$11,773,000

NEW SECTION. Sec. 5045. FOR CENTRAL WASHINGTON UNIVERSITY

Institutional Equipment Upgrades (40000166)

Appropriation:

Central Washington University Capital Projects Account—State	\$1,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,000,000

NEW SECTION. Sec. 5046. FOR CENTRAL WASHINGTON UNIVERSITY

Preventive Facility Maintenance and Building System Repairs (91000023)

Appropriation:

Central Washington University Capital Projects Account—State	\$2,422,000
Prior Biennia (Expenditures)	\$1,940,000
Future Biennia (Projected Costs)	\$9,688,000
TOTAL	\$14,050,000

NEW SECTION. **Sec. 5047. FOR CENTRAL WASHINGTON UNIVERSITY**

2025-27 Minor Works Preservation and Program (91000028)

Appropriation:

Central Washington University Capital Projects	
Account—State	\$8,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$32,000,000
TOTAL	\$40,000,000

NEW SECTION. **Sec. 5048. FOR THE EVERGREEN STATE COLLEGE**

Preventive Facility Maintenance and Building System Repairs (40000140)

Appropriation:

The Evergreen State College Capital Projects	
Account—State	\$880,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$3,520,000
TOTAL	\$4,400,000

NEW SECTION. **Sec. 5049. FOR THE EVERGREEN STATE COLLEGE**

Labs 1 & 2 Third Floor Renovation (40000145)

Appropriation:

State Building Construction Account—State	\$298,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$18,881,000
TOTAL	\$19,179,000

NEW SECTION. **Sec. 5050. FOR THE EVERGREEN STATE COLLEGE**

2025-27 Minor Works Preservation and Program (91000042)

Appropriation:

State Building Construction Account—State	\$6,000,000
The Evergreen State College Capital Projects	
Account—State	\$9,144,000
Subtotal Appropriation	\$15,144,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$60,576,000
TOTAL	\$75,720,000

NEW SECTION. **Sec. 5051. FOR WESTERN WASHINGTON UNIVERSITY**

Access Control Security Upgrades (30000604)

Reappropriation:

State Building Construction Account—State	\$6,213,000
Western Washington University Capital Projects	
Account—State	\$109,000
Subtotal Reappropriation	\$6,322,000

Appropriation:

State Building Construction Account—State	\$9,070,000
Prior Biennia (Expenditures)	\$3,443,000

Future Biennia (Projected Costs).....	\$0
TOTAL.....	\$18,835,000

NEW SECTION. Sec. 5052. FOR WESTERN WASHINGTON UNIVERSITY

Heating Conversion Project (40000005)

Reappropriation:

Climate Commitment Account—State	\$8,911,000
--	-------------

Appropriation:

Climate Commitment Account—State	\$41,000,000
Prior Biennia (Expenditures).....	\$1,089,000
Future Biennia (Projected Costs).....	\$164,000,000
TOTAL	\$215,000,000

NEW SECTION. Sec. 5053. FOR WESTERN WASHINGTON UNIVERSITY

Preventative Facility Maintenance and Building System Repairs (40000012)

Appropriation:

Western Washington University Capital Projects

Account—State	\$3,614,000
Prior Biennia (Expenditures).....	\$3,614,000
Future Biennia (Projected Costs).....	\$14,456,000
TOTAL	\$21,684,000

NEW SECTION. Sec. 5054. FOR WESTERN WASHINGTON UNIVERSITY

Academic Facilities Renewal - Phase I - V (40000017)

Appropriation:

Western Washington University Capital Projects

Account—State	\$5,524,000
Prior Biennia (Expenditures).....	\$0
Future Biennia (Projected Costs).....	\$22,096,000
TOTAL	\$27,620,000

NEW SECTION. Sec. 5055. FOR WESTERN WASHINGTON UNIVERSITY

Minor Works Preservation and Program (91000014)

Appropriation:

State Building Construction Account—State	\$1,340,000
Western Washington University Capital Projects	
Account—State	\$4,660,000
Subtotal Appropriation	\$6,000,000
Prior Biennia (Expenditures).....	\$0
Future Biennia (Projected Costs).....	\$24,000,000
TOTAL	\$30,000,000

NEW SECTION. Sec. 5056. FOR THE WASHINGTON STATE ARTS COMMISSION

2025-27 Creative Districts Capital Construction Projects (30000018)

Appropriation:

State Building Construction Account—State	\$416,000
Prior Biennia (Expenditures).....	\$0

Future Biennia (Projected Costs).....	\$1,664,000
TOTAL	\$2,080,000

NEW SECTION. Sec. 5057. FOR THE WASHINGTON STATE HISTORICAL SOCIETY

Preservation - Minor Works 2025-27 (40000182)

The appropriations in this section are subject to the following conditions and limitations: The Climate Commitment Account—State appropriation in this section is provided solely for the Clean Building Energy Audit and Incentive Grant.

Appropriation:

Climate Commitment Account—State	\$40,000
State Building Construction Account—State	\$2,000,000
Subtotal Appropriation.....	\$2,040,000
Prior Biennia (Expenditures).....	\$0
Future Biennia (Projected Costs).....	\$8,160,000
TOTAL	\$10,200,000

NEW SECTION. Sec. 5058. FOR THE WASHINGTON STATE HISTORICAL SOCIETY

Permanent Gallery Renovation (40000183)

Appropriation:

State Building Construction Account—State	\$1,386,000
Prior Biennia (Expenditures).....	\$0
Future Biennia (Projected Costs).....	\$0
TOTAL	\$1,386,000

NEW SECTION. Sec. 5059. FOR THE WASHINGTON STATE HISTORICAL SOCIETY

Heritage Capital Grants 2025-27 (40000184)

Appropriation:

State Building Construction Account—State	\$10,000,000
Prior Biennia (Expenditures).....	\$0
Future Biennia (Projected Costs).....	\$40,000,000
TOTAL	\$50,000,000

NEW SECTION. Sec. 5060. FOR THE EASTERN WASHINGTON STATE HISTORICAL SOCIETY

Museum Expansion and Modernization (40000064)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation in this section is provided solely for a predesign study to evaluate gallery space additions or expansion, options for collections storage, a dedicated events space, and a long-term master plan for facility maintenance. The predesign study must provide an assessment of current conditions, potential solutions, and cost estimates for recommendations for future capital improvements.

(2) In submitting future budget requests, the agency must include break-out numbers for individual parts and phases of the project as a whole.

Appropriation:

State Building Construction Account—State	\$600,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$600,000

NEW SECTION. Sec. 5061. FOR THE STATE BOARD FOR COMMUNITY AND TECHNICAL COLLEGES

Olympic Innovation and Technology Learning Center (40000103)

Reappropriation:

State Building Construction Account—State	\$1,836,000
---	-------------

Appropriation:

State Building Construction Account—State	\$31,054,000
Prior Biennia (Expenditures)	\$716,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$33,606,000

NEW SECTION. Sec. 5062. FOR THE STATE BOARD FOR COMMUNITY AND TECHNICAL COLLEGES

Lower Columbia: Center for Vocational and Transitional Studies (40000106)

Reappropriation:

State Building Construction Account—State	\$985,000
---	-----------

Appropriation:

State Building Construction Account—State	\$45,196,000
Prior Biennia (Expenditures)	\$2,221,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$48,402,000

NEW SECTION. Sec. 5063. FOR THE STATE BOARD FOR COMMUNITY AND TECHNICAL COLLEGES

Columbia Basin: Performing Arts Building Replacement (40000108)

Appropriation:

State Building Construction Account—State	\$54,548,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$54,548,000

NEW SECTION. Sec. 5064. FOR THE STATE BOARD FOR COMMUNITY AND TECHNICAL COLLEGES

Whatcom: Technology and Engineering Center (40000137)

Appropriation:

State Building Construction Account—State	\$51,042,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$51,042,000

NEW SECTION. Sec. 5065. FOR THE STATE BOARD FOR COMMUNITY AND TECHNICAL COLLEGES

Grays Harbor College: Lake Swano Dam (40001150)

Appropriation:

State Building Construction Account—State	\$1,000,000
Prior Biennia (Expenditures)	\$0

Future Biennia (Projected Costs).....	\$10,000,000
TOTAL	\$11,000,000

NEW SECTION. Sec. 5066. FOR THE STATE BOARD FOR COMMUNITY AND TECHNICAL COLLEGES

Preventive Facility Maintenance & Bldg System Repairs (40001334)

Appropriation:

Community and Technical College Capital Projects	
Account—State	\$22,800,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs).....	\$91,200,000
TOTAL	\$114,000,000

NEW SECTION. Sec. 5067. FOR THE STATE BOARD FOR COMMUNITY AND TECHNICAL COLLEGES

2025-27 Career Preparation and Launch Grants (40001337)

The appropriation in this section is subject to the following conditions and limitations:

- (1) This appropriation is provided solely for the state board for community and technical colleges to provide competitive grants to community and technical colleges to purchase and install equipment that expands career-connected learning opportunities.
- (2) The state board for community and technical colleges shall develop common criteria for providing competitive grant funding and outcomes for specific projects.
- (3) The appropriation in this section is subject to the provisions of section 8018 of this act.

Appropriation:

State Building Construction Account—State	\$3,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs).....	\$12,000,000
TOTAL	\$15,000,000

NEW SECTION. Sec. 5068. FOR THE STATE BOARD FOR COMMUNITY AND TECHNICAL COLLEGES

Minor Works Preservation and Program (92001125)

Appropriation:

Community and Technical College Capital Projects	
Account—State	\$71,168,000
Model Toxics Control Capital Account—State	\$2,000,000
State Building Construction Account—State	\$96,806,000
Subtotal Appropriation	\$169,974,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs).....	\$679,896,000
TOTAL	\$849,870,000

**PART 6
REAPPROPRIATIONS**

NEW SECTION. Sec. 6001. FOR THE DEPARTMENT OF COMMERCE

2017-19 Housing Trust Fund Program (30000872)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 1004, chapter 296, Laws of 2022.

Reappropriation:

State Building Construction Account—State	\$419,000
State Taxable Building Construction Account—	
State	\$3,045,000
Washington Housing Trust Account—State	\$1,476,000
Subtotal Reappropriation	\$4,940,000
Prior Biennia (Expenditures)	\$108,349,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$113,289,000

NEW SECTION. Sec. 6002. FOR THE DEPARTMENT OF COMMERCE

Economic Opportunity Grants (30000873)

Reappropriation:

Rural Washington Loan Fund—State	\$313,000
Prior Biennia (Expenditures)	\$6,437,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$6,750,000

NEW SECTION. Sec. 6003. FOR THE DEPARTMENT OF COMMERCE

Public Works Assistance Account Construction Loans (30000878)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 6001, chapter 413, Laws of 2019.

Reappropriation:

State Taxable Building Construction Account—	
State	\$5,478,000
Prior Biennia (Expenditures)	\$71,742,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$77,220,000

NEW SECTION. Sec. 6004. FOR THE DEPARTMENT OF COMMERCE

Weatherization Plus Health Matchmaker Program (30000879)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 1014, chapter 298, Laws of 2018.

Reappropriation:

State Building Construction Account—State	\$222,000
State Taxable Building Construction Account—	
State	\$3,492,000
Subtotal Reappropriation	\$3,714,000
Prior Biennia (Expenditures)	\$19,786,000

Future Biennia (Projected Costs).....	\$0
TOTAL	\$23,500,000

NEW SECTION. **Sec. 6005. FOR THE DEPARTMENT OF COMMERCE**

2018 Local and Community Projects (40000005)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 6003, chapter 413, Laws of 2019, as amended by section 7002 of this act.

Reappropriation:

State Building Construction Account—State	\$16,425,000
Prior Biennia (Expenditures).....	\$111,912,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$128,337,000

NEW SECTION. **Sec. 6006. FOR THE DEPARTMENT OF COMMERCE**

PWAA Preconstruction and Emergency Loan Programs (40000009)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 6002, chapter 413, Laws of 2019.

Reappropriation:

State Taxable Building Construction Account—	
State	\$38,000
Prior Biennia (Expenditures).....	\$18,962,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$19,000,000

NEW SECTION. **Sec. 6007. FOR THE DEPARTMENT OF COMMERCE**

2019-21 Housing Trust Fund Program (40000036)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 6005, chapter 332, Laws of 2021.

Reappropriation:

State Building Construction Account—State	\$1,999,000
State Taxable Building Construction Account—	
State	\$11,418,000
Subtotal Reappropriation	\$13,417,000
Prior Biennia (Expenditures).....	\$159,333,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$172,750,000

NEW SECTION. **Sec. 6008. FOR THE DEPARTMENT OF COMMERCE**

Public Works Board (40000038)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1020, chapter 356, Laws of 2020.

Reappropriation:

Public Works Assistance Account—State	\$9,311,000
Prior Biennia (Expenditures)	\$84,267,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$93,578,000

NEW SECTION. Sec. 6009. FOR THE DEPARTMENT OF COMMERCE

2019-21 Community Economic Revitalization Board (40000040)

Reappropriation:

Public Facilities Construction Loan Revolving Account—State	\$17,971,000
Prior Biennia (Expenditures)	\$629,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$18,600,000

***NEW SECTION. Sec. 6010. FOR THE DEPARTMENT OF COMMERCE**

2019-21 Building Communities Fund Program (40000043)

The reappropriation in this section is subject to the following conditions and limitations:

(1) Except as provided in subsections (2) and (3) of this section, the reappropriation in this section is subject to the provisions of section 1036, chapter 413, Laws of 2019.

(2) For grantees awarded funding pursuant to this section whose contracts would otherwise not be renewed due to departmental policies and contract provisions related to the timely completion of projects, the department must offer grantees the opportunity to renew a contract pursuant to this section, except that the contract period shall not exceed the lapse date in subsection (3) of this section.

(3) The reappropriation in this section shall lapse on June 30, 2027.

Reappropriation:

State Building Construction Account—State	\$6,702,000
Prior Biennia (Expenditures)	\$25,897,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$32,599,000

**Sec. 6010 was partially vetoed. See message at end of chapter.*

***NEW SECTION. Sec. 6011. FOR THE DEPARTMENT OF COMMERCE**

2019-21 Early Learning Facilities (40000044)

The reappropriations in this section are subject to the following conditions and limitations:

(1) Except as provided in subsections (2) and (3) of this section, the reappropriations are subject to the provisions of section 6006, chapter 332, Laws of 2021.

(2) For grantees awarded funding pursuant to this section whose contracts would otherwise not be renewed due to departmental policies and contract provisions related to the timely completion of projects, the department must offer grantees the opportunity to renew a contract pursuant to this section, except that the contract period shall not exceed the lapse date in subsection (3) of this section.

(3) The reappropriation in this section shall lapse on June 30, 2027.

Reappropriation:

Ruth LeCocq Kagi Early Learning Facilities	
Revolving Account—State	\$6,740,000
Ruth LeCocq Kagi Early Learning Facilities	
Development Account—State	\$185,000
State Building Construction Account—State	\$718,000
Subtotal Reappropriation	\$7,643,000
Prior Biennia (Expenditures)	\$26,543,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$34,186,000

**Sec. 6011 was partially vetoed. See message at end of chapter.*

NEW SECTION. Sec. 6012. FOR THE DEPARTMENT OF COMMERCE

2019-21 Behavioral Health Capacity Grants (40000114)

The reappropriation in this section is subject to the following conditions and limitations:

(1) Except as provided in subsections (2) and (3) of this section, the reappropriation is subject to the provisions of section 6013, chapter 375, Laws of 2024, as amended by section 7009 of this act.

(2) For grantees awarded funding pursuant to this section whose contracts would otherwise not be renewed due to departmental policies and contract provisions related to the timely completion of projects, the department must offer grantees the opportunity to renew a contract pursuant to this section, except that the contract period shall not exceed the lapse date in subsection (3) of this section.

(3) The reappropriation in this section shall lapse on June 30, 2027.

Reappropriation:

State Building Construction Account—State	\$9,196,000
Prior Biennia (Expenditures)	\$113,035,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$122,231,000

**Sec. 6012 was partially vetoed. See message at end of chapter.*

NEW SECTION. Sec. 6013. FOR THE DEPARTMENT OF COMMERCE

2020 Local and Community Projects (40000116)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 6010, chapter 375, Laws of 2024, as amended by section 7010 of this act.

Reappropriation:

State Building Construction Account—State	\$23,618,000
Prior Biennia (Expenditures)	\$142,689,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$166,307,000

NEW SECTION. Sec. 6014. FOR THE DEPARTMENT OF COMMERCE

Washington Broadband Program (40000117)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 6002, chapter 375, Laws of 2024.

Reappropriation:

Statewide Broadband Account—State	\$14,402,000
Prior Biennia (Expenditures)	\$7,148,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$21,550,000

NEW SECTION. Sec. 6015. FOR THE DEPARTMENT OF COMMERCE

2021 Local and Community Projects (40000130)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 6011, chapter 375, Laws of 2024.

Reappropriation:

State Building Construction Account—State	\$6,164,000
Prior Biennia (Expenditures)	\$26,508,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$32,672,000

NEW SECTION. Sec. 6016. FOR THE DEPARTMENT OF COMMERCE

2021-23 Early Learning Facilities-School Districts Grant (40000140)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1057, chapter 332, Laws of 2021.

Reappropriation:

Ruth LeCocq Kagi Early Learning Facilities Development Account—State	\$744,000
Prior Biennia (Expenditures)	\$3,975,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$4,719,000

NEW SECTION. Sec. 6017. FOR THE DEPARTMENT OF COMMERCE

2021-23 Public Works Assistance Account-Construction (40000141)

Reappropriation:

Public Works Assistance Account—State	\$124,074,000
---	---------------

Prior Biennia (Expenditures)	\$124,926,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$249,000,000

***NEW SECTION. Sec. 6018. FOR THE DEPARTMENT OF COMMERCE**

2021-23 Building Communities Fund Grant Program (40000142)

The reappropriation in this section is subject to the following conditions and limitations:

(1) Except as provided in subsections (2) and (3) of this section, the reappropriation in this section is subject to the provisions of section 1059, chapter 332, Laws of 2021.

(2) For grantees awarded funding pursuant to this section whose contracts would otherwise not be renewed due to departmental policies and contract provisions related to the timely completion of projects, the department must offer grantees the opportunity to renew a contract pursuant to this section, except that the contract period shall not exceed the lapse date in subsection (3) of this section.

(3) The reappropriation in this section shall lapse on June 30, 2027.

Reappropriation:

State Building Construction Account—State	\$10,462,000
Prior Biennia (Expenditures)	\$16,742,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$27,204,000

**Sec. 6018 was partially vetoed. See message at end of chapter.*

***NEW SECTION. Sec. 6019. FOR THE DEPARTMENT OF COMMERCE**

2021-23 Building for the Arts Grant Program (40000143)

The reappropriation in this section is subject to the following conditions and limitations:

(1) Except as provided in subsections (2) and (3) of this section, the reappropriation is subject to the provisions of section 1060, chapter 332, Laws of 2021.

(2) For grantees awarded funding pursuant to this section whose contracts would otherwise not be renewed due to departmental policies and contract provisions related to the timely completion of projects, the department must offer grantees the opportunity to renew a contract pursuant to this section, except that the contract period shall not exceed the lapse date in subsection (3) of this section.

(3) The reappropriation in this section shall lapse on June 30, 2027.

Reappropriation:

State Building Construction Account—State	\$3,307,000
Prior Biennia (Expenditures)	\$12,693,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$16,000,000

**Sec. 6019 was partially vetoed. See message at end of chapter.*

NEW SECTION. Sec. 6020. FOR THE DEPARTMENT OF COMMERCE

2021-23 CERB Capital Construction (40000144)

Reappropriation:

Capital Community Assistance Account—State	\$19,169,000
Public Facilities Construction Loan Revolving Account—State	\$10,000,000
Subtotal Reappropriation	\$29,169,000
Prior Biennia (Expenditures)	\$35,831,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$65,000,000

NEW SECTION. Sec. 6021. FOR THE DEPARTMENT OF COMMERCE

2021-23 Library Capital Improvement Program (LCIP) Grants (40000147)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 7018, chapter 474, Laws of 2023.

Reappropriation:

State Building Construction Account—State	\$3,633,000
Prior Biennia (Expenditures)	\$12,211,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$15,844,000

NEW SECTION. Sec. 6022. FOR THE DEPARTMENT OF COMMERCE

2021-23 Clean Energy V-Investing in Washington's Clean Energy (40000148)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 7005, chapter 474, Laws of 2023.

Reappropriation:

State Building Construction Account—State	\$37,058,000
State Taxable Building Construction Account— State	\$2,394,000
Subtotal Reappropriation	\$39,452,000
Prior Biennia (Expenditures)	\$16,846,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$56,298,000

NEW SECTION. Sec. 6023. FOR THE DEPARTMENT OF COMMERCE

2021-23 Weatherization Plus Health (40000150)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 7015, chapter 474, Laws of 2023.

Reappropriation:

General Fund—Federal	\$41,955,000
State Building Construction Account—State	\$960,000
Capital Community Assistance Account—State	\$733,000
Subtotal Reappropriation	\$43,648,000
Prior Biennia (Expenditures)	\$23,467,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$67,115,000

NEW SECTION. **Sec. 6024. FOR THE DEPARTMENT OF COMMERCE**

2021-23 PWB Broadband Infrastructure (40000152)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 6003, chapter 375, Laws of 2024.

Reappropriation:

Coronavirus Capital Projects Account—Federal.	\$27,853,000
Statewide Broadband Account—State.	\$13,762,000
Subtotal Reappropriation	\$41,615,000
Prior Biennia (Expenditures)	\$18,385,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$60,000,000

NEW SECTION. **Sec. 6025. FOR THE DEPARTMENT OF COMMERCE**

2021-23 Housing Trust Fund Investment in Affordable Housing (40000153)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 7006, chapter 474, Laws of 2023.

Reappropriation:

Capital Community Assistance Account—State	\$36,121,000
Coronavirus State Fiscal Recovery Fund—Federal.	\$17,603,000
State Building Construction Account—State	\$10,366,000
State Taxable Building Construction Account— State	\$16,801,000
Subtotal Reappropriation	\$80,891,000
Prior Biennia (Expenditures)	\$206,800,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$287,691,000

NEW SECTION. **Sec. 6026. FOR THE DEPARTMENT OF COMMERCE**

2021-23 Behavioral Health Community Capacity Grants (40000219)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 6014, chapter 375, Laws of 2024.

Reappropriation:

Capital Community Assistance Account—State	\$10,901,000
State Building Construction Account—State	\$46,375,000
Subtotal Reappropriation	\$57,276,000
Prior Biennia (Expenditures)	\$62,961,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$120,237,000

NEW SECTION. Sec. 6027. FOR THE DEPARTMENT OF COMMERCE

2019-21 Housing Trust Fund Investment from Operating (40000220)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1070, chapter 332, Laws of 2021.

Reappropriation:

Washington Housing Trust Account—State	\$2,028,000
Prior Biennia (Expenditures)	\$45,413,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$47,441,000

NEW SECTION. Sec. 6028. FOR THE DEPARTMENT OF COMMERCE

2021-23 Rapid Capital Housing Acquisition (40000222)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 6004, chapter 375, Laws of 2024.

Reappropriation:

Coronavirus State Fiscal Recovery Fund—Federal	\$663,000
State Building Construction Account—State	\$22,230,000
Subtotal Reappropriation	\$22,893,000
Prior Biennia (Expenditures)	\$97,242,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$120,135,000

NEW SECTION. Sec. 6029. FOR THE DEPARTMENT OF COMMERCE

2022 Local & Community Projects (40000230)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1001, chapter 375, Laws of 2024, as amended by section 7012 of this act.

Reappropriation:

State Building Construction Account—State	\$58,682,000
Prior Biennia (Expenditures)	\$111,885,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$170,567,000

NEW SECTION. **Sec. 6030. FOR THE DEPARTMENT OF COMMERCE**

Economic Opportunity Grants Authority (40000246)

Reappropriation:

Rural Washington Loan Fund—State	\$903,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$903,000

NEW SECTION. **Sec. 6031. FOR THE DEPARTMENT OF COMMERCE**

2022 Rapid Capital Housing Acquisition (40000260)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 7009, chapter 474, Laws of 2023.

Reappropriation:

Apple Health and Homes Account—State	\$51,017,000
Capital Community Assistance Account—State	\$33,092,000
Coronavirus State Fiscal Recovery Fund—Federal.	\$2,917,000
State Building Construction Account—State	\$8,265,000
Subtotal Reappropriation	\$95,291,000
Prior Biennia (Expenditures)	\$200,809,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$296,100,000

NEW SECTION. **Sec. 6032. FOR THE DEPARTMENT OF COMMERCE**

2023 Local and Community Projects (40000266)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 6009, chapter 375, Laws of 2024, as amended by section 7013 of this act.

Reappropriation:

State Building Construction Account—State	\$18,805,000
Prior Biennia (Expenditures)	\$34,522,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$53,327,000

NEW SECTION. **Sec. 6033. FOR THE DEPARTMENT OF COMMERCE**

Ports Infrastructure (40000278)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 6006, chapter 375, Laws of 2024.

Reappropriation:

State Building Construction Account—State	\$6,179,000
Prior Biennia (Expenditures)	\$9,867,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$16,046,000

NEW SECTION. Sec. 6034. FOR THE DEPARTMENT OF COMMERCE

2023-25 Building Communities Fund Grant Program (40000279)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1003, chapter 474, Laws of 2023, as amended by section 7018 of this act.

Reappropriation:

State Building Construction Account—State	\$20,193,000
Prior Biennia (Expenditures)	\$10,386,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$30,579,000

NEW SECTION. Sec. 6035. FOR THE DEPARTMENT OF COMMERCE

2023-25 Building for the Arts (40000280)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1004, chapter 474, Laws of 2023.

Reappropriation:

State Building Construction Account—State	\$4,553,000
Prior Biennia (Expenditures)	\$13,447,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$18,000,000

NEW SECTION. Sec. 6036. FOR THE DEPARTMENT OF COMMERCE

2023-25 CERB Capital Construction (40000281)

Reappropriation:

Public Facilities Construction Loan Revolving Account—State	\$25,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$25,000,000

NEW SECTION. Sec. 6037. FOR THE DEPARTMENT OF COMMERCE

Dig-Once Pilot Project and Enhanced Program Development (40000282)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1006, chapter 474, Laws of 2023.

Reappropriation:

State Building Construction Account—State	\$500,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$500,000

NEW SECTION. **Sec. 6038. FOR THE DEPARTMENT OF COMMERCE**

2023-25 Energy Retrofits and Solar Power for Public Buildings (40000283)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 7017 of this act.

Reappropriation:

Climate Commitment Account—State	\$49,077,000
Prior Biennia (Expenditures)	\$1,923,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$51,000,000

NEW SECTION. **Sec. 6039. FOR THE DEPARTMENT OF COMMERCE**

Home Electrification and Appliance Rebates Program (HEAR) (40000284)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 1008, chapter 474, Laws of 2023.

Reappropriation:

Climate Commitment Account—State	\$56,200,000
General Fund—Federal	\$82,945,000
Subtotal Reappropriation	\$139,145,000
Prior Biennia (Expenditures)	\$23,855,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$163,000,000

NEW SECTION. **Sec. 6040. FOR THE DEPARTMENT OF COMMERCE**

2023-25 Early Learning Facilities - School Districts (40000285)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1009, chapter 474, Laws of 2023.

Reappropriation:

Ruth LeCocq Kagi Early Learning Facilities Development Account—State	\$3,025,000
Prior Biennia (Expenditures)	\$2,381,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$5,406,000

NEW SECTION. **Sec. 6041. FOR THE DEPARTMENT OF COMMERCE**

2023-25 Library Capital Improvement Program (40000286)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1010, chapter 474, Laws of 2023.

Reappropriation:

State Building Construction Account—State	\$8,138,000
Prior Biennia (Expenditures)	\$2,813,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$10,951,000

NEW SECTION. Sec. 6042. FOR THE DEPARTMENT OF COMMERCE

2023-25 Public Works Assistance Account (PWAA) (40000289)

Reappropriation:

Public Works Assistance Account—State	\$360,204,000
Prior Biennia (Expenditures)	\$39,796,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$400,000,000

NEW SECTION. Sec. 6043. FOR THE DEPARTMENT OF COMMERCE

2023-25 Weatherization Plus Health (40000291)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 1014, chapter 474, Laws of 2023.

Reappropriation:

Climate Commitment Account—State	\$16,492,000
State Building Construction Account—State	\$2,323,000
Subtotal Reappropriation	\$18,815,000
Prior Biennia (Expenditures)	\$21,185,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$40,000,000

NEW SECTION. Sec. 6044. FOR THE DEPARTMENT OF COMMERCE

2023-25 Youth Recreational Facilities Grant Program (40000292)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1015, chapter 474, Laws of 2023.

Reappropriation:

State Building Construction Account—State	\$6,726,000
Prior Biennia (Expenditures)	\$1,274,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$8,000,000

NEW SECTION. Sec. 6045. FOR THE DEPARTMENT OF COMMERCE

2023-25 Clean Energy Fund Program (40000294)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1006, chapter 375, Laws of 2024.

Reappropriation:

Climate Commitment Account—State	\$48,164,000
Prior Biennia (Expenditures).....	\$1,836,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$50,000,000

NEW SECTION. Sec. 6046. FOR THE DEPARTMENT OF COMMERCE

2023-25 Housing Trust Fund (40000295)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 7020 of this act.

Reappropriation:

State Building Construction Account—State	\$85,137,000
State Taxable Building Construction Account— State	\$351,043,000
Washington Housing Trust Account—State	\$8,500,000
Subtotal Reappropriation	\$444,680,000
Prior Biennia (Expenditures).....	\$82,859,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$527,539,000

NEW SECTION. Sec. 6047. FOR THE DEPARTMENT OF COMMERCE

2023-25 Connecting Housing to Infrastructure (CHIP) (40000296)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1021, chapter 474, Laws of 2023.

Reappropriation:

State Building Construction Account—State	\$53,481,000
Prior Biennia (Expenditures).....	\$6,519,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$60,000,000

NEW SECTION. Sec. 6048. FOR THE DEPARTMENT OF COMMERCE

Transit Oriented Housing Development Partnership Match (40000298)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 1008, chapter 375, Laws of 2024.

Reappropriation:

General Fund—Private/Local	\$25,000,000
State Taxable Building Construction Account— State	\$25,000,000
Subtotal Reappropriation	\$50,000,000
Prior Biennia (Expenditures).....	\$0
Future Biennia (Projected Costs).....	\$0
TOTAL	\$50,000,000

NEW SECTION. Sec. 6049. FOR THE DEPARTMENT OF COMMERCE

2023-25 Behavioral Health Community Capacity Grants (40000299)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 1009, chapter 375, Laws of 2024.

Reappropriation:

Capital Community Assistance Account—State	\$1,250,000
State Building Construction Account—State	\$265,017,000
Subtotal Reappropriation	\$266,267,000
Prior Biennia (Expenditures)	\$36,059,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$302,326,000

NEW SECTION. Sec. 6050. FOR THE DEPARTMENT OF COMMERCE

2023-25 Early Learning Facilities Fund Grant Program (40000300)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 7021 of this act.

Reappropriation:

Ruth LeCocq Kagi Early Learning Facilities Development Account—State	\$72,557,000
Ruth LeCocq Kagi Early Learning Facilities Revolving Account—State	\$6,720,000
Subtotal Reappropriation	\$79,277,000
Prior Biennia (Expenditures)	\$11,111,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$90,388,000

NEW SECTION. Sec. 6051. FOR THE DEPARTMENT OF COMMERCE

2024 Local and Community Projects (40000301)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 1011, chapter 375, Laws of 2024, as amended by section 7022 of this act.

Reappropriation:

Natural Climate Solutions Account—State	\$2,400,000
State Building Construction Account—State	\$166,569,000
Subtotal Reappropriation	\$168,969,000
Prior Biennia (Expenditures)	\$66,474,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$235,443,000

NEW SECTION. Sec. 6052. FOR THE DEPARTMENT OF COMMERCE

Tribal Climate Adaptation Pass-through Grants (40000421)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1027, chapter 474, Laws of 2023.

Reappropriation:

Climate Commitment Account—State	\$43,076,000
Prior Biennia (Expenditures)	\$6,924,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$50,000,000

NEW SECTION. Sec. 6053. FOR THE DEPARTMENT OF COMMERCE

DOE Hydrogen Hub -State Match (40000561)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1029, chapter 474, Laws of 2023.

Reappropriation:

Climate Commitment Account—State	\$10,115,000
Prior Biennia (Expenditures)	\$9,885,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$20,000,000

NEW SECTION. Sec. 6054. FOR THE DEPARTMENT OF COMMERCE

Home Efficiency Rebates Program (40000564)

Reappropriation:

General Fund—Federal	\$81,734,000
Prior Biennia (Expenditures)	\$1,466,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$83,200,000

NEW SECTION. Sec. 6055. FOR THE DEPARTMENT OF COMMERCE

2023-25 Defense Community Compatibility Projects (40000572)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 1013, chapter 375, Laws of 2024.

Reappropriation:

Model Toxics Control Capital Account—State	\$3,720,000
State Building Construction Account—State	\$12,510,000
Subtotal Reappropriation	\$16,230,000
Prior Biennia (Expenditures)	\$21,440,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$37,670,000

NEW SECTION. Sec. 6056. FOR THE DEPARTMENT OF COMMERCE

Crisis Stabilization Facility-Trueblood Phase 3 (40000601)

Reappropriation:

Capital Community Assistance Account—State	\$4,997,000
--	-------------

Prior Biennia (Expenditures)	\$3,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$5,000,000

NEW SECTION. Sec. 6057. FOR THE DEPARTMENT OF COMMERCE

Communities of Concern (40000603)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1015, chapter 375, Laws of 2024.

Reappropriation:

State Building Construction Account—State	\$5,731,000
Prior Biennia (Expenditures)	\$636,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$6,367,000

NEW SECTION. Sec. 6058. FOR THE DEPARTMENT OF COMMERCE

Green Jobs and Infrastructure Grants (40000604)

Reappropriation:

Climate Commitment Account—State	\$24,082,000
Prior Biennia (Expenditures)	\$918,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$25,000,000

NEW SECTION. Sec. 6059. FOR THE DEPARTMENT OF COMMERCE

Clean Energy Community Grants (40000606)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1017, chapter 375, Laws of 2024.

Reappropriation:

Climate Commitment Account—State	\$50,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$50,000,000

NEW SECTION. Sec. 6060. FOR THE DEPARTMENT OF COMMERCE

2025 Local and Community Projects (40000614)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 7023 of this act.

Reappropriation:

Climate Commitment Account—State	\$7,000
Model Toxics Control Capital Account—State	\$3,875,000
Model Toxics Control Stormwater Account—State	\$5,122,000

State Building Construction Account—State	\$53,214,000
Subtotal Reappropriation	\$62,218,000
Prior Biennia (Expenditures)	\$6,347,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$68,565,000

NEW SECTION. Sec. 6061. FOR THE DEPARTMENT OF COMMERCE

2023-25 Community Solar Resilience Hubs (40000620)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1019, chapter 375, Laws of 2024.

Reappropriation:

Climate Commitment Account—State	\$31,212,000
Prior Biennia (Expenditures)	\$6,788,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$38,000,000

NEW SECTION. Sec. 6062. FOR THE DEPARTMENT OF COMMERCE

2023-25 Community EV Charging (40000622)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1021, chapter 375, Laws of 2024, as amended by section 7024 of this act.

Reappropriation:

Climate Commitment Account—State	\$77,502,000
Prior Biennia (Expenditures)	\$27,498,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$105,000,000

NEW SECTION. Sec. 6063. FOR THE DEPARTMENT OF COMMERCE

Energy Efficiency Revolving Loan Fund Capitalization Program (40000629)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1022, chapter 375, Laws of 2024.

Reappropriation:

Energy Efficiency Revolving Loan Capitalization Account—State	\$1,869,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,869,000

NEW SECTION. Sec. 6064. FOR THE DEPARTMENT OF COMMERCE

CERB Administered Broadband Infrastructure (91000943)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 1011, chapter 296, Laws of 2022.

Reappropriation:

Coronavirus Capital Projects Account—Federal	\$12,310,000
Public Works Assistance Account—State	\$2,275,000
Subtotal Reappropriation	\$14,585,000
Prior Biennia (Expenditures)	\$23,865,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$38,450,000

NEW SECTION. Sec. 6065. FOR THE DEPARTMENT OF COMMERCE

2019 Local and Community Projects (91001157)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 6008, chapter 375, Laws of 2024.

Reappropriation:

State Building Construction Account—State	\$3,566,000
Prior Biennia (Expenditures)	\$36,964,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$40,530,000

NEW SECTION. Sec. 6066. FOR THE DEPARTMENT OF COMMERCE

Library Capital Improvement Program (91001239)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1053, chapter 413, Laws of 2019.

Reappropriation:

State Building Construction Account—State	\$1,263,000
Prior Biennia (Expenditures)	\$11,575,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$12,838,000

NEW SECTION. Sec. 6067. FOR THE DEPARTMENT OF COMMERCE

Rapid Response Community Preservation Pilot Program (91001278)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1018, chapter 356, Laws of 2020.

Reappropriation:

Capital Community Assistance Account—State	\$908,000
Prior Biennia (Expenditures)	\$3,092,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$4,000,000

NEW SECTION. **Sec. 6068. FOR THE DEPARTMENT OF COMMERCE**

Continuing Affordability in Current Housing (91001659)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1072, chapter 332, Laws of 2021.

Reappropriation:

State Building Construction Account—State	\$1,286,000
Prior Biennia (Expenditures)	\$8,714,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$10,000,000

NEW SECTION. **Sec. 6069. FOR THE DEPARTMENT OF COMMERCE**

2021-23 Dental Capacity Grants (91001660)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1043, chapter 296, Laws of 2022.

Reappropriation:

State Building Construction Account—State	\$2,698,000
Prior Biennia (Expenditures)	\$3,527,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$6,225,000

NEW SECTION. **Sec. 6070. FOR THE DEPARTMENT OF COMMERCE**

2021-23 Early Learning Facilities (91001677)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 1037, chapter 296, Laws of 2022.

Reappropriation:

Capital Community Assistance Account—State	\$13,618,000
Ruth LeCocq Kagi Early Learning Facilities	
Development Account—State	\$9,065,000
State Building Construction Account—State	\$19,000
Subtotal Reappropriation	\$22,702,000
Prior Biennia (Expenditures)	\$39,798,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$62,500,000

NEW SECTION. **Sec. 6071. FOR THE DEPARTMENT OF COMMERCE**

Early Learning Renovation Grants (91001681)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 7014, chapter 474, Laws of 2023.

Reappropriation:

State Building Construction Account—State	\$8,440,000
Prior Biennia (Expenditures)	\$60,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$8,500,000

NEW SECTION. Sec. 6072. FOR THE DEPARTMENT OF COMMERCE

2023-25 Youth Shelters and Housing (91001682)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1024, chapter 375, Laws of 2024, as amended by section 7027 of this act.

Reappropriation:

State Building Construction Account—State	\$14,062,000
Prior Biennia (Expenditures)	\$1,560,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$15,622,000

NEW SECTION. Sec. 6073. FOR THE DEPARTMENT OF COMMERCE

Grants for Affordable Housing Development Connections (91001685)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 1032, chapter 296, Laws of 2022.

Reappropriation:

Coronavirus State Fiscal Recovery Fund—Federal	\$7,864,000
State Building Construction Account—State	\$8,217,000
Subtotal Reappropriation	\$16,081,000
Prior Biennia (Expenditures)	\$29,219,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$45,300,000

NEW SECTION. Sec. 6074. FOR THE DEPARTMENT OF COMMERCE

Work, Education, Health Monitoring Projects (91001686)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 7013, chapter 474, Laws of 2023.

Reappropriation:

State Building Construction Account—State	\$778,000
Prior Biennia (Expenditures)	\$48,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$826,000

NEW SECTION. Sec. 6075. FOR THE DEPARTMENT OF COMMERCE

Infrastructure Projects (91001687)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 7028 of this act.

Reappropriation:

Capital Community Assistance Account—State	\$19,957,000
Coronavirus State Fiscal Recovery Fund—Federal.	\$37,491,000
State Building Construction Account—State	\$1,577,000
Subtotal Reappropriation	\$59,025,000
Prior Biennia (Expenditures).	\$78,275,000
Future Biennia (Projected Costs).	\$0
TOTAL	\$137,300,000

NEW SECTION. **Sec. 6076. FOR THE DEPARTMENT OF COMMERCE**

Capital Grant Program Equity (91001688)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 6067, chapter 474, Laws of 2023.

Reappropriation:

State Building Construction Account—State	\$3,860,000
Prior Biennia (Expenditures).	\$1,140,000
Future Biennia (Projected Costs).	\$0
TOTAL	\$5,000,000

NEW SECTION. **Sec. 6077. FOR THE DEPARTMENT OF COMMERCE**

Food Banks (91001690)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 6016, chapter 375, Laws of 2024.

Reappropriation:

State Building Construction Account—State	\$1,033,000
Prior Biennia (Expenditures).	\$11,553,000
Future Biennia (Projected Costs).	\$0
TOTAL	\$12,586,000

NEW SECTION. **Sec. 6078. FOR THE DEPARTMENT OF COMMERCE**

Homeless Youth Facilities (91001991)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1048, chapter 296, Laws of 2022.

Reappropriation:

Capital Community Assistance Account—State	\$8,666,000
Prior Biennia (Expenditures).	\$6,229,000
Future Biennia (Projected Costs).	\$0
TOTAL	\$14,895,000

NEW SECTION. Sec. 6079. FOR THE DEPARTMENT OF COMMERCE

2022 Permanent Supportive Housing Remediation (91002160)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1035, chapter 296, Laws of 2022.

Reappropriation:

State Building Construction Account—State	\$6,000
Prior Biennia (Expenditures)	\$194,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$200,000

NEW SECTION. Sec. 6080. FOR THE DEPARTMENT OF COMMERCE

Local Emission Reduction Projects (91002184)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 1025, chapter 375, Laws of 2024.

Reappropriation:

Climate Commitment Account—State	\$27,156,000
Natural Climate Solutions Account—State	\$6,975,000
Subtotal Reappropriation	\$34,131,000
Prior Biennia (Expenditures)	\$4,539,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$38,670,000

NEW SECTION. Sec. 6081. FOR THE DEPARTMENT OF COMMERCE

2023-25 Rural Rehabilitation Grant Program (91002195)

Reappropriation:

State Building Construction Account—State	\$5,905,000
Prior Biennia (Expenditures)	\$95,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$6,000,000

NEW SECTION. Sec. 6082. FOR THE DEPARTMENT OF COMMERCE

Health Care Infrastructure (91002197)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1018, chapter 474, Laws of 2023.

Reappropriation:

State Building Construction Account—State	\$28,716,000
Prior Biennia (Expenditures)	\$10,202,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$38,918,000

NEW SECTION. **Sec. 6083. FOR THE DEPARTMENT OF COMMERCE**

Public Utilities Relocation (91002418)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1026, chapter 375, Laws of 2024.

Reappropriation:

Public Works Assistance Account—State	\$212,000
Prior Biennia (Expenditures)	\$88,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$300,000

NEW SECTION. **Sec. 6084. FOR THE DEPARTMENT OF COMMERCE**

HB 2131 - Thermal Energy Networks (91002447)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1027, chapter 375, Laws of 2024.

Reappropriation:

Climate Commitment Account—State	\$5,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$5,000,000

NEW SECTION. **Sec. 6085. FOR THE DEPARTMENT OF COMMERCE**

Multifamily Bldg Efficiency Grants (91002449)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1028, chapter 375, Laws of 2024.

Reappropriation:

Climate Commitment Account—State	\$54,981,000
Prior Biennia (Expenditures)	\$19,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$55,000,000

NEW SECTION. **Sec. 6086. FOR THE DEPARTMENT OF COMMERCE**

Clean Building Performance Grants (91002451)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1029, chapter 375, Laws of 2024.

Reappropriation:

Climate Commitment Account—State	\$45,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$45,000,000

NEW SECTION. Sec. 6087. FOR THE DEPARTMENT OF COMMERCE

Harborview (91002471)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1030, chapter 375, Laws of 2024.

Reappropriation:

State Building Construction Account—State	\$5,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$5,000,000

NEW SECTION. Sec. 6088. FOR THE DEPARTMENT OF COMMERCE

Climate Resilience & Environmental Equity Campus (91002476)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1031, chapter 375, Laws of 2024.

Reappropriation:

State Taxable Building Construction Account—	
State	\$7,000
Prior Biennia (Expenditures)	\$243,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$250,000

NEW SECTION. Sec. 6089. FOR THE DEPARTMENT OF COMMERCE

The Arc Legacy Center (91002637)

Reappropriation:

State Building Construction Account—State	\$1,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,000,000

NEW SECTION. Sec. 6090. FOR THE DEPARTMENT OF COMMERCE

Hard-to-Decarbonize Sector & Economic Development Grants (91002641)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1033, chapter 375, Laws of 2024.

Reappropriation:

Climate Commitment Account—State	\$47,394,000
Prior Biennia (Expenditures)	\$2,406,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$49,800,000

NEW SECTION. Sec. 6091. FOR THE DEPARTMENT OF COMMERCE

Enhanced Shelter Capacity Grants (92000939)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 7008, chapter 474, Laws of 2023.

Reappropriation:

State Building Construction Account—State	\$1,930,000
Prior Biennia (Expenditures)	\$2,682,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$4,612,000

NEW SECTION. Sec. 6092. FOR THE DEPARTMENT OF COMMERCE

2021-23 Broadband Office (92000953)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 1034, chapter 375, Laws of 2024.

Reappropriation:

Coronavirus Capital Projects Account—Federal.	\$108,788,000
Coronavirus State Fiscal Recovery Fund—Federal.	\$122,024,000
State Building Construction Account—State	\$9,655,000
Subtotal Reappropriation	\$240,467,000
Prior Biennia (Expenditures)	\$63,352,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$303,819,000

NEW SECTION. Sec. 6093. FOR THE DEPARTMENT OF COMMERCE

2021-23 Community Relief (92000957)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1044, chapter 296, Laws of 2022.

Reappropriation:

State Building Construction Account—State	\$4,370,000
Prior Biennia (Expenditures)	\$10,380,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$14,750,000

NEW SECTION. Sec. 6094. FOR THE DEPARTMENT OF COMMERCE

Reimann Roads, Telecomm and Utility Relocation (Pasco) (92001004)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1088, chapter 332, Laws of 2021.

Reappropriation:

State Building Construction Account—State	\$4,790,000
Prior Biennia (Expenditures)	\$2,710,000
Future Biennia (Projected Costs)	\$0

TOTAL \$7,500,000

NEW SECTION. Sec. 6095. FOR THE DEPARTMENT OF COMMERCE

Increasing Housing Inventory (92001122)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1090, chapter 332, Laws of 2021.

Reappropriation:

State Building Construction Account—State	\$1,000,000
Prior Biennia (Expenditures)	\$1,500,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,500,000

NEW SECTION. Sec. 6096. FOR THE DEPARTMENT OF COMMERCE

2022 Dental Capacity Grants (92001175)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1049, chapter 296, Laws of 2022.

Reappropriation:

State Building Construction Account—State	\$4,457,000
Prior Biennia (Expenditures)	\$1,344,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$5,801,000

NEW SECTION. Sec. 6097. FOR THE DEPARTMENT OF COMMERCE

2022 Crisis Stabilization Facilities (92001286)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1025, chapter 296, Laws of 2022.

Reappropriation:

Capital Community Assistance Account—State	\$25,689,000
Prior Biennia (Expenditures)	\$22,613,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$48,302,000

NEW SECTION. Sec. 6098. FOR THE DEPARTMENT OF COMMERCE

Port of Everett (92001364)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1042, chapter 474, Laws of 2023.

Reappropriation:

Climate Commitment Account—State	\$4,948,000
Prior Biennia (Expenditures)	\$52,000

Future Biennia (Projected Costs).....	\$0
TOTAL	\$5,000,000

NEW SECTION. Sec. 6099. FOR THE DEPARTMENT OF COMMERCE

Public Facility Improvement Fund (92001367)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 1035, chapter 375, Laws of 2024, as amended by section 7031 of this act.

Reappropriation:

State Building Construction Account—State	\$163,000
Youth Athletic Facility Nonappropriated Account— State	\$16,187,000
Subtotal Reappropriation	\$16,350,000
Prior Biennia (Expenditures).....	\$7,872,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$24,222,000

NEW SECTION. Sec. 6100. FOR THE DEPARTMENT OF COMMERCE

2023-25 Dental Capacity Grants (92001393)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1036, chapter 375, Laws of 2024.

Reappropriation:

State Building Construction Account—State	\$15,764,000
Prior Biennia (Expenditures).....	\$6,768,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$22,532,000

NEW SECTION. Sec. 6101. FOR THE DEPARTMENT OF COMMERCE

Large Scale Solar Innovation Projects (92001669)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1040, chapter 474, Laws of 2023.

Reappropriation:

Climate Commitment Account—State	\$38,917,000
Prior Biennia (Expenditures).....	\$83,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$39,000,000

NEW SECTION. Sec. 6102. FOR THE DEPARTMENT OF COMMERCE

Energy Northwest (92001720)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1037, chapter 375, Laws of 2024.

Reappropriation:

Climate Commitment Account—State	\$25,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$25,000,000

NEW SECTION. Sec. 6103. FOR THE DEPARTMENT OF COMMERCE

Anaerobic Digester Development (92001947)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 7032 of this act.

Reappropriation:

Climate Commitment Account—State	\$13,700,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$13,700,000

NEW SECTION. Sec. 6104. FOR THE DEPARTMENT OF COMMERCE

Broadband Infrastructure Federal Match Projects (92001948)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 7033 of this act.

Reappropriation:

State Building Construction Account—State	\$114,034,000
Federal Broadband Account—Federal	\$1,227,743,000
Subtotal Reappropriation	\$1,341,777,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,341,777,000

NEW SECTION. Sec. 6105. FOR THE OFFICE OF FINANCIAL MANAGEMENT

Cowlitz River Dredging (20082856)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1053, chapter 296, Laws of 2022.

Reappropriation:

State Building Construction Account—State	\$2,000,000
Prior Biennia (Expenditures)	\$700,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,700,000

NEW SECTION. Sec. 6106. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Elevator Modernization (30000786)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 7035 of this act.

Reappropriation:

Capitol Building Construction Account—State	\$6,605,000
State Building Construction Account—State	\$167,000
Thurston County Capital Facilities Account—State	\$704,000
Subtotal Reappropriation	\$7,476,000
Prior Biennia (Expenditures)	\$4,608,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$12,084,000

NEW SECTION. Sec. 6107. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Campus Physical Security & Safety Improvements (30000812)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 6023, chapter 332, Laws of 2021.

Reappropriation:

Capitol Building Construction Account—State	\$55,000
State Building Construction Account—State	\$149,000
Thurston County Capital Facilities Account—State	\$51,000
Subtotal Reappropriation	\$255,000
Prior Biennia (Expenditures)	\$6,021,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$6,276,000

NEW SECTION. Sec. 6108. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

21-31 Statewide Minor Works - Preservation (40000180)

Reappropriation:

State Building Construction Account—State	\$212,000
Prior Biennia (Expenditures)	\$675,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$887,000

NEW SECTION. Sec. 6109. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Capitol Campus Security & Safety Enhancements (40000226)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1039, chapter 375, Laws of 2024.

Reappropriation:

State Building Construction Account—State	\$6,316,000
Prior Biennia (Expenditures)	\$4,472,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$10,788,000

NEW SECTION. Sec. 6110. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Campus - Critical Fire System Upgrades (40000245)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1047, chapter 474, Laws of 2023.

Reappropriation:

State Building Construction Account—State	\$2,006,000
Prior Biennia (Expenditures)	\$759,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,765,000

NEW SECTION. Sec. 6111. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

B&G Maintenance Facility - Rebuild (40000247)

Reappropriation:

Thurston County Capital Facilities Account—State	\$4,919,000
Prior Biennia (Expenditures)	\$663,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$5,582,000

NEW SECTION. Sec. 6112. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

2023-25 Statewide Minor Works - Preservation (40000250)

Reappropriation:

Thurston County Capital Facilities Account—State	\$1,473,000
Prior Biennia (Expenditures)	\$668,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,141,000

NEW SECTION. Sec. 6113. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

2023-25 Statewide Minor Works - Programmatic (40000305)

Reappropriation:

Capitol Building Construction Account—State	\$472,000
Thurston County Capital Facilities Account—State	\$9,000
Subtotal Reappropriation	\$481,000
Prior Biennia (Expenditures)	\$155,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$636,000

NEW SECTION. Sec. 6114. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Washington Building (40000331)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1042, chapter 375, Laws of 2024.

Reappropriation:

State Building Construction Account—State	\$397,000
Prior Biennia (Expenditures)	\$103,000

Future Biennia (Projected Costs).....	\$0
TOTAL	\$500,000

NEW SECTION. Sec. 6115. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Old Cap - Roof Replacement (40000338)

Reappropriation:

State Building Construction Account—State	\$5,224,000
Thurston County Capital Facilities Account—State	\$1,177,000
Subtotal Reappropriation	\$6,401,000
Prior Biennia (Expenditures).....	\$349,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$6,750,000

NEW SECTION. Sec. 6116. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Executive Guard Post One (40000448)

Reappropriation:

State Building Construction Account—State	\$13,000
Prior Biennia (Expenditures).....	\$727,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$740,000

NEW SECTION. Sec. 6117. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

2023-25 Capitol Campus Security (91000450)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 1060, chapter 474, Laws of 2023.

Reappropriation:

Capitol Building Construction Account—State	\$281,000
State Building Construction Account—State	\$2,025,000
Subtotal Reappropriation	\$2,306,000
Prior Biennia (Expenditures).....	\$1,069,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$3,375,000

NEW SECTION. Sec. 6118. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Temple of Justice HVAC, Lighting & Water Systems (92000040)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 1045, chapter 375, Laws of 2024.

Reappropriation:

Capitol Building Construction Account—State	\$2,456,000
State Building Construction Account—State	\$469,000
Subtotal Reappropriation	\$2,925,000
Prior Biennia (Expenditures).....	\$30,582,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$33,507,000

NEW SECTION. Sec. 6119. FOR THE WASHINGTON STATE PATROL

FTA Emergency Power Generator Replacement (30000171)

Reappropriation:

State Building Construction Account—State	\$101,000
Prior Biennia (Expenditures)	\$774,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$875,000

NEW SECTION. Sec. 6120. FOR THE WASHINGTON STATE PATROL

Vancouver Crime Lab - New Roof (30000240)

Reappropriation:

State Building Construction Account—State	\$1,102,000
Prior Biennia (Expenditures)	\$492,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,594,000

NEW SECTION. Sec. 6121. FOR THE WASHINGTON STATE PATROL

Crime Laboratory I-5 North Corridor Consolidated Facility (30000290)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 4001, chapter 296, Laws of 2022.

Reappropriation:

State Building Construction Account—State	\$7,184,000
Prior Biennia (Expenditures)	\$349,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$7,533,000

NEW SECTION. Sec. 6122. FOR THE WASHINGTON STATE PATROL

Crime Laboratory South I-5 Corridor Consolidated Facility (40000072)

Reappropriation:

State Building Construction Account—State	\$8,354,000
Prior Biennia (Expenditures)	\$246,000
Future Biennia (Projected Costs)	\$100,000,000
TOTAL	\$108,600,000

NEW SECTION. Sec. 6123. FOR THE WASHINGTON STATE PATROL

Fire Training Academy Roof Replacement (40000077)

Reappropriation:

State Building Construction Account—State	\$283,000
Prior Biennia (Expenditures)	\$289,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$572,000

NEW SECTION. Sec. 6124. FOR THE WASHINGTON STATE PATROL

Seattle Crime Laboratory Generator Replacement (40000081)

Reappropriation:

State Building Construction Account—State	\$450,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$450,000

NEW SECTION. **Sec. 6125. FOR THE WASHINGTON STATE PATROL**

Vancouver Crime Lab Chiller Replacement (40000097)

Reappropriation:

State Building Construction Account—State	\$988,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$988,000

NEW SECTION. **Sec. 6126. FOR THE WASHINGTON STATE CRIMINAL JUSTICE TRAINING COMMISSION**

Northwest Region Training Facility Renovation and Upgrades (40000042)

Reappropriation:

State Building Construction Account—State	\$1,082,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,082,000

NEW SECTION. **Sec. 6127. FOR THE CRIMINAL JUSTICE TRAINING COMMISSION**

Cafeteria Water Damage Repairs (40000043)

Reappropriation:

State Building Construction Account—State	\$200,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$200,000

NEW SECTION. **Sec. 6128. FOR THE DEPARTMENT OF LABOR AND INDUSTRIES**

Modernize Lab and Training Facility (30000043)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 2005, chapter 413, Laws of 2019.

Reappropriation:

Accident Account—State	\$1,248,000
Medical Aid Account—State	\$210,000
Subtotal Reappropriation	\$1,458,000
Prior Biennia (Expenditures)	\$51,745,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$53,203,000

NEW SECTION. **Sec. 6129. FOR THE DEPARTMENT OF LABOR AND INDUSTRIES**

Air Handler Retrofit and Cooling Tower Replacement (30000059)

Reappropriation:

Accident Account—State	\$45,000
Medical Aid Account—State	\$45,000
Subtotal Reappropriation	\$90,000
Prior Biennia (Expenditures)	\$4,648,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$4,738,000

NEW SECTION. Sec. 6130. FOR THE DEPARTMENT OF LABOR AND INDUSTRIES

Interior Lighting and Controls Upgrade (40000014)

Reappropriation:

Climate Commitment Account—State	\$1,925,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,925,000

NEW SECTION. Sec. 6131. FOR THE DEPARTMENT OF LABOR AND INDUSTRIES

Solar Panel Installation - Lab & Training Facility (40000015)

Reappropriation:

Climate Commitment Account—State	\$1,637,000
Prior Biennia (Expenditures)	\$2,097,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$3,734,000

NEW SECTION. Sec. 6132. FOR THE MILITARY DEPARTMENT

Joint Force Readiness Center: Replacement (30000591)

Reappropriation:

General Fund—Federal	\$42,000,000
State Building Construction Account—State	\$11,869,000
Subtotal Reappropriation	\$53,869,000
Prior Biennia (Expenditures)	\$431,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$54,300,000

NEW SECTION. Sec. 6133. FOR THE MILITARY DEPARTMENT

King County Area Readiness Center (30000592)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1116, chapter 332, Laws of 2021.

Reappropriation:

State Building Construction Account—State	\$6,566,000
Prior Biennia (Expenditures)	\$6,489,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$13,055,000

NEW SECTION. Sec. 6134. FOR THE MILITARY DEPARTMENT

Tri-Cities Readiness Center (30000808)

Reappropriation:

General Fund—Federal	\$928,000
State Building Construction Account—State	\$340,000

Subtotal Reappropriation	\$1,268,000
Prior Biennia (Expenditures)	\$16,672,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$17,940,000

NEW SECTION. Sec. 6135. FOR THE MILITARY DEPARTMENT
Snohomish Readiness Center (30000930)

Reappropriation:

General Fund—Federal	\$7,756,000
State Building Construction Account—State	\$3,456,000
Subtotal Reappropriation	\$11,212,000
Prior Biennia (Expenditures)	\$1,306,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$12,518,000

NEW SECTION. Sec. 6136. FOR THE MILITARY DEPARTMENT
Anacortes Readiness Center Major Renovation (40000004)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 1100, chapter 413, Laws of 2019.

Reappropriation:

General Fund—Federal	\$367,000
Military Department Capital Account—State	\$36,000
State Building Construction Account—State	\$152,000
Subtotal Reappropriation	\$555,000
Prior Biennia (Expenditures)	\$6,696,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$7,251,000

NEW SECTION. Sec. 6137. FOR THE MILITARY DEPARTMENT
Stryker Canopies Kent Site (40000073)

Reappropriation:

General Fund—Federal	\$1,167,000
Prior Biennia (Expenditures)	\$1,833,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$3,000,000

NEW SECTION. Sec. 6138. FOR THE MILITARY DEPARTMENT
Stryker Canopies Bremerton Site (40000077)

Reappropriation:

General Fund—Federal	\$338,000
Prior Biennia (Expenditures)	\$1,162,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,500,000

NEW SECTION. Sec. 6139. FOR THE MILITARY DEPARTMENT
Field Maintenance Shop Addition-Sedro Woolley FMS (40000104)

Reappropriation:

General Fund—Federal	\$837,000
Prior Biennia (Expenditures)	\$1,413,000

Future Biennia (Projected Costs)	\$0
TOTAL	\$2,250,000

NEW SECTION. Sec. 6140. FOR THE MILITARY DEPARTMENT

Camp Murray Bldg 65 Barracks Replacement (40000191)

Reappropriation:

General Fund—Federal	\$2,195,000
Prior Biennia (Expenditures)	\$805,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$3,000,000

NEW SECTION. Sec. 6141. FOR THE MILITARY DEPARTMENT

Camp Murray Bldg 34 Renovation (40000192)

Reappropriation:

General Fund—Federal	\$5,274,000
State Building Construction Account—State	\$4,473,000
Subtotal Reappropriation	\$9,747,000
Prior Biennia (Expenditures)	\$252,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$9,999,000

NEW SECTION. Sec. 6142. FOR THE MILITARY DEPARTMENT

JBLM Non-Organizational (POV) Parking Expansion (40000196)

Reappropriation:

General Fund—Federal	\$1,318,000
Prior Biennia (Expenditures)	\$577,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,895,000

NEW SECTION. Sec. 6143. FOR THE MILITARY DEPARTMENT

Minor Works Program 2023-25 Biennium (40000274)

Reappropriation:

General Fund—Federal	\$6,851,000
State Building Construction Account—State	\$3,972,000
Subtotal Reappropriation	\$10,823,000
Prior Biennia (Expenditures)	\$1,662,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$12,485,000

NEW SECTION. Sec. 6144. FOR THE MILITARY DEPARTMENT

WA Army National Guard Vehicle Storage Buildings (40000290)

Reappropriation:

General Fund—Federal	\$11,031,000
State Building Construction Account—State	\$750,000
Subtotal Reappropriation	\$11,781,000
Prior Biennia (Expenditures)	\$419,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$12,200,000

NEW SECTION. Sec. 6145. FOR THE MILITARY DEPARTMENT

Yakima Training Center 951 Renovation (40000297)

Reappropriation:

General Fund—Federal	\$2,864,000
--------------------------------	-------------

Prior Biennia (Expenditures)	\$196,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$3,060,000

NEW SECTION. Sec. 6146. FOR THE MILITARY DEPARTMENT

Central Building Automation System for National Guard Buildings
(40000298)

Reappropriation:

General Fund—Federal	\$2,227,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,227,000

NEW SECTION. Sec. 6147. FOR THE MILITARY DEPARTMENT

Spokane Readiness Center IT Infrastructure Upgrade (40000300)

Reappropriation:

General Fund—Federal	\$559,000
State Building Construction Account—State	\$297,000
Subtotal Reappropriation	\$856,000
Prior Biennia (Expenditures)	\$994,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,850,000

NEW SECTION. Sec. 6148. FOR THE MILITARY DEPARTMENT

Minor Works Preservation 2023-25 Biennium (40000301)

Reappropriation:

General Fund—Federal	\$2,914,000
State Building Construction Account—State	\$2,469,000
Subtotal Reappropriation	\$5,383,000
Prior Biennia (Expenditures)	\$2,067,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$7,450,000

NEW SECTION. Sec. 6149. FOR THE MILITARY DEPARTMENT

Wenatchee Army National Guard Aviation Support Facility (40000305)

Reappropriation:

Military Department Capital Account—State	\$3,500,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$3,500,000

NEW SECTION. Sec. 6150. FOR THE MILITARY DEPARTMENT

Kent Readiness Center Water Damage Repairs (40000311)

Reappropriation:

General Fund—Federal	\$1,206,000
State Building Construction Account—State	\$402,000
Subtotal Reappropriation	\$1,608,000
Prior Biennia (Expenditures)	\$668,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,276,000

NEW SECTION. Sec. 6151. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Fircrest School-Back-Up Power & Electrical Feeders (30000415)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 2005, chapter 3, Laws of 2015 3rd sp. sess.

Reappropriation:

State Building Construction Account—State	\$273,000
Prior Biennia (Expenditures)	\$4,927,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$5,200,000

NEW SECTION. Sec. 6152. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Eastern State Hospital: New Boiler Plant (30000468)

Reappropriation:

State Building Construction Account—State	\$255,000
Prior Biennia (Expenditures)	\$12,124,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$12,379,000

NEW SECTION. Sec. 6153. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Minor Works Preservation Projects: Statewide (30002235)

Reappropriation:

State Building Construction Account—State	\$80,000
Prior Biennia (Expenditures)	\$26,605,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$26,685,000

NEW SECTION. Sec. 6154. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Lakeland Village: Code Required Campus Infrastructure Upgrades (30002238)

Reappropriation:

State Building Construction Account—State	\$2,773,000
Prior Biennia (Expenditures)	\$11,932,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$14,705,000

NEW SECTION. Sec. 6155. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Rainier School-Multiple Buildings: Roofing Replacement & Repairs (30002752)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 2005, chapter 356, Laws of 2020.

Reappropriation:

State Building Construction Account—State	\$221,000
Prior Biennia (Expenditures)	\$2,409,000

Future Biennia (Projected Costs).....	\$0
TOTAL	\$2,630,000

NEW SECTION. Sec. 6156. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Firecrest School-Nursing Facilities: Replacement (30002755)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 7023, chapter 474, Laws of 2023.

Reappropriation:

State Building Construction Account—State	\$583,000
Prior Biennia (Expenditures).....	\$9,710,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$10,293,000

NEW SECTION. Sec. 6157. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Eastern State Hospital-Westlake: New HVAC DDC Controls (30002759)

Reappropriation:

State Building Construction Account—State	\$1,456,000
Prior Biennia (Expenditures).....	\$2,394,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$3,850,000

NEW SECTION. Sec. 6158. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Western State Hospital-Forensic Services: Two Wards Addition (30002765)

Reappropriation:

State Building Construction Account—State	\$2,696,000
Prior Biennia (Expenditures).....	\$27,804,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$30,500,000

NEW SECTION. Sec. 6159. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

DOC/DSHS McNeil Island-Infrastructure: Repairs & Upgrades (30003211)

Reappropriation:

State Building Construction Account—State	\$839,000
Prior Biennia (Expenditures).....	\$1,116,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$1,955,000

NEW SECTION. Sec. 6160. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

DOC/DSHS McNeil Island-Main Dock: Float & Dolphin Replacement (30003234)

Reappropriation:

State Building Construction Account—State	\$183,000
Prior Biennia (Expenditures).....	\$67,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$250,000

NEW SECTION. Sec. 6161. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

State Psychiatric Hospitals: Compliance with Federal Requirements (30003569)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 2015, chapter 2, Laws of 2018.

Reappropriation:

State Building Construction Account—State	\$67,000
Prior Biennia (Expenditures)	\$1,933,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,000,000

NEW SECTION. Sec. 6162. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Western State Hospital: Master Plan Update (30003571)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 2016, chapter 2, Laws of 2018.

Reappropriation:

Charitable, Educational, Penal, and Reformatory	
Institutions Account—State	\$69,000
Prior Biennia (Expenditures)	\$456,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$525,000

NEW SECTION. Sec. 6163. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Special Commitment Center-Community Facilities: New Capacity (30003577)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 2023, chapter 332, Laws of 2021.

Reappropriation:

Charitable, Educational, Penal, and Reformatory	
Institutions Account—State	\$10,000
State Building Construction Account—State	\$5,946,000
Subtotal Reappropriation	\$5,956,000
Prior Biennia (Expenditures)	\$544,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$6,500,000

NEW SECTION. Sec. 6164. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Western State Hospital-Multiple Buildings: Fire Suppression (30003579)

Reappropriation:

State Building Construction Account—State	\$55,000
Prior Biennia (Expenditures)	\$945,000

Future Biennia (Projected Costs).....	\$0
TOTAL	\$1,000,000

NEW SECTION. Sec. 6165. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Western State Hospital-Multiple Buildings: Elevator Modernization (30003582)

Reappropriation:

State Building Construction Account—State	\$39,000
Prior Biennia (Expenditures).....	\$5,061,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$5,100,000

NEW SECTION. Sec. 6166. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Fircrest School: Campus Master Plan & Rezone (30003601)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 2007, chapter 296, Laws of 2022.

Reappropriation:

State Building Construction Account—State	\$44,000
Prior Biennia (Expenditures).....	\$449,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$493,000

NEW SECTION. Sec. 6167. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Western State Hospital-Forensic Services: Roofing Replacement (30003603)

Reappropriation:

State Building Construction Account—State	\$26,000
Prior Biennia (Expenditures).....	\$1,929,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$1,955,000

NEW SECTION. Sec. 6168. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Eastern State Hospital: Emergency Electrical System Upgrades (30003616)

Reappropriation:

State Building Construction Account—State	\$577,000
Prior Biennia (Expenditures).....	\$1,478,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$2,055,000

NEW SECTION. Sec. 6169. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Behavioral Health: Compliance with Systems Improvement Agreement (30003849)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 2033, chapter 413, Laws of 2019.

Reappropriation:

State Building Construction Account—State	\$124,000
Prior Biennia (Expenditures)	\$8,776,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$8,900,000

NEW SECTION. Sec. 6170. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Minor Works Preservation Projects: Statewide 2019-21 (40000381)

Reappropriation:

State Building Construction Account—State	\$53,000
Prior Biennia (Expenditures)	\$14,997,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$15,050,000

NEW SECTION. Sec. 6171. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Western State Hospital-Multiple Buildings: Fire Doors Replacement (40000392)

Reappropriation:

State Building Construction Account—State	\$2,681,000
Prior Biennia (Expenditures)	\$2,419,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$5,100,000

NEW SECTION. Sec. 6172. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Eastern State Hospital-Eastlake & Westlake: Fire & Smoke Controls (40000404)

Reappropriation:

State Building Construction Account—State	\$1,553,000
Prior Biennia (Expenditures)	\$497,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,050,000

NEW SECTION. Sec. 6173. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Eastern State Hospital-Westlake: Fire Stops (40000405)

Reappropriation:

State Building Construction Account—State	\$891,000
Prior Biennia (Expenditures)	\$1,239,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,130,000

NEW SECTION. Sec. 6174. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Child Study and Treatment Center-Ketron: LSA Expansion (40000411)

Reappropriation:

State Building Construction Account—State	\$2,731,000
Prior Biennia (Expenditures)	\$269,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$3,000,000

NEW SECTION. Sec. 6175. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Eastern State Hospital-EL & WL: HVAC Compliance & Monitoring (40000492)

Reappropriation:

State Building Construction Account—State	\$504,000
Prior Biennia (Expenditures)	\$1,411,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,915,000

NEW SECTION. Sec. 6176. FOR THE DEPARTMENT OF CORRECTIONS

WCCW: Women's Elder Care Unit (40000527)

Reappropriation:

State Building Construction Account—State	\$223,000
Prior Biennia (Expenditures)	\$27,000
Future Biennia (Projected Costs)	\$21,862,000
TOTAL	\$22,112,000

NEW SECTION. Sec. 6177. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Child Study & Treatment Center-Gymnasium: Floor Replacement (40000555)

Reappropriation:

State Building Construction Account—State	\$1,909,000
Prior Biennia (Expenditures)	\$16,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,925,000

NEW SECTION. Sec. 6178. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Child Study & Treatment Center-Emergency Power: Replacement (40000559)

Reappropriation:

State Building Construction Account—State	\$800,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$800,000

NEW SECTION. Sec. 6179. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Maple Lane-Columbia Cottage: Behavioral Health Expansion (40000567)

Reappropriation:

State Building Construction Account—State	\$88,000
Prior Biennia (Expenditures)	\$5,862,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$5,950,000

NEW SECTION. Sec. 6180. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Minor Works Program Projects: Statewide 2021-23 (40000569)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation in this section is subject to the provisions of section 2046, chapter 332, Laws of 2021.

Reappropriation:

State Building Construction Account—State	\$426,000
Prior Biennia (Expenditures)	\$2,329,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,755,000

NEW SECTION. Sec. 6181. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Minor Works Preservation Projects: Statewide 2021-23 (40000571)

Reappropriation:

Charitable, Educational, Penal, and Reformatory

Institutions Account—State	\$524,000
State Building Construction Account—State	\$2,314,000
Subtotal Reappropriation	\$2,838,000
Prior Biennia (Expenditures)	\$8,752,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$11,590,000

NEW SECTION. Sec. 6182. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Lakeland Village-Cottages: Roofing Replacement (40000572)

Reappropriation:

State Building Construction Account—State	\$590,000
Prior Biennia (Expenditures)	\$710,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,300,000

NEW SECTION. Sec. 6183. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Rainier School-Cottages: Roofing Replacement (40000573)

Reappropriation:

State Building Construction Account—State	\$3,460,000
Prior Biennia (Expenditures)	\$340,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$3,800,000

NEW SECTION. Sec. 6184. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Statewide-Behavioral Health: Patient Safety Improvements 2021-23 (40000578)

Reappropriation:

State Building Construction Account—State	\$4,134,000
Prior Biennia (Expenditures)	\$2,866,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$7,000,000

NEW SECTION. Sec. 6185. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Western State Hospital-Building 29: Roofing Replacement (40000589)

Reappropriation:

State Building Construction Account—State	\$1,060,000
Prior Biennia (Expenditures)	\$3,975,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$5,035,000

NEW SECTION. Sec. 6186. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Western State Hospital-Multiple Bldgs: Sprinkler Head Replacement (40000594)

Reappropriation:

State Building Construction Account—State	\$1,246,000
Prior Biennia (Expenditures)	\$148,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,394,000

NEW SECTION. Sec. 6187. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Eastern State Hospital-Commissary: Building Repairs (40000606)

Reappropriation:

Climate Commitment Account—State	\$810,000
State Building Construction Account—State	\$3,350,000
Subtotal Reappropriation	\$4,160,000
Prior Biennia (Expenditures)	\$290,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$4,450,000

NEW SECTION. Sec. 6188. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Western State Hospital-Building 27: Roofing Replacement (40000888)

Reappropriation:

State Building Construction Account—State	\$437,000
Prior Biennia (Expenditures)	\$763,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,200,000

NEW SECTION. Sec. 6189. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Fircrest School-ICF Cottages: HVAC & Water Heater Improvements (40000946)

Reappropriation:

State Building Construction Account—State	\$5,410,000
Prior Biennia (Expenditures)	\$370,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$5,780,000

NEW SECTION. Sec. 6190. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Western State Hospital-Building 29: CMS Certification (40000948)

Reappropriation:

State Building Construction Account—State	\$30,000
Prior Biennia (Expenditures)	\$190,000

Future Biennia (Projected Costs)	\$0
TOTAL	\$220,000

NEW SECTION. Sec. 6191. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Minor Works Programmatic 2023-25 (40000953)

Reappropriation:

Charitable, Educational, Penal, and Reformatory	
Institutions Account—State	\$1,623,000
State Building Construction Account—State	\$3,434,000
Subtotal Reappropriation	\$5,057,000
Prior Biennia (Expenditures)	\$802,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$5,859,000

NEW SECTION. Sec. 6192. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Minor Works Preservation 2023-25 (40000954)

Reappropriation:

Charitable, Educational, Penal, and Reformatory	
Institutions Account—State	\$2,658,000
State Building Construction Account—State	\$6,480,000
Subtotal Reappropriation	\$9,138,000
Prior Biennia (Expenditures)	\$1,031,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$10,169,000

NEW SECTION. Sec. 6193. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

DOC/DSHS McNeil Island-Infrastructure: Repairs & Upgrades 2023-25 (40000955)

Reappropriation:

State Building Construction Account—State	\$2,451,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,451,000

NEW SECTION. Sec. 6194. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Statewide: Clean Buildings Act (40000960)

Reappropriation:

Climate Commitment Account—State	\$3,133,000
Prior Biennia (Expenditures)	\$594,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$3,727,000

NEW SECTION. Sec. 6195. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Yakima Valley School-Main Building: Exterior Window Replacement (40000962)

Reappropriation:

Climate Commitment Account—State	\$5,204,000
Prior Biennia (Expenditures)	\$126,000

Future Biennia (Projected Costs).....	\$0
TOTAL	\$5,330,000

NEW SECTION. Sec. 6196. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Medical Lake-Campus: Electrical Feeder Replacement (40000964)

Reappropriation:

Charitable, Educational, Penal, and Reformatory Institutions Account—State.....	\$49,000
State Building Construction Account—State	\$1,271,000
Subtotal Reappropriation	\$1,320,000
Prior Biennia (Expenditures).....	\$757,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$2,077,000

NEW SECTION. Sec. 6197. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Special Commitment Center-Campus: Fire Alarm Replacement (40000965)

Reappropriation:

State Building Construction Account—State	\$5,065,000
Prior Biennia (Expenditures).....	\$50,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$5,115,000

NEW SECTION. Sec. 6198. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Eastern State Hospital-Eastlake: Nursing Station Improvements (40000970)

Reappropriation:

State Building Construction Account—State	\$879,000
Prior Biennia (Expenditures).....	\$861,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$1,740,000

NEW SECTION. Sec. 6199. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Rainier School-Laundry: Commercial Washing Machines Replacement (40000971)

Reappropriation:

State Building Construction Account—State	\$1,855,000
Prior Biennia (Expenditures).....	\$0
Future Biennia (Projected Costs).....	\$0
TOTAL	\$1,855,000

NEW SECTION. Sec. 6200. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Diversion and Recovery Community Capacity (40001140)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 2027, chapter 474, Laws of 2023.

Reappropriation:

State Building Construction Account—State	\$149,000
---	-----------

Prior Biennia (Expenditures)	\$351,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$500,000

NEW SECTION. Sec. 6201. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Western State Hospital-East Campus: Well Replacement (40001149)

Reappropriation:

Model Toxics Control Capital Account—State	\$4,540,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$4,540,000

NEW SECTION. Sec. 6202. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

ESH and WSH-All Wards: Patient Safety Improvements (91000019)

Reappropriation:

State Building Construction Account—State	\$782,000
Prior Biennia (Expenditures)	\$17,887,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$18,669,000

NEW SECTION. Sec. 6203. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

DSHS & DCYF Fire Alarms (91000066)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 2036, chapter 332, Laws of 2021.

Reappropriation:

State Building Construction Account—State	\$1,470,000
Prior Biennia (Expenditures)	\$15,349,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$16,819,000

NEW SECTION. Sec. 6204. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Eastern State Hospital Elevators (91000068)

Reappropriation:

Charitable, Educational, Penal, and Reformatory

Institutions Account—State	\$620,000
Prior Biennia (Expenditures)	\$2,080,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,700,000

NEW SECTION. Sec. 6205. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Western State Hospital & CSTC Power Upgrades (91000070)

Reappropriation:

State Building Construction Account—State	\$22,000
Prior Biennia (Expenditures)	\$2,278,000
Future Biennia (Projected Costs)	\$0

TOTAL \$2,300,000

NEW SECTION. Sec. 6206. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

BH: State Operated Community Civil 16-Bed Capacity (91000075)

Reappropriation:

State Building Construction Account—State \$275,000
Prior Biennia (Expenditures) \$19,915,000
Future Biennia (Projected Costs) \$0
TOTAL \$20,190,000

NEW SECTION. Sec. 6207. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

BH: State Owned, Mixed Use Community Civil 48-Bed Capacity (91000077)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 2054, chapter 413, Laws of 2019.

Reappropriation:

State Building Construction Account—State \$15,747,000
Prior Biennia (Expenditures) \$63,007,000
Future Biennia (Projected Costs) \$0
TOTAL \$78,754,000

NEW SECTION. Sec. 6208. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Rainier School-PATs E,C Cottage Cooling Upgrades (91000078)

Reappropriation:

State Building Construction Account—State \$28,000
Prior Biennia (Expenditures) \$7,972,000
Future Biennia (Projected Costs) \$0
TOTAL \$8,000,000

NEW SECTION. Sec. 6209. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Western State Hospital Treatment & Recovery Center (91000080)

Reappropriation:

State Building Construction Account—State \$1,954,000
Prior Biennia (Expenditures) \$22,646,000
Future Biennia (Projected Costs) \$0
TOTAL \$24,600,000

NEW SECTION. Sec. 6210. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Child Study & Treatment Center - Youth Housing (91000084)

Reappropriation:

State Building Construction Account—State \$5,104,000
Prior Biennia (Expenditures) \$307,000
Future Biennia (Projected Costs) \$0
TOTAL \$5,411,000

NEW SECTION. Sec. 6211. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Residential Habilitation Center Land Management (92000044)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 2060, chapter 332, Laws of 2021.

Reappropriation:

Charitable, Educational, Penal, and Reformatory

Institutions Account—State \$150,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$150,000

NEW SECTION. Sec. 6212. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Eastern State Hospital-Activity Therapy Building (92000057)

Reappropriation:

State Building Construction Account—State \$7,225,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$7,225,000

NEW SECTION. Sec. 6213. FOR THE DEPARTMENT OF HEALTH

Drinking Water Preconstruction Loans (30000334)

Reappropriation:

Drinking Water Assistance Account—State \$2,377,000

Prior Biennia (Expenditures) \$3,623,000

Future Biennia (Projected Costs) \$0

TOTAL \$6,000,000

NEW SECTION. Sec. 6214. FOR THE DEPARTMENT OF HEALTH

Public Health Lab South Laboratory Addition (30000379)

Reappropriation:

State Building Construction Account—State \$53,872,000

Prior Biennia (Expenditures) \$4,755,000

Future Biennia (Projected Costs) \$0

TOTAL \$58,627,000

NEW SECTION. Sec. 6215. FOR THE DEPARTMENT OF HEALTH

Drinking Water System Repairs and Consolidation (40000006)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 2035, chapter 2, Laws of 2018.

Reappropriation:

State Building Construction Account—State \$292,000

Prior Biennia (Expenditures) \$4,708,000

Future Biennia (Projected Costs) \$0

TOTAL \$5,000,000

NEW SECTION. Sec. 6216. FOR THE DEPARTMENT OF HEALTH

2019-21 Drinking Water System Repairs and Consolidation (40000027)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 2068, chapter 413, Laws of 2019.

Reappropriation:

State Building Construction Account—State	\$342,000
Prior Biennia (Expenditures)	\$1,158,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,500,000

NEW SECTION. Sec. 6217. FOR THE DEPARTMENT OF HEALTH
Small & Disadvantaged Communities DW (40000031)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 2020, chapter 296, Laws of 2022.

Reappropriation:

General Fund—Federal	\$19,261,000
Prior Biennia (Expenditures)	\$1,545,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$20,806,000

NEW SECTION. Sec. 6218. FOR THE DEPARTMENT OF HEALTH
Replace Air Handling Unit (AHU) in A/Q-wings (40000034)

Reappropriation:

Coronavirus State Fiscal Recovery Fund—Federal	\$213,000
Prior Biennia (Expenditures)	\$1,681,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,894,000

NEW SECTION. Sec. 6219. FOR THE DEPARTMENT OF HEALTH
2021-23 Drinking Water Assistance Program (40000049)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 2023, chapter 296, Laws of 2022.

Reappropriation:

Drinking Water Assistance Account—Federal	\$103,755,000
Prior Biennia (Expenditures)	\$9,145,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$112,900,000

NEW SECTION. Sec. 6220. FOR THE DEPARTMENT OF HEALTH
New LED lighting and controls in existing laboratory spaces (40000054)

Reappropriation:

State Building Construction Account—State	\$28,000
Prior Biennia (Expenditures)	\$337,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$365,000

NEW SECTION. Sec. 6221. FOR THE DEPARTMENT OF HEALTH
 Improve Critical Water Infrastructure (40000058)

Reappropriation:

Drinking Water Assistance Account—State	\$35,664,000
Prior Biennia (Expenditures)	\$34,336,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$70,000,000

NEW SECTION. Sec. 6222. FOR THE DEPARTMENT OF HEALTH
 Increase DWSRF Preconstruction Loans (40000059)

Reappropriation:

Drinking Water Assistance Account—State	\$400,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$400,000

NEW SECTION. Sec. 6223. FOR THE DEPARTMENT OF HEALTH
 New Deionized Water (DI) Piping at Public Health Laboratories (40000063)

Reappropriation:

State Building Construction Account—State	\$686,000
Prior Biennia (Expenditures)	\$486,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,172,000

NEW SECTION. Sec. 6224. FOR THE DEPARTMENT OF HEALTH
 Drinking Water System Rehabilitations and Consolidations (40000065)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 2009, chapter 375, Laws of 2024.

Reappropriation:

State Building Construction Account—State	\$5,322,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$5,322,000

NEW SECTION. Sec. 6225. FOR THE DEPARTMENT OF HEALTH
 2023-25 DWSRF Construction Loan Program (40000067)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 2037, chapter 474, Laws of 2023.

Reappropriation:

Drinking Water Assistance Account—Federal	\$131,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$131,000,000

NEW SECTION. Sec. 6226. FOR THE DEPARTMENT OF HEALTH
 Emergency Generator for Environmental Laboratory Wing (40000072)

Reappropriation:

State Building Construction Account—State	\$3,066,000
---	-------------

Prior Biennia (Expenditures)	\$153,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$3,219,000

NEW SECTION. Sec. 6227. FOR THE DEPARTMENT OF HEALTH

Lower Yakima Valley Groundwater Management Area Water Supply (92000208)

Reappropriation:

State Building Construction Account—State	\$270,000
Prior Biennia (Expenditures)	\$580,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$850,000

NEW SECTION. Sec. 6228. FOR THE DEPARTMENT OF HEALTH

Hannah Heights PFAS Contaminated Well and Water Supply (92000210)

Reappropriation:

Model Toxics Control Capital Account—State	\$1,836,000
Prior Biennia (Expenditures)	\$364,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,200,000

NEW SECTION. Sec. 6229. FOR THE DEPARTMENT OF VETERANS AFFAIRS

Minor Works Facilities Preservation (30000094)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 2010, chapter 356, Laws of 2020.

Reappropriation:

State Building Construction Account—State	\$1,407,000
Prior Biennia (Expenditures)	\$5,991,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$7,398,000

NEW SECTION. Sec. 6230. FOR THE DEPARTMENT OF VETERANS AFFAIRS

WVH HVAC Retrofit (40000006)

Reappropriation:

State Building Construction Account—State	\$5,000
Prior Biennia (Expenditures)	\$745,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$750,000

NEW SECTION. Sec. 6231. FOR THE DEPARTMENT OF VETERANS AFFAIRS

WSH - Life Safety Grant (40000013)

Reappropriation:

General Fund—Federal	\$131,000
Prior Biennia (Expenditures)	\$369,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$500,000

NEW SECTION. Sec. 6232. FOR THE DEPARTMENT OF VETERANS AFFAIRS

Northwest Washington State Veterans Cemetery Feasibility Study
(40000035)

Reappropriation:

Charitable, Educational, Penal, and Reformatory Institutions Account—State	\$44,000
Prior Biennia (Expenditures)	\$156,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$200,000

NEW SECTION. Sec. 6233. FOR THE DEPARTMENT OF VETERANS AFFAIRS

WSVC - Raise, Realign, and Clean Markers (40000070)

Reappropriation:

State Building Construction Account—State	\$598,000
Prior Biennia (Expenditures)	\$652,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,250,000

NEW SECTION. Sec. 6234. FOR THE DEPARTMENT OF VETERANS AFFAIRS

WSH Master Plan (40000075)

Reappropriation:

Charitable, Educational, Penal, and Reformatory Institutions Account—State	\$82,000
Prior Biennia (Expenditures)	\$118,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$200,000

NEW SECTION. Sec. 6235. FOR THE DEPARTMENT OF VETERANS AFFAIRS

WSVC - Burial and Columbarium Expansion Grant (40000092)

Reappropriation:

General Fund—Federal	\$4,839,000
State Building Construction Account—State	\$79,000
Subtotal Reappropriation	\$4,918,000
Prior Biennia (Expenditures)	\$491,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$5,409,000

NEW SECTION. Sec. 6236. FOR THE DEPARTMENT OF VETERANS AFFAIRS

WVH - Fire Alarm Replacement - 240 Building (40000099)

Reappropriation:

State Building Construction Account—State	\$1,235,000
Prior Biennia (Expenditures)	\$45,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,280,000

NEW SECTION. Sec. 6237. FOR THE DEPARTMENT OF VETERANS AFFAIRS

DVA ARPA Federal Funds & State Match (91000013)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 2013, chapter 375, Laws of 2024.

Reappropriation:

General Fund—Federal	\$24,515,000
State Building Construction Account—State	\$10,055,000
Subtotal Reappropriation	\$34,570,000
Prior Biennia (Expenditures)	\$7,639,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$42,209,000

NEW SECTION. **Sec. 6238. FOR THE DEPARTMENT OF VETERANS AFFAIRS**

HB 1390 -District Energy Systems (91000017)

Reappropriation:

Climate Commitment Account—State	\$400,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$400,000

NEW SECTION. **Sec. 6239. FOR THE DEPARTMENT OF VETERANS AFFAIRS**

Extended Care Facilities Construction Grants (92000001)

Reappropriation:

General Fund—Federal	\$8,020,000
Prior Biennia (Expenditures)	\$5,113,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$13,133,000

NEW SECTION. **Sec. 6240. FOR THE DEPARTMENT OF VETERANS AFFAIRS**

WSH - Roosevelt Building Restroom Renovation (92000002)

Reappropriation:

General Fund—Federal	\$686,000
Prior Biennia (Expenditures)	\$3,114,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$3,800,000

NEW SECTION. **Sec. 6241. FOR THE DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES**

Echo Glen-Housing Unit: Acute Mental Health Unit (30002736)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 2078, chapter 413, Laws of 2019.

Reappropriation:

State Building Construction Account—State	\$264,000
Prior Biennia (Expenditures)	\$9,336,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$9,600,000

NEW SECTION. Sec. 6242. FOR THE DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES

Green Hill School-Recreation Building: Replacement (30003237)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 2013, chapter 356, Laws of 2020.

Reappropriation:

State Building Construction Account—State	\$5,959,000
Prior Biennia (Expenditures)	\$25,803,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$31,762,000

NEW SECTION. Sec. 6243. FOR THE DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES

Green Hill School - Baker North Remodel (40000534)

Reappropriation:

State Building Construction Account—State	\$1,056,000
Prior Biennia (Expenditures)	\$5,568,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$6,624,000

NEW SECTION. Sec. 6244. FOR THE DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES

Echo Glen Emergency Generator & Fuel Storage Tank (40000547)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 2050, chapter 474, Laws of 2023.

Reappropriation:

State Building Construction Account—State	\$2,100,000
Prior Biennia (Expenditures)	\$530,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,630,000

NEW SECTION. Sec. 6245. FOR THE DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES

Green Hill Spruce Living Unit Renovation Minimum Security (40000552)

Reappropriation:

State Building Construction Account—State	\$1,071,000
Prior Biennia (Expenditures)	\$199,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,270,000

NEW SECTION. Sec. 6246. FOR THE DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES

Statewide Minor Works (40000557)

Reappropriation:

State Building Construction Account—State	\$2,109,000
Prior Biennia (Expenditures)	\$850,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,959,000

NEW SECTION. **Sec. 6247. FOR THE DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES**

Echo Glen Academic School Walkway Roofing & Lighting (40000586)

Reappropriation:

State Building Construction Account—State	\$498,000
Prior Biennia (Expenditures)	\$2,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$500,000

NEW SECTION. **Sec. 6248. FOR THE DEPARTMENT OF CORRECTIONS**

Washington Corrections Center: Transformers and Switches (30000143)

Reappropriation:

State Building Construction Account—State	\$856,000
Prior Biennia (Expenditures)	\$19,729,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$20,585,000

NEW SECTION. **Sec. 6249. FOR THE DEPARTMENT OF CORRECTIONS**

WCC: Paint & Repair 300,000 Gallon Water Storage Tank (30000697)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 2053, chapter 474, Laws of 2023.

Reappropriation:

Model Toxics Control Capital Account—State	\$600,000
State Building Construction Account—State	\$1,677,000
Subtotal Reappropriation	\$2,277,000
Prior Biennia (Expenditures)	\$1,229,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$3,506,000

NEW SECTION. **Sec. 6250. FOR THE DEPARTMENT OF CORRECTIONS**

MCC: TRU Roof Programs and Recreation Building (30000738)

Reappropriation:

State Building Construction Account—State	\$1,489,000
Prior Biennia (Expenditures)	\$4,507,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$5,996,000

NEW SECTION. **Sec. 6251. FOR THE DEPARTMENT OF CORRECTIONS**

SCCC Roof Replacement (30001128)

Reappropriation:

State Building Construction Account—State	\$5,749,000
Prior Biennia (Expenditures)	\$445,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$6,194,000

NEW SECTION. Sec. 6252. FOR THE DEPARTMENT OF CORRECTIONS

ECWR: Foundation and Siding (40000067)

Reappropriation:

State Building Construction Account—State	\$5,559,000
Prior Biennia (Expenditures)	\$402,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$5,961,000

NEW SECTION. Sec. 6253. FOR THE DEPARTMENT OF CORRECTIONS

SW: Electric Car Chargers (40000178)

Reappropriation:

Climate Commitment Account—State	\$600,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$600,000

NEW SECTION. Sec. 6254. FOR THE DEPARTMENT OF CORRECTIONS

MCC: WSR Clinic Roof Replacement (40000180)

Reappropriation:

State Building Construction Account—State	\$6,104,000
Prior Biennia (Expenditures)	\$3,229,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$9,333,000

NEW SECTION. Sec. 6255. FOR THE DEPARTMENT OF CORRECTIONS

Minor Works - Preservation Projects (40000254)

Reappropriation:

State Building Construction Account—State	\$1,590,000
Prior Biennia (Expenditures)	\$8,733,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$10,323,000

NEW SECTION. Sec. 6256. FOR THE DEPARTMENT OF CORRECTIONS

WCC: Interim Mental Health Building (40000260)

Reappropriation:

Capital Community Assistance Account—State	\$625,000
State Building Construction Account—State	\$1,207,000
Subtotal Reappropriation	\$1,832,000
Prior Biennia (Expenditures)	\$415,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,247,000

NEW SECTION. Sec. 6257. FOR THE DEPARTMENT OF CORRECTIONS

CBCC: Fire Pump Replacement (40000324)

Reappropriation:

State Building Construction Account—State	\$1,152,000
Prior Biennia (Expenditures)	\$259,000

Future Biennia (Projected Costs).....	\$0
TOTAL	\$1,411,000

NEW SECTION. Sec. 6258. FOR THE DEPARTMENT OF CORRECTIONS

WCC: Support Buildings Roof Replacement (40000380)

Reappropriation:

State Building Construction Account—State	\$169,000
Prior Biennia (Expenditures).....	\$6,831,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$7,000,000

NEW SECTION. Sec. 6259. FOR THE DEPARTMENT OF CORRECTIONS

CRCC Sage Unit Move to AHCC (40000414)

Reappropriation:

State Building Construction Account—State	\$2,353,000
Prior Biennia (Expenditures).....	\$149,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$2,502,000

NEW SECTION. Sec. 6260. FOR THE DEPARTMENT OF CORRECTIONS

AHCC: Modular Building for Health Service Staff (40000415)

Reappropriation:

State Building Construction Account—State	\$1,122,000
Prior Biennia (Expenditures).....	\$77,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$1,199,000

NEW SECTION. Sec. 6261. FOR THE DEPARTMENT OF CORRECTIONS

CRCC: Modular Building for Health Service Staff (40000416)

Reappropriation:

State Building Construction Account—State	\$1,134,000
Prior Biennia (Expenditures).....	\$71,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$1,205,000

NEW SECTION. Sec. 6262. FOR THE DEPARTMENT OF CORRECTIONS

McNeil Island Passenger Ferry Replacement (40000418)

Reappropriation:

State Building Construction Account—State	\$764,000
Prior Biennia (Expenditures).....	\$136,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$900,000

NEW SECTION. Sec. 6263. FOR THE DEPARTMENT OF CORRECTIONS

Minor Works Preservation Projects (40000427)

Reappropriation:

State Building Construction Account—State	\$5,222,000
---	-------------

Prior Biennia (Expenditures)	\$4,770,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$9,992,000

NEW SECTION. Sec. 6264. FOR THE DEPARTMENT OF CORRECTIONS

Westside Prison Housing Unit HVAC (40000516)

Reappropriation:

State Building Construction Account—State	\$350,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$115,453,000
TOTAL	\$115,803,000

NEW SECTION. Sec. 6265. FOR THE DEPARTMENT OF CORRECTIONS

WSP: IMU South Fire Protection & Smoke Dampers (40000526)

Reappropriation:

State Building Construction Account—State	\$4,622,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$4,622,000

NEW SECTION. Sec. 6266. FOR THE DEPARTMENT OF CORRECTIONS

WCC: Medical Intake Modular Building (40000528)

Reappropriation:

State Building Construction Account—State	\$1,146,000
Prior Biennia (Expenditures)	\$54,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,200,000

NEW SECTION. Sec. 6267. FOR THE DEPARTMENT OF CORRECTIONS

HB 1390 - District Energy Systems (91000434)

Reappropriation:

Climate Commitment Account—State	\$1,595,000
Prior Biennia (Expenditures)	\$5,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,600,000

NEW SECTION. Sec. 6268. FOR THE DEPARTMENT OF CORRECTIONS

WSP: Unit Six Roof Replacement (92000037)

Reappropriation:

State Building Construction Account—State	\$10,500,000
Prior Biennia (Expenditures)	\$3,494,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$13,994,000

NEW SECTION. Sec. 6269. FOR THE DEPARTMENT OF CORRECTIONS

Corrections Training Center (92001125)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 2067, chapter 474, Laws of 2023.

Reappropriation:

State Building Construction Account—State	\$17,000
Prior Biennia (Expenditures)	\$333,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$350,000

NEW SECTION. Sec. 6270. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

2015-17 School Construction Assistance Program (30000169)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 5004, chapter 35, Laws of 2016 1st sp. sess.

Reappropriation:

Common School Construction Fund—State	\$672,000
Prior Biennia (Expenditures)	\$552,322,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$552,994,000

NEW SECTION. Sec. 6271. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

Tri-Tech Skill Center - Core Growth (30000197)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 5004, chapter 2, Laws of 2018.

Reappropriation:

State Building Construction Account—State	\$4,000
Prior Biennia (Expenditures)	\$10,803,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$10,807,000

NEW SECTION. Sec. 6272. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

2017-19 School Construction Assistance Program (40000003)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 5003, chapter 298, Laws of 2018.

Reappropriation:

Common School Construction Fund—State	\$6,229,000
State Building Construction Account—State	\$10,000
Subtotal Reappropriation	\$6,239,000
Prior Biennia (Expenditures)	\$904,803,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$911,042,000

NEW SECTION. Sec. 6273. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

2019-21 School Construction Assistance Program - Maintenance Lvl (40000013)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 6040, chapter 332, Laws of 2021.

Reappropriation:

Common School Construction Fund—State	\$22,129,000
State Building Construction Account—State	\$41,000
Subtotal Reappropriation	\$22,170,000
Prior Biennia (Expenditures)	\$985,740,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,007,910,000

NEW SECTION. Sec. 6274. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

School District Health and Safety 2019-21 (40000019)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 5016, chapter 413, Laws of 2019.

Reappropriation:

State Building Construction Account—State	\$101,000
Prior Biennia (Expenditures)	\$5,845,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$5,946,000

NEW SECTION. Sec. 6275. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

Skills Centers Minor Works (40000023)

Reappropriation:

State Building Construction Account—State	\$216,000
Prior Biennia (Expenditures)	\$2,784,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$3,000,000

NEW SECTION. Sec. 6276. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

2021-23 School Construction Assistance Program (40000034)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 7061, chapter 474, Laws of 2023.

Reappropriation:

Common School Construction Fund—Federal	\$2,207,000
Common School Construction Fund—State	\$8,488,000
State Building Construction Account—State	\$59,449,000
Subtotal Reappropriation	\$70,144,000
Prior Biennia (Expenditures)	\$365,283,000

Future Biennia (Projected Costs).....	\$0
TOTAL	\$435,427,000

NEW SECTION. Sec. 6277. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

2021-23 Small District and Tribal Compact Schools Modernization (40000039)

The reappropriation in this section is subject to the following conditions and limitations:

(1) Except as provided in subsection (2) of this section, the reappropriation is subject to the provisions of section 5005, chapter 296, Laws of 2022.

(2) School districts receiving a small district modernization grant under this section may not combine this grant funding with a school construction assistance program grant or combine other grants awarded under this section to fund a single project.

Reappropriation:

State Building Construction Account—State	\$2,874,000
Prior Biennia (Expenditures).....	\$39,239,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$42,113,000

NEW SECTION. Sec. 6278. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

2021-23 Skills Centers Minor Works (40000040)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 5006, chapter 296, Laws of 2022.

Reappropriation:

State Building Construction Account—State	\$876,000
Prior Biennia (Expenditures).....	\$2,512,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$3,388,000

NEW SECTION. Sec. 6279. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

Pierce County Skills Center - Evergreen Building Modernization (40000048)

Reappropriation:

State Building Construction Account—State	\$1,348,000
Prior Biennia (Expenditures).....	\$8,482,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$9,830,000

NEW SECTION. Sec. 6280. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

Seattle Public Schools Skills Center - Rainier Beach High School (40000050)

Reappropriation:

State Building Construction Account—State	\$300,000
Prior Biennia (Expenditures).....	\$0

Future Biennia (Projected Costs).....	\$0
TOTAL	\$300,000

NEW SECTION. Sec. 6281. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

Puget Sound Skills Center Preservation (40000051)

Reappropriation:

State Building Construction Account—State	\$345,000
Prior Biennia (Expenditures).....	\$679,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$1,024,000

NEW SECTION. Sec. 6282. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

2021-23 School District Health and Safety (40000052)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 5007, chapter 296, Laws of 2022.

Reappropriation:

Common School Construction Fund—State	\$134,000
State Building Construction Account—State	\$476,000
Subtotal Reappropriation	\$610,000
Prior Biennia (Expenditures).....	\$8,283,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$8,893,000

NEW SECTION. Sec. 6283. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

2021-23 Career Preparation and Launch Grants (40000056)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 5025, chapter 332, Laws of 2021.

Reappropriation:

Common School Construction Fund—State	\$161,000
Prior Biennia (Expenditures).....	\$1,839,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$2,000,000

NEW SECTION. Sec. 6284. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

2023-25 School Construction Assistance Program (40000063)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 5002, chapter 375, Laws of 2024, as amended by section 7070 of this act.

Reappropriation:

Common School Construction Fund—Federal	\$1,500,000
Common School Construction Fund—State	\$172,370,000

State Building Construction Account—State	\$11,352,000
Subtotal Reappropriation	\$185,222,000
Prior Biennia (Expenditures)	\$36,467,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$221,689,000

NEW SECTION. Sec. 6285. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

2023-25 Small District and State Tribal Compact Schools Modernization (40000065)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 5003, chapter 375, Laws of 2024, as amended by section 7072 of this act.

Reappropriation:

Climate Commitment Account—State	\$3,630,000
Common School Construction Fund—State	\$128,368,000
State Building Construction Account—State	\$10,717,000
Subtotal Reappropriation	\$142,715,000
Prior Biennia (Expenditures)	\$69,165,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$211,880,000

NEW SECTION. Sec. 6286. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

2023-25 School Seismic Safety Grant Program (40000066)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 5004, chapter 474, Laws of 2023.

Reappropriation:

State Building Construction Account—State	\$40,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$40,000,000

NEW SECTION. Sec. 6287. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

2023-25 School District Health and Safety (40000067)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 5004, chapter 375, Laws of 2024.

Reappropriation:

Common School Construction Fund—State	\$14,208,000
Prior Biennia (Expenditures)	\$14,092,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$28,300,000

NEW SECTION. Sec. 6288. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

2023-25 Healthy Kids-Healthy Schools (40000068)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 5005, chapter 375, Laws of 2024.

Reappropriation:

Common School Construction Fund—State	\$4,434,000
State Building Construction Account—State	\$422,000
Subtotal Reappropriation	\$4,856,000
Prior Biennia (Expenditures)	\$8,144,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$13,000,000

NEW SECTION. Sec. 6289. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

2023-25 Career Preparation and Launch Capital Grants (40000069)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 5007, chapter 474, Laws of 2023.

Reappropriation:

Common School Construction Fund—State	\$1,178,000
Prior Biennia (Expenditures)	\$2,822,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$4,000,000

NEW SECTION. Sec. 6290. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

2023-25 Skills Centers Minor Works (40000070)

Reappropriation:

Common School Construction Fund—State	\$2,912,000
Prior Biennia (Expenditures)	\$2,223,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$5,135,000

NEW SECTION. Sec. 6291. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

Chief Leschi School HVAC (40000099)

Reappropriation:

State Building Construction Account—State	\$819,000
Prior Biennia (Expenditures)	\$24,181,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$25,000,000

NEW SECTION. Sec. 6292. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

School District Indoor Air Quality & Energy Efficiency (40000104)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 5007, chapter 375, Laws of 2024.

Reappropriation:

Climate Commitment Account—State	\$30,000,000
Common School Construction Fund—State	\$14,472,000
Subtotal Reappropriation	\$44,472,000
Prior Biennia (Expenditures)	\$553,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$45,025,000

NEW SECTION. Sec. 6293. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

2021-23 Healthy Kids-Healthy Schools: Physical Health & Nutrition (91000464)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 5016, chapter 332, Laws of 2021.

Reappropriation:

Common School Construction Fund—State	\$220,000
Prior Biennia (Expenditures)	\$2,780,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$3,000,000

NEW SECTION. Sec. 6294. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

2021-23 Healthy Kids-Healthy Schools: Remediation of Lead (91000465)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 5027, chapter 332, Laws of 2021.

Reappropriation:

Common School Construction Fund—State	\$270,000
State Building Construction Account—State	\$2,965,000
Subtotal Reappropriation	\$3,235,000
Prior Biennia (Expenditures)	\$363,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$3,598,000

NEW SECTION. Sec. 6295. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

Green Schools: Stormwater Infrastructure Projects (91000466)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 5011, chapter 474, Laws of 2023.

Reappropriation:

Model Toxics Control Stormwater Account—State	\$263,000
Prior Biennia (Expenditures)	\$612,000

Future Biennia (Projected Costs).....	\$0
TOTAL	\$875,000

NEW SECTION. Sec. 6296. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

Healthy Kids/Healthy Schools - T-12 Lighting (91000483)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 6034, chapter 375, Laws of 2024.

Reappropriation:

State Building Construction Account—State	\$1,361,000
Prior Biennia (Expenditures)	\$139,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$1,500,000

NEW SECTION. Sec. 6297. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

Energy Assessment Grants to School Districts (91000509)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 5008, chapter 375, Laws of 2024.

Reappropriation:

Climate Commitment Account—State	\$4,900,000
Common School Construction Fund—State	\$50,000
Subtotal Reappropriation	\$4,950,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs).....	\$0
TOTAL	\$4,950,000

NEW SECTION. Sec. 6298. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

School-based Health and Behavioral Health Clinics (91000519)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 5009, chapter 375, Laws of 2024.

Reappropriation:

State Building Construction Account—State	\$1,864,000
Prior Biennia (Expenditures)	\$200,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$2,064,000

NEW SECTION. Sec. 6299. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

Career and Technical Education Projects (91000534)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 5010, chapter 375, Laws of 2024.

Reappropriation:

Common School Construction Fund—State	\$65,735,000
Prior Biennia (Expenditures)	\$2,468,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$68,203,000

NEW SECTION. Sec. 6300. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

School Construction Assistance Program Revision (SCAPR) Planning (91000535)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 5011, chapter 375, Laws of 2024.

Reappropriation:

Common School Construction Fund—State	\$1,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,000,000

NEW SECTION. Sec. 6301. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

Pierce College at New Bethel High School (92000036)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 5012, chapter 296, Laws of 2022.

Reappropriation:

State Building Construction Account—State	\$1,600,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,600,000

NEW SECTION. Sec. 6302. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

K-3 Class-size Reduction Grants (92000039)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 5023, chapter 413, Laws of 2019.

Reappropriation:

State Building Construction Account—State	\$3,224,000
Prior Biennia (Expenditures)	\$231,276,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$234,500,000

NEW SECTION. Sec. 6303. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

Distressed Schools (92000041)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 5004, chapter 356, Laws of 2020.

Reappropriation:

State Building Construction Account—State	\$143,000
Prior Biennia (Expenditures)	\$45,343,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$45,486,000

NEW SECTION. Sec. 6304. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

2019-21 Small District Modernization Grants (92000139)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 5003, chapter 356, Laws of 2020.

Reappropriation:

State Building Construction Account—State	\$176,000
Prior Biennia (Expenditures)	\$23,207,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$23,383,000

NEW SECTION. Sec. 6305. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

2019-21 STEM Grants (92000140)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 5029, chapter 413, Laws of 2019.

Reappropriation:

State Building Construction Account—State	\$4,000
Prior Biennia (Expenditures)	\$7,696,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$7,700,000

NEW SECTION. Sec. 6306. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

2019-21 Distressed Schools (92000142)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 5005, chapter 356, Laws of 2020.

Reappropriation:

State Building Construction Account—State	\$784,000
Prior Biennia (Expenditures)	\$25,153,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$25,937,000

NEW SECTION. Sec. 6307. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

2019-21 School Seismic Safety Retrofit Program (92000148)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 5006, chapter 356, Laws of 2020.

Reappropriation:

State Building Construction Account—State	\$1,545,000
Prior Biennia (Expenditures)	\$11,695,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$13,240,000

NEW SECTION. Sec. 6308. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

2021-23 Distressed Schools (92000917)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 5010, chapter 296, Laws of 2022.

Reappropriation:

State Building Construction Account—State	\$8,734,000
Prior Biennia (Expenditures)	\$21,686,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$30,420,000

NEW SECTION. Sec. 6309. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

2021-23 School Seismic Safety Grant Program (5933) (92000923)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 6537, chapter 474, Laws of 2023, as amended by section 7071 of this act.

Reappropriation:

State Building Construction Account—State	\$15,429,000
Prior Biennia (Expenditures)	\$4,622,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$20,051,000

NEW SECTION. Sec. 6310. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

2022 Small District and Tribal Compact Schools Modernization (92000925)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 5011, chapter 296, Laws of 2022.

Reappropriation:

State Building Construction Account—State	\$84,000
Prior Biennia (Expenditures)	\$7,528,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$7,612,000

NEW SECTION. Sec. 6311. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

2023-25 Distressed Schools (92000928)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 5012, chapter 375, Laws of 2024.

Reappropriation:

Common School Construction Fund—State	\$8,941,000
State Building Construction Account—State	\$21,132,000
Subtotal Reappropriation	\$30,073,000
Prior Biennia (Expenditures)	\$2,042,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$32,115,000

NEW SECTION. Sec. 6312. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

2023-25 Agricultural Science in Schools Grant to FFA Foundation (92000931)

Reappropriation:

State Building Construction Account—State	\$3,000
Prior Biennia (Expenditures)	\$4,997,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$5,000,000

NEW SECTION. Sec. 6313. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

2024 School Construction Assistance Program Enhancement (92001066)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 5013, chapter 375, Laws of 2024.

Reappropriation:

Common School Construction Fund—State	\$24,216,000
State Building Construction Account—State	\$55,000,000
Subtotal Reappropriation	\$79,216,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$79,216,000

NEW SECTION. Sec. 6314. FOR THE STATE SCHOOL FOR THE BLIND

2023-25 Campus Preservation (Minor Works) (40000021)

Reappropriation:

State Building Construction Account—State	\$1,329,000
Prior Biennia (Expenditures)	\$1,271,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,600,000

NEW SECTION. Sec. 6315. FOR THE CENTER FOR DEAF AND HARD OF HEARING YOUTH

Academic and Physical Education Building (30000036)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 5009, chapter 298, Laws of 2018.

Reappropriation:

State Building Construction Account—State	\$4,382,000
Prior Biennia (Expenditures)	\$63,147,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$67,529,000

NEW SECTION. **Sec. 6316. FOR THE DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION**

2021-23 Heritage Barn Grants (40000005)

Reappropriation:

State Building Construction Account—State	\$280,000
Prior Biennia (Expenditures)	\$720,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,000,000

NEW SECTION. **Sec. 6317. FOR THE DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION**

2021-23 Historic County Courthouse Rehabilitation Program (40000006)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1144, chapter 332, Laws of 2021.

Reappropriation:

State Building Construction Account—State	\$1,502,000
Prior Biennia (Expenditures)	\$360,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,862,000

NEW SECTION. **Sec. 6318. FOR THE DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION**

2021-23 Historic Cemetery Grant Program (40000007)

Reappropriation:

State Building Construction Account—State	\$34,000
Prior Biennia (Expenditures)	\$266,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$300,000

NEW SECTION. **Sec. 6319. FOR THE DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION**

2021-23 Historic Theater Capital Grant Program (40000012)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1146, chapter 332, Laws of 2021.

Reappropriation:

State Building Construction Account—State	\$62,000
Prior Biennia (Expenditures)	\$238,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$300,000

NEW SECTION. Sec. 6320. FOR THE DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION

2023-25 Historic County Courthouse Rehabilitation Grant Program (40000015)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1082, chapter 474, Laws of 2023.

Reappropriation:

State Building Construction Account—State	\$2,624,000
Prior Biennia (Expenditures)	\$538,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$3,162,000

NEW SECTION. Sec. 6321. FOR THE DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION

2023-25 Historic Cemetery Grant Program (40000016)

Reappropriation:

State Building Construction Account—State	\$349,000
Prior Biennia (Expenditures)	\$166,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$515,000

NEW SECTION. Sec. 6322. FOR THE DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION

2023-25 Historic Theater Capital Grant Program (40000017)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1084, chapter 474, Laws of 2023.

Reappropriation:

State Building Construction Account—State	\$383,000
Prior Biennia (Expenditures)	\$132,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$515,000

NEW SECTION. Sec. 6323. FOR THE DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION

2023-25 Heritage Barn Grant Program (40000018)

Reappropriation:

State Building Construction Account—State	\$866,000
Prior Biennia (Expenditures)	\$134,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,000,000

NEW SECTION. Sec. 6324. FOR THE UNIVERSITY OF WASHINGTON

Anderson Hall Renovation (20091002)

Reappropriation:

State Building Construction Account—State	\$15,171,000
Prior Biennia (Expenditures)	\$13,679,000

Future Biennia (Projected Costs).....	\$0
TOTAL	\$28,850,000

NEW SECTION. Sec. 6325. FOR THE UNIVERSITY OF WASHINGTON

UW Bothell (30000378)

Reappropriation:

State Building Construction Account—State	\$1,263,000
Prior Biennia (Expenditures).....	\$78,175,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$79,438,000

NEW SECTION. Sec. 6326. FOR THE UNIVERSITY OF WASHINGTON

Magnuson Health Sciences Phase II - Renovation/Replacement (40000049)

Reappropriation:

State Building Construction Account—State	\$35,457,000
Prior Biennia (Expenditures).....	\$28,543,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$64,000,000

NEW SECTION. Sec. 6327. FOR THE UNIVERSITY OF WASHINGTON

UW Clean Energy Testbeds (40000098)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 5015, chapter 296, Laws of 2022.

Reappropriation:

Climate Commitment Account—State	\$2,501,000
Prior Biennia (Expenditures).....	\$4,999,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$7,500,000

NEW SECTION. Sec. 6328. FOR THE UNIVERSITY OF WASHINGTON

Intellectual House - Phase 2 (40000100)

Reappropriation:

State Building Construction Account—State	\$8,978,000
Prior Biennia (Expenditures).....	\$22,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$9,000,000

NEW SECTION. Sec. 6329. FOR THE UNIVERSITY OF WASHINGTON

UW Tacoma - Land Acquisition (40000101)

Reappropriation:

State Building Construction Account—State	\$4,199,000
Prior Biennia (Expenditures).....	\$3,501,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$7,700,000

NEW SECTION. Sec. 6330. FOR THE UNIVERSITY OF WASHINGTON

UW Seattle - Asset Preservation (Minor Works) 23-25 (40000103)

Reappropriation:

University of Washington Building Account—State.	\$19,044,000
Prior Biennia (Expenditures)	\$18,352,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$37,396,000

NEW SECTION. Sec. 6331. FOR THE UNIVERSITY OF WASHINGTON

UW Bothell - Asset Preservation (Minor Works) 23-25 (40000129)

Reappropriation:

University of Washington Building Account—State.	\$2,096,000
Prior Biennia (Expenditures)	\$1,799,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$3,895,000

NEW SECTION. Sec. 6332. FOR THE UNIVERSITY OF WASHINGTON

UW Tacoma - Asset Preservation (Minor Works) 23-25 (40000131)

Reappropriation:

University of Washington Building Account—State.	\$1,407,000
Prior Biennia (Expenditures)	\$1,827,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$3,234,000

NEW SECTION. Sec. 6333. FOR THE UNIVERSITY OF WASHINGTON

Infrastructure Renewal (40000132)

Reappropriation:

Climate Commitment Account—State	\$6,296,000
University of Washington Building Account—State.	\$8,499,000
Subtotal Reappropriation	\$14,795,000
Prior Biennia (Expenditures)	\$9,380,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$24,175,000

NEW SECTION. Sec. 6334. FOR THE UNIVERSITY OF WASHINGTON

Energy Renewal Program (40000147)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 5019, chapter 375, Laws of 2024.

Reappropriation:

Climate Commitment Account—State	\$38,900,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$38,900,000

NEW SECTION. **Sec. 6335. FOR THE UNIVERSITY OF WASHINGTON**

 Ctr for Advanced Materials and Clean Energy Research Test Beds (91000016)

Reappropriation:

State Building Construction Account—State	\$11,533,000
Prior Biennia (Expenditures)	\$17,467,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$29,000,000

NEW SECTION. **Sec. 6336. FOR THE UNIVERSITY OF WASHINGTON**

 UWMC NW - Campus Behavioral Health Renovation (91000027)

 The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 5055, chapter 332, Laws of 2021.

Reappropriation:

State Building Construction Account—State	\$5,822,000
Prior Biennia (Expenditures)	\$9,178,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$15,000,000

NEW SECTION. **Sec. 6337. FOR THE UNIVERSITY OF WASHINGTON**

 UW Tacoma Campus Soil Remediation (92000002)

Reappropriation:

Model Toxics Control Capital Account—State	\$3,953,000
Prior Biennia (Expenditures)	\$8,305,000
Future Biennia (Projected Costs)	\$8,000,000
TOTAL	\$20,258,000

NEW SECTION. **Sec. 6338. FOR WASHINGTON STATE UNIVERSITY**

 Minor Capital Preservation 2023-25 (MCR) (40000340)

Reappropriation:

State Building Construction Account—State	\$652,000
Washington State University Building Account— State	\$11,483,000
Subtotal Reappropriation	\$12,135,000
Prior Biennia (Expenditures)	\$28,865,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$41,000,000

NEW SECTION. **Sec. 6339. FOR WASHINGTON STATE UNIVERSITY**

 New Engineering Student Success Building & Infrastructure (40000342)

Reappropriation:

State Building Construction Account—State	\$22,467,000
Prior Biennia (Expenditures)	\$17,533,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$40,000,000

NEW SECTION. Sec. 6340. FOR WASHINGTON STATE UNIVERSITY

Knott Dairy Infrastructure (40000343)

Reappropriation:

State Building Construction Account—State	\$2,438,000
Prior Biennia (Expenditures)	\$7,562,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$10,000,000

NEW SECTION. Sec. 6341. FOR WASHINGTON STATE UNIVERSITY

Bustad Renovation (SIM for Vet Teaching Anatomy) (40000344)

Reappropriation:

State Building Construction Account—State	\$1,782,000
Prior Biennia (Expenditures)	\$6,218,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$8,000,000

NEW SECTION. Sec. 6342. FOR WASHINGTON STATE UNIVERSITY

Spokane Team Health Education Building (40000361)

The reappropriation in this section is subject to the following conditions and limitations: Washington State University must design the new facility to meet the original size estimate of 34,500 square feet.

Reappropriation:

State Building Construction Account—State	\$4,191,000
Prior Biennia (Expenditures)	\$2,809,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$7,000,000

NEW SECTION. Sec. 6343. FOR WASHINGTON STATE UNIVERSITY

Eastlick-Abelson Renovation (40000362)

Reappropriation:

State Building Construction Account—State	\$5,750,000
Prior Biennia (Expenditures)	\$16,250,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$22,000,000

NEW SECTION. Sec. 6344. FOR WASHINGTON STATE UNIVERSITY

Decarbonization Planning (91000043)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 5021, chapter 375, Laws of 2024.

Reappropriation:

Climate Commitment Account—State	\$3,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$3,000,000

NEW SECTION. **Sec. 6345. FOR WASHINGTON STATE UNIVERSITY**

Knott Dairy Center Digester (92001132)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 5022, chapter 375, Laws of 2024.

Reappropriation:

Climate Commitment Account—State	\$10,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$10,000,000

NEW SECTION. **Sec. 6346. FOR EASTERN WASHINGTON UNIVERSITY**

Science Renovation (30000507)

Reappropriation:

State Building Construction Account—State	\$52,089,000
Prior Biennia (Expenditures)	\$59,198,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$111,287,000

NEW SECTION. **Sec. 6347. FOR EASTERN WASHINGTON UNIVERSITY**

Infrastructure Renewal III (40000070)

Reappropriation:

State Building Construction Account—State	\$739,000
Prior Biennia (Expenditures)	\$9,261,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$10,000,000

NEW SECTION. **Sec. 6348. FOR EASTERN WASHINGTON UNIVERSITY**

Sports and Recreation Center Energy Improvements (40000112)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 5023, chapter 375, Laws of 2024.

Reappropriation:

Climate Commitment Account—State	\$9,998,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$9,998,000

NEW SECTION. **Sec. 6349. FOR EASTERN WASHINGTON UNIVERSITY**

Martin - Williamson Hall (40000113)

Reappropriation:

State Building Construction Account—State	\$64,000
Prior Biennia (Expenditures)	\$286,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$350,000

NEW SECTION. Sec. 6350. FOR EASTERN WASHINGTON UNIVERSITY

Infrastructure Renewal IV (40000114)

Reappropriation:

State Building Construction Account—State	\$7,268,000
Prior Biennia (Expenditures)	\$4,732,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$12,000,000

NEW SECTION. Sec. 6351. FOR EASTERN WASHINGTON UNIVERSITY

Minor Works: Preservation 2023-25 (40000116)

Reappropriation:

State Building Construction Account—State	\$2,843,000
Prior Biennia (Expenditures)	\$2,532,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$5,375,000

NEW SECTION. Sec. 6352. FOR EASTERN WASHINGTON UNIVERSITY

Minor Works: Program 2023-25 (40000120)

Reappropriation:

Eastern Washington University Capital Projects Account—State	\$2,919,000
Prior Biennia (Expenditures)	\$3,081,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$6,000,000

NEW SECTION. Sec. 6353. FOR EASTERN WASHINGTON UNIVERSITY

HB 1390 - District Energy Systems (91000027)

Reappropriation:

Climate Commitment Account—State	\$49,000
Prior Biennia (Expenditures)	\$151,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$200,000

NEW SECTION. Sec. 6354. FOR CENTRAL WASHINGTON UNIVERSITY

Nutrition Science (30000456)

Reappropriation:

State Building Construction Account—State	\$210,000
Prior Biennia (Expenditures)	\$59,370,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$59,580,000

NEW SECTION. Sec. 6355. FOR CENTRAL WASHINGTON UNIVERSITY

Arts Education (30000836)

Reappropriation:

State Building Construction Account—State	\$38,000
Prior Biennia (Expenditures)	\$262,000

Future Biennia (Projected Costs).....	\$0
TOTAL	\$300,000

NEW SECTION. Sec. 6356. FOR CENTRAL WASHINGTON UNIVERSITY

Health Education (40000009)

Reappropriation:

State Building Construction Account—State	\$114,000
Prior Biennia (Expenditures).....	\$62,091,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$62,205,000

NEW SECTION. Sec. 6357. FOR CENTRAL WASHINGTON UNIVERSITY

Electrical Grid Security (40000121)

Reappropriation:

Central Washington University Capital Projects	
Account—State	\$43,000
State Building Construction Account—State	\$43,000
Subtotal Reappropriation	\$86,000
Prior Biennia (Expenditures).....	\$1,422,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$1,508,000

NEW SECTION. Sec. 6358. FOR CENTRAL WASHINGTON UNIVERSITY

Multicultural Center (40000123)

Reappropriation:

State Building Construction Account—State	\$4,874,000
Prior Biennia (Expenditures).....	\$1,126,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$6,000,000

NEW SECTION. Sec. 6359. FOR CENTRAL WASHINGTON UNIVERSITY

Minor Works Preservation 2023-2025 (40000128)

Reappropriation:

Central Washington University Capital Projects	
Account—State	\$1,481,000
State Building Construction Account—State	\$355,000
Subtotal Reappropriation	\$1,836,000
Prior Biennia (Expenditures).....	\$6,793,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$8,629,000

NEW SECTION. Sec. 6360. FOR CENTRAL WASHINGTON UNIVERSITY

Minor Works Program 2023 -2025 (40000145)

Reappropriation:

Central Washington University Capital Projects	
Account—State	\$815,000
Prior Biennia (Expenditures).....	\$185,000

Future Biennia (Projected Costs)	\$0
TOTAL	\$1,000,000

NEW SECTION. Sec. 6361. FOR CENTRAL WASHINGTON UNIVERSITY

Science Building Carbon Reduction (40000162)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 5026, chapter 375, Laws of 2024.

Reappropriation:

Climate Commitment Account—State	\$4,509,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$4,509,000

NEW SECTION. Sec. 6362. FOR CENTRAL WASHINGTON UNIVERSITY

HB 1390 - District Energy Systems (91000024)

Reappropriation:

Climate Commitment Account—State	\$55,000
Prior Biennia (Expenditures)	\$745,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$800,000

NEW SECTION. Sec. 6363. FOR THE EVERGREEN STATE COLLEGE

Seminar I Renovation (30000125)

Reappropriation:

State Building Construction Account—State	\$19,884,000
Prior Biennia (Expenditures)	\$8,555,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$28,439,000

NEW SECTION. Sec. 6364. FOR THE EVERGREEN STATE COLLEGE

Minor Works Preservation 2023-25 (40000085)

Reappropriation:

State Building Construction Account—State	\$290,000
The Evergreen State College Capital Projects Account—State	\$1,416,000
Subtotal Reappropriation	\$1,706,000
Prior Biennia (Expenditures)	\$6,384,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$8,090,000

NEW SECTION. Sec. 6365. FOR WESTERN WASHINGTON UNIVERSITY

Coast Salish Longhouse (30000912)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 5105, chapter 332, Laws of 2021.

Reappropriation:

State Building Construction Account—State	\$509,000
Western Washington University Capital Projects	
Account—State	\$1,211,000
Subtotal Reappropriation	\$1,720,000
Prior Biennia (Expenditures)	\$2,780,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$4,500,000

NEW SECTION. Sec. 6366. FOR WESTERN WASHINGTON UNIVERSITY

Student Development and Success Center (30000919)

Reappropriation:

State Building Construction Account—State	\$46,589,000
Prior Biennia (Expenditures)	\$1,586,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$48,175,000

NEW SECTION. Sec. 6367. FOR WESTERN WASHINGTON UNIVERSITY

Environmental Studies Renovation (40000004)

Reappropriation:

State Building Construction Account—State	\$5,000
Prior Biennia (Expenditures)	\$495,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$500,000

NEW SECTION. Sec. 6368. FOR WESTERN WASHINGTON UNIVERSITY

Minor Works - Preservation 2023-25 (40000006)

Reappropriation:

Western Washington University Capital Projects	
Account—State	\$3,777,000
Prior Biennia (Expenditures)	\$1,611,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$5,388,000

NEW SECTION. Sec. 6369. FOR WESTERN WASHINGTON UNIVERSITY

Minor Works - Program 2023-25 (40000007)

Reappropriation:

Western Washington University Capital Projects	
Account—State	\$1,346,000
Prior Biennia (Expenditures)	\$1,654,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$3,000,000

NEW SECTION. Sec. 6370. FOR WESTERN WASHINGTON UNIVERSITY

Classroom, Lab, and Collaborative Space Upgrades (40000008)

Reappropriation:

State Building Construction Account—State	\$1,300,000
Prior Biennia (Expenditures)	\$200,000

Future Biennia (Projected Costs).....	\$0
TOTAL	\$1,500,000

NEW SECTION. Sec. 6371. FOR THE WASHINGTON STATE ARTS COMMISSION

Creative Districts Capital Construction Projects (30000002)

Reappropriation:

State Building Construction Account—State	\$235,000
Prior Biennia (Expenditures).....	\$177,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$412,000

NEW SECTION. Sec. 6372. FOR THE WASHINGTON STATE ARTS COMMISSION

2023-25 Creative Districts Capital Projects Program (30000003)

Reappropriation:

State Building Construction Account—State	\$407,000
Prior Biennia (Expenditures).....	\$9,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$416,000

NEW SECTION. Sec. 6373. FOR THE WASHINGTON STATE ARTS COMMISSION

Preserving State-owned Public Art (30000004)

Reappropriation:

State Building Construction Account—State	\$735,000
Prior Biennia (Expenditures).....	\$0
Future Biennia (Projected Costs).....	\$0
TOTAL	\$735,000

NEW SECTION. Sec. 6374. FOR THE WASHINGTON STATE HISTORICAL SOCIETY

Heritage Capital Grant Projects 2021-2023 (40000099)

Reappropriation:

State Building Construction Account—State	\$4,520,000
Prior Biennia (Expenditures).....	\$4,296,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$8,816,000

NEW SECTION. Sec. 6375. FOR THE WASHINGTON STATE HISTORICAL SOCIETY

Preservation - Minor Works 2021-23 (40000136)

Reappropriation:

State Building Construction Account—State	\$613,000
Prior Biennia (Expenditures).....	\$4,084,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$4,697,000

NEW SECTION. Sec. 6376. FOR THE WASHINGTON STATE HISTORICAL SOCIETY

Great Hall Core Exhibit Renewal (40000145)

Reappropriation:

State Building Construction Account—State	\$2,273,000
Prior Biennia (Expenditures)	\$2,953,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$5,226,000

NEW SECTION. **Sec. 6377. FOR THE WASHINGTON STATE HISTORICAL SOCIETY**

Heritage Capital Grant Projects 2023-25 (40000150)

Reappropriation:

State Building Construction Account—State	\$6,849,000
Prior Biennia (Expenditures)	\$3,151,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$10,000,000

NEW SECTION. **Sec. 6378. FOR THE WASHINGTON STATE HISTORICAL SOCIETY**

Preservation - Minor Works 2023-25 (40000180)

Reappropriation:

State Building Construction Account—State	\$896,000
Prior Biennia (Expenditures)	\$77,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$973,000

NEW SECTION. **Sec. 6379. FOR THE WASHINGTON STATE HISTORICAL SOCIETY**

Program - Museum Audio Visual Upgrades (40000181)

Reappropriation:

State Building Construction Account—State	\$310,000
Prior Biennia (Expenditures)	\$127,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$437,000

NEW SECTION. **Sec. 6380. FOR THE EASTERN WASHINGTON STATE HISTORICAL SOCIETY**

Campbell and Carriage House Repairs and Restoration (40000017)

Reappropriation:

State Building Construction Account—State	\$648,000
Prior Biennia (Expenditures)	\$1,308,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,956,000

NEW SECTION. **Sec. 6381. FOR THE EASTERN WASHINGTON STATE HISTORICAL SOCIETY**

Garage & Emergency Exit Concrete Remediation (40000053)

Reappropriation:

State Building Construction Account—State	\$2,179,000
Prior Biennia (Expenditures)	\$199,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,378,000

NEW SECTION. Sec. 6382. FOR THE EASTERN WASHINGTON STATE HISTORICAL SOCIETY

Minor Works: Preservation 2023-25 (40000054)

Reappropriation:

State Building Construction Account—State	\$982,000
Prior Biennia (Expenditures)	\$1,500,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,482,000

NEW SECTION. Sec. 6383. FOR THE DEPARTMENT OF ECOLOGY

Low-Level Nuclear Waste Disposal Trench Closure (19972012)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3002, chapter 3, Laws of 2015 3rd sp. sess.

Reappropriation:

Site Closure Account—State	\$1,497,000
Prior Biennia (Expenditures)	\$5,405,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$6,902,000

NEW SECTION. Sec. 6384. FOR THE DEPARTMENT OF ECOLOGY

Twin Lake Aquifer Recharge Project (20042951)

Reappropriation:

State Building Construction Account—State	\$129,000
Prior Biennia (Expenditures)	\$621,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$750,000

NEW SECTION. Sec. 6385. FOR THE DEPARTMENT OF ECOLOGY

Transfer of Water Rights for Cabin Owners (20081951)

Reappropriation:

State Building Construction Account—State	\$57,000
Prior Biennia (Expenditures)	\$393,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$450,000

NEW SECTION. Sec. 6386. FOR THE DEPARTMENT OF ECOLOGY

Remedial Action Grant Program (30000216)

Reappropriation:

Model Toxics Control Capital Account—State	\$12,414,000
Prior Biennia (Expenditures)	\$49,855,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$62,269,000

NEW SECTION. Sec. 6387. FOR THE DEPARTMENT OF ECOLOGY

ASARCO - Tacoma Smelter Plume and Mines (30000280)

Reappropriation:

Cleanup Settlement Account—State	\$2,071,000
Prior Biennia (Expenditures)	\$17,856,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$19,927,000

NEW SECTION. **Sec. 6388. FOR THE DEPARTMENT OF ECOLOGY**

Watershed Plan Implementation and Flow Achievement (30000331)

Reappropriation:

State Building Construction Account—State	\$857,000
Prior Biennia (Expenditures)	\$9,143,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$10,000,000

NEW SECTION. **Sec. 6389. FOR THE DEPARTMENT OF ECOLOGY**

Dungeness Water Supply & Mitigation (30000333)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3029, chapter 4, Laws of 2017 3rd sp. sess.

Reappropriation:

State Building Construction Account—State	\$242,000
Prior Biennia (Expenditures)	\$1,808,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,050,000

NEW SECTION. **Sec. 6390. FOR THE DEPARTMENT OF ECOLOGY**

ASARCO Cleanup (30000334)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3001, chapter 296, Laws of 2022.

Reappropriation:

Cleanup Settlement Account—State	\$387,000
Prior Biennia (Expenditures)	\$35,873,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$36,260,000

NEW SECTION. **Sec. 6391. FOR THE DEPARTMENT OF ECOLOGY**

Eastern Washington Clean Sites Initiative (30000432)

Reappropriation:

Model Toxics Control Capital Account—State	\$542,000
Prior Biennia (Expenditures)	\$7,231,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$7,773,000

NEW SECTION. Sec. 6392. FOR THE DEPARTMENT OF ECOLOGY

Remedial Action Grants (30000458)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3010, chapter 356, Laws of 2020.

Reappropriation:

State Building Construction Account—State	\$8,262,000
Prior Biennia (Expenditures)	\$35,726,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$43,988,000

NEW SECTION. Sec. 6393. FOR THE DEPARTMENT OF ECOLOGY

ASARCO Cleanup (30000538)

Reappropriation:

Cleanup Settlement Account—State	\$51,000
Prior Biennia (Expenditures)	\$11,910,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$11,961,000

NEW SECTION. Sec. 6394. FOR THE DEPARTMENT OF ECOLOGY

Cleanup Toxics Sites - Puget Sound (30000542)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3013, chapter 35, Laws of 2016 1st sp. sess.

Reappropriation:

Model Toxics Control Capital Account—State	\$1,321,000
Prior Biennia (Expenditures)	\$12,151,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$13,472,000

NEW SECTION. Sec. 6395. FOR THE DEPARTMENT OF ECOLOGY

Sunnyside Valley Irrigation District Water Conservation (30000589)

Reappropriation:

State Building Construction Account—State	\$1,125,000
Prior Biennia (Expenditures)	\$1,930,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$3,055,000

NEW SECTION. Sec. 6396. FOR THE DEPARTMENT OF ECOLOGY

Yakima River Basin Water Supply (30000590)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3031, chapter 332, Laws of 2021.

Reappropriation:

State Taxable Building Construction Account—	
State	\$294,000
Prior Biennia (Expenditures)	\$26,456,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$26,750,000

NEW SECTION. **Sec. 6397. FOR THE DEPARTMENT OF ECOLOGY**

Watershed Plan Implementation and Flow Achievement (30000591)

Reappropriation:

State Building Construction Account—State		\$875,000
Prior Biennia (Expenditures)		\$4,125,000
Future Biennia (Projected Costs)		\$0
TOTAL		\$5,000,000

NEW SECTION. **Sec. 6398. FOR THE DEPARTMENT OF ECOLOGY**

ASARCO Cleanup (30000670)

Reappropriation:

Cleanup Settlement Account—State		\$4,833,000
Prior Biennia (Expenditures)		\$23,927,000
Future Biennia (Projected Costs)		\$0
TOTAL		\$28,760,000

NEW SECTION. **Sec. 6399. FOR THE DEPARTMENT OF ECOLOGY**

Sunnyside Valley Irrigation District Water Conservation (30000673)

Reappropriation:

State Building Construction Account—State		\$1,653,000
Prior Biennia (Expenditures)		\$3,031,000
Future Biennia (Projected Costs)		\$0
TOTAL		\$4,684,000

NEW SECTION. **Sec. 6400. FOR THE DEPARTMENT OF ECOLOGY**

Columbia River Water Supply Development Program (30000712)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3006, chapter 298, Laws of 2018.

Reappropriation:

Columbia River Basin Water Supply Development	
Account—State	\$3,645,000
Columbia River Basin Water Supply Revenue	
Recovery Account—State	\$689,000
State Building Construction Account—State	\$556,000
Subtotal Reappropriation	\$4,890,000
Prior Biennia (Expenditures)	\$28,910,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$33,800,000

NEW SECTION. Sec. 6401. FOR THE DEPARTMENT OF ECOLOGY

Watershed Plan Implementation and Flow Achievement (30000714)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3017, chapter 2, Laws of 2018.

Reappropriation:

State Building Construction Account—State	\$3,287,000
Prior Biennia (Expenditures)	\$1,713,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$5,000,000

NEW SECTION. Sec. 6402. FOR THE DEPARTMENT OF ECOLOGY

Water Irrigation Efficiencies Program (30000740)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3007, chapter 298, Laws of 2018.

Reappropriation:

State Building Construction Account—State	\$204,000
Prior Biennia (Expenditures)	\$6,296,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$6,500,000

NEW SECTION. Sec. 6403. FOR THE DEPARTMENT OF ECOLOGY

2017-19 Eastern Washington Clean Sites Initiative (30000742)

Reappropriation:

Model Toxics Control Capital Account—State	\$1,676,000
Prior Biennia (Expenditures)	\$64,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,740,000

NEW SECTION. Sec. 6404. FOR THE DEPARTMENT OF ECOLOGY

2015-17 Restored Clean Up Toxic Sites - Puget Sound (30000763)

Reappropriation:

State Building Construction Account—State	\$658,000
Prior Biennia (Expenditures)	\$4,038,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$4,696,000

NEW SECTION. Sec. 6405. FOR THE DEPARTMENT OF ECOLOGY

VW Settlement Funded Projects (40000018)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3008, chapter 298, Laws of 2018.

Reappropriation:

General Fund—Private/Local	\$60,278,000
Prior Biennia (Expenditures)	\$52,422,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$112,700,000

NEW SECTION. **Sec. 6406. FOR THE DEPARTMENT OF ECOLOGY**

Reduce Air Pollution from Transit/Sch. Buses/State-Owned Vehicles (40000109)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3019, chapter 356, Laws of 2020.

Reappropriation:

Air Pollution Control Account—State	\$2,302,000
Prior Biennia (Expenditures)	\$26,098,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$28,400,000

NEW SECTION. **Sec. 6407. FOR THE DEPARTMENT OF ECOLOGY**

2019-21 Sunnyside Valley Irrigation District Water Conservation (40000111)

Reappropriation:

State Building Construction Account—State	\$2,330,000
Prior Biennia (Expenditures)	\$1,904,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$4,234,000

NEW SECTION. **Sec. 6408. FOR THE DEPARTMENT OF ECOLOGY**

2019-21 ASARCO Cleanup (40000114)

Reappropriation:

Cleanup Settlement Account—State	\$4,844,000
Prior Biennia (Expenditures)	\$1,956,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$6,800,000

NEW SECTION. **Sec. 6409. FOR THE DEPARTMENT OF ECOLOGY**

2019-21 Centennial Clean Water Program (40000116)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3074, chapter 413, Laws of 2019.

Reappropriation:

State Building Construction Account—State	\$2,304,000
Prior Biennia (Expenditures)	\$27,696,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$30,000,000

NEW SECTION. Sec. 6410. FOR THE DEPARTMENT OF ECOLOGY

2019-21 Eastern Washington Clean Sites Initiative (40000117)

Reappropriation:

Model Toxics Control Capital Account—State	\$11,273,000
Prior Biennia (Expenditures)	\$837,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$12,110,000

NEW SECTION. Sec. 6411. FOR THE DEPARTMENT OF ECOLOGY

Padilla Bay Federal Capital Projects (40000127)

Reappropriation:

General Fund—Federal	\$500,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$500,000

NEW SECTION. Sec. 6412. FOR THE DEPARTMENT OF ECOLOGY

2019-21 Floodplains by Design (40000129)

Reappropriation:

State Building Construction Account—State	\$14,795,000
Prior Biennia (Expenditures)	\$35,605,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$50,400,000

NEW SECTION. Sec. 6413. FOR THE DEPARTMENT OF ECOLOGY

2019-21 Clean Up Toxics Sites - Puget Sound (40000130)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3080, chapter 413, Laws of 2019.

Reappropriation:

Model Toxics Control Capital Account—State	\$5,521,000
Prior Biennia (Expenditures)	\$7,246,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$12,767,000

NEW SECTION. Sec. 6414. FOR THE DEPARTMENT OF ECOLOGY

2019-21 Stormwater Financial Assistance Program (40000144)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3020, chapter 356, Laws of 2020.

Reappropriation:

Model Toxics Control Stormwater Account—State	\$12,152,000
Prior Biennia (Expenditures)	\$36,854,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$49,006,000

NEW SECTION. **Sec. 6415. FOR THE DEPARTMENT OF ECOLOGY**

2015 Drought Authority (40000146)

Reappropriation:

State Drought Preparedness and Response Account—	
State	\$634,000
Prior Biennia (Expenditures)	\$35,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$669,000

NEW SECTION. **Sec. 6416. FOR THE DEPARTMENT OF ECOLOGY**

2019-21 Columbia River Water Supply Development Program (40000152)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3087, chapter 413, Laws of 2019.

Reappropriation:

Columbia River Basin Water Supply Revenue	
Recovery Account—State	\$1,464,000
State Building Construction Account—State	\$9,371,000
State Taxable Building Construction Account—	
State	\$9,990,000
Subtotal Reappropriation	\$20,825,000
Prior Biennia (Expenditures)	\$19,175,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$40,000,000

NEW SECTION. **Sec. 6417. FOR THE DEPARTMENT OF ECOLOGY**

2019-21 Streamflow Restoration Program (40000177)

Reappropriation:

Watershed Restoration and Enhancement Bond	
Account—State	\$17,697,000
Prior Biennia (Expenditures)	\$22,303,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$40,000,000

NEW SECTION. **Sec. 6418. FOR THE DEPARTMENT OF ECOLOGY**

2019-21 Yakima River Basin Water Supply (40000179)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3072, chapter 332, Laws of 2021.

Reappropriation:

State Building Construction Account—State	\$5,727,000
Prior Biennia (Expenditures)	\$31,187,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$36,914,000

NEW SECTION. Sec. 6419. FOR THE DEPARTMENT OF ECOLOGY

Zosel Dam Preservation (40000193)

Reappropriation:

State Building Construction Account—State	\$78,000
Prior Biennia (Expenditures)	\$139,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$217,000

NEW SECTION. Sec. 6420. FOR THE DEPARTMENT OF ECOLOGY

2019-21 Protect Investments in Cleanup Remedies (40000194)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 6032, chapter 332, Laws of 2021.

Reappropriation:

Model Toxics Control Capital Account—State	\$2,158,000
Prior Biennia (Expenditures)	\$6,046,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$8,204,000

NEW SECTION. Sec. 6421. FOR THE DEPARTMENT OF ECOLOGY

2019-21 Remedial Action Grants (40000211)

Reappropriation:

Model Toxics Control Capital Account—State	\$23,334,000
Prior Biennia (Expenditures)	\$25,548,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$48,882,000

NEW SECTION. Sec. 6422. FOR THE DEPARTMENT OF ECOLOGY

2020 Remedial Action Grants (40000288)

Reappropriation:

Model Toxics Control Capital Account—State	\$10,923,000
Prior Biennia (Expenditures)	\$21,733,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$32,656,000

NEW SECTION. Sec. 6423. FOR THE DEPARTMENT OF ECOLOGY

2021-23 ASARCO Everett Smelter Plume Cleanup (40000303)

Reappropriation:

Model Toxics Control Capital Account—State	\$9,973,000
Prior Biennia (Expenditures)	\$841,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$10,814,000

NEW SECTION. Sec. 6424. FOR THE DEPARTMENT OF ECOLOGY

2021-23 Remedial Action Grant Program (40000304)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3082, chapter 332, Laws of 2021.

Reappropriation:

Model Toxics Control Capital Account—State	\$60,730,000
Prior Biennia (Expenditures)	\$10,464,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$71,194,000

NEW SECTION. **Sec. 6425. FOR THE DEPARTMENT OF ECOLOGY**

2021-23 Stormwater Financial Assistance Program (40000336)

Reappropriation:

Model Toxics Control Stormwater Account—State	\$39,122,000
Prior Biennia (Expenditures)	\$35,878,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$75,000,000

NEW SECTION. **Sec. 6426. FOR THE DEPARTMENT OF ECOLOGY**

2021-23 Eastern Washington Clean Sites Initiative (40000340)

Reappropriation:

Model Toxics Control Capital Account—State	\$18,938,000
Prior Biennia (Expenditures)	\$1,882,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$20,820,000

NEW SECTION. **Sec. 6427. FOR THE DEPARTMENT OF ECOLOGY**

2021-23 Clean Up Toxic Sites - Puget Sound (40000346)

Reappropriation:

Model Toxics Control Capital Account—State	\$3,344,000
Prior Biennia (Expenditures)	\$2,464,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$5,808,000

NEW SECTION. **Sec. 6428. FOR THE DEPARTMENT OF ECOLOGY**

2021-23 Centennial Clean Water Program (40000359)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3089, chapter 332, Laws of 2021.

Reappropriation:

Model Toxics Control Capital Account—State	\$18,342,000
Prior Biennia (Expenditures)	\$21,658,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$40,000,000

NEW SECTION. **Sec. 6429. FOR THE DEPARTMENT OF ECOLOGY**

2021-23 Protect Investments in Cleanup Remedies (40000360)

Reappropriation:

Model Toxics Control Capital Account—State	\$7,778,000
Prior Biennia (Expenditures)	\$3,315,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$11,093,000

NEW SECTION. Sec. 6430. FOR THE DEPARTMENT OF ECOLOGY

2021-23 Reducing Toxic Wood Stove Emissions (40000371)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3091, chapter 332, Laws of 2021.

Reappropriation:

Model Toxics Control Capital Account—State	\$14,000
Prior Biennia (Expenditures)	\$2,986,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$3,000,000

NEW SECTION. Sec. 6431. FOR THE DEPARTMENT OF ECOLOGY

2021-23 Healthy Housing Remediation Program (40000378)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 7050, chapter 474, Laws of 2023.

Reappropriation:

Model Toxics Control Capital Account—State	\$2,080,000
Prior Biennia (Expenditures)	\$8,470,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$10,550,000

NEW SECTION. Sec. 6432. FOR THE DEPARTMENT OF ECOLOGY

2021-23 ASARCO Tacoma Smelter Plume Cleanup (40000386)

Reappropriation:

Cleanup Settlement Account—State	\$3,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$3,000,000

NEW SECTION. Sec. 6433. FOR THE DEPARTMENT OF ECOLOGY

2021-23 Chehalis Basin Strategy (40000387)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3096, chapter 332, Laws of 2021.

Reappropriation:

State Building Construction Account—State	\$24,930,000
Prior Biennia (Expenditures)	\$45,070,000

Future Biennia (Projected Costs).....	\$0
TOTAL	\$70,000,000

NEW SECTION. **Sec. 6434. FOR THE DEPARTMENT OF ECOLOGY**

2021-23 Coastal Wetlands Federal Funds (40000388)

Reappropriation:

General Fund—Federal	\$2,383,000
Prior Biennia (Expenditures).....	\$11,617,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$14,000,000

NEW SECTION. **Sec. 6435. FOR THE DEPARTMENT OF ECOLOGY**

2021-23 Floodplains by Design (40000389)

Reappropriation:

State Building Construction Account—State	\$15,264,000
Prior Biennia (Expenditures).....	\$35,644,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$50,908,000

NEW SECTION. **Sec. 6436. FOR THE DEPARTMENT OF ECOLOGY**

2021-23 Reducing Diesel GHG & Toxic Emissions (40000390)

Reappropriation:

Model Toxics Control Capital Account—State.....	\$2,236,000
Prior Biennia (Expenditures).....	\$12,764,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$15,000,000

NEW SECTION. **Sec. 6437. FOR THE DEPARTMENT OF ECOLOGY**

2021-23 Sunnyside Valley Irrigation District Water Conservation (40000391)

Reappropriation:

State Building Construction Account—State	\$3,903,000
Prior Biennia (Expenditures).....	\$378,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$4,281,000

NEW SECTION. **Sec. 6438. FOR THE DEPARTMENT OF ECOLOGY**

2021-23 Puget Sound Nutrient Reduction Grant Program (40000396)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3101, chapter 332, Laws of 2021.

Reappropriation:

State Building Construction Account—State	\$4,467,000
Prior Biennia (Expenditures).....	\$4,533,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$9,000,000

NEW SECTION. Sec. 6439. FOR THE DEPARTMENT OF ECOLOGY

2021-23 Streamflow Restoration Program (40000397)

Reappropriation:

Watershed Restoration and Enhancement Bond

Account—State \$30,369,000

Prior Biennia (Expenditures) \$9,631,000

Future Biennia (Projected Costs) \$0

TOTAL \$40,000,000

NEW SECTION. Sec. 6440. FOR THE DEPARTMENT OF ECOLOGY

2021-23 Columbia River Water Supply Development Program (40000399)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3103, chapter 332, Laws of 2021.

Reappropriation:

Columbia River Basin Water Supply Revenue

Recovery Account—State \$1,329,000

State Building Construction Account—State \$31,169,000

Subtotal Reappropriation \$32,498,000

Prior Biennia (Expenditures) \$12,502,000

Future Biennia (Projected Costs) \$0

TOTAL \$45,000,000

NEW SECTION. Sec. 6441. FOR THE DEPARTMENT OF ECOLOGY

2021-23 Yakima River Basin Water Supply (40000422)

Reappropriation:

State Building Construction Account—State \$15,270,000

Prior Biennia (Expenditures) \$26,730,000

Future Biennia (Projected Costs) \$0

TOTAL \$42,000,000

NEW SECTION. Sec. 6442. FOR THE DEPARTMENT OF ECOLOGY

2021-23 Product Replacement Program (40000436)

Reappropriation:

Model Toxics Control Capital Account—State \$1,224,000

Prior Biennia (Expenditures) \$5,276,000

Future Biennia (Projected Costs) \$0

TOTAL \$6,500,000

NEW SECTION. Sec. 6443. FOR THE DEPARTMENT OF ECOLOGY

Pacific Wood Treating Site Cleanup - Cleanup Settlement Account (40000464)

Reappropriation:

Cleanup Settlement Account—State \$2,006,000

Prior Biennia (Expenditures) \$320,000

Future Biennia (Projected Costs).....	\$0
TOTAL	\$2,326,000

NEW SECTION. **Sec. 6444. FOR THE DEPARTMENT OF ECOLOGY**

2022 Clean Up Toxic Sites - Puget Sound (40000465)

Reappropriation:

Model Toxics Control Capital Account—State	\$3,737,000
Prior Biennia (Expenditures)	\$263,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$4,000,000

NEW SECTION. **Sec. 6445. FOR THE DEPARTMENT OF ECOLOGY**

2022 Community-Based Public-Private Stormwater Partnership (40000470)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3008, chapter 296, Laws of 2022.

Reappropriation:

Model Toxics Control Stormwater Account—State	\$405,000
Prior Biennia (Expenditures)	\$595,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$1,000,000

NEW SECTION. **Sec. 6446. FOR THE DEPARTMENT OF ECOLOGY**

2022 Water Pollution Control Revolving Program (40000473)

Reappropriation:

Water Pollution Control Revolving Fund—State	\$194,063,000
Prior Biennia (Expenditures)	\$5,937,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$200,000,000

NEW SECTION. **Sec. 6447. FOR THE DEPARTMENT OF ECOLOGY**

2023-25 Reducing Diesel Greenhouse Gases (GHG) and Toxic Emissions (40000474)

Reappropriation:

Model Toxics Control Capital Account—State	\$13,036,000
Prior Biennia (Expenditures)	\$2,596,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$15,632,000

NEW SECTION. **Sec. 6448. FOR THE DEPARTMENT OF ECOLOGY**

2023-25 Coastal Wetlands Federal Funds (40000475)

Reappropriation:

General Fund—Federal	\$14,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs).....	\$0
TOTAL	\$14,000,000

NEW SECTION. Sec. 6449. FOR THE DEPARTMENT OF ECOLOGY

2023-25 Chehalis Basin Strategy (40000476)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3003, chapter 474, Laws of 2023.

Reappropriation:

State Building Construction Account—State	\$56,450,000
Prior Biennia (Expenditures)	\$13,550,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$70,000,000

NEW SECTION. Sec. 6450. FOR THE DEPARTMENT OF ECOLOGY

2023-25 Freshwater Aquatic Invasive Plants Grant Program (40000477)

Reappropriation:

Freshwater Aquatic Weeds Account—State	\$1,035,000
Prior Biennia (Expenditures)	\$665,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,700,000

NEW SECTION. Sec. 6451. FOR THE DEPARTMENT OF ECOLOGY

2023-25 Freshwater Algae Grant Program (40000478)

Reappropriation:

Aquatic Algae Control Account—State	\$542,000
Prior Biennia (Expenditures)	\$168,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$710,000

NEW SECTION. Sec. 6452. FOR THE DEPARTMENT OF ECOLOGY

2023-25 Reducing Toxic Wood Stove Emissions (40000479)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3006, chapter 474, Laws of 2023.

Reappropriation:

Model Toxics Control Capital Account—State	\$1,606,000
Prior Biennia (Expenditures)	\$2,538,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$4,144,000

NEW SECTION. Sec. 6453. FOR THE DEPARTMENT OF ECOLOGY

2023-25 Affordable Housing Cleanup Grant Program (40000480)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 7055 of this act.

Reappropriation:

Model Toxics Control Capital Account—State	\$8,683,000
Prior Biennia (Expenditures)	\$522,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$9,205,000

NEW SECTION. **Sec. 6454. FOR THE DEPARTMENT OF ECOLOGY**

2023-25 Product Replacement Program (40000486)

Reappropriation:

Model Toxics Control Capital Account—State	\$5,336,000
Prior Biennia (Expenditures)	\$1,164,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$6,500,000

NEW SECTION. **Sec. 6455. FOR THE DEPARTMENT OF ECOLOGY**

2023-25 Clean Up Toxic Sites - Puget Sound (40000487)

Reappropriation:

Model Toxics Control Capital Account—State	\$7,455,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$7,455,000

NEW SECTION. **Sec. 6456. FOR THE DEPARTMENT OF ECOLOGY**

2023-25 Remedial Action Grant Program (40000495)

Reappropriation:

Model Toxics Control Capital Account—State	\$112,943,000
Prior Biennia (Expenditures)	\$2,168,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$115,111,000

NEW SECTION. **Sec. 6457. FOR THE DEPARTMENT OF ECOLOGY**

2023-25 Protect Investments in Cleanup Remedies (40000526)

Reappropriation:

Model Toxics Control Capital Account—State	\$4,358,000
Prior Biennia (Expenditures)	\$92,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$4,450,000

NEW SECTION. **Sec. 6458. FOR THE DEPARTMENT OF ECOLOGY**

2023-25 ASARCO Everett Smelter Plume Cleanup (40000529)

Reappropriation:

Model Toxics Control Capital Account—State	\$7,178,000
Prior Biennia (Expenditures)	\$501,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$7,679,000

NEW SECTION. Sec. 6459. FOR THE DEPARTMENT OF ECOLOGY

2023-25 PFAS Contaminated Drinking Water (40000530)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3013, chapter 474, Laws of 2023.

Reappropriation:

Model Toxics Control Capital Account—State	\$7,807,000
State Building Construction Account—State	\$1,500,000
Subtotal Reappropriation	\$9,307,000
Prior Biennia (Expenditures)	\$50,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$9,357,000

NEW SECTION. Sec. 6460. FOR THE DEPARTMENT OF ECOLOGY

2023-25 Eastern Washington Clean Sites Initiative (40000533)

Reappropriation:

Model Toxics Control Capital Account—State	\$801,000
Prior Biennia (Expenditures)	\$149,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$950,000

NEW SECTION. Sec. 6461. FOR THE DEPARTMENT OF ECOLOGY

2023-25 Swift Creek Natural Asbestos Flood Control and Cleanup (40000538)

Reappropriation:

State Building Construction Account—State	\$2,000,000
Prior Biennia (Expenditures)	\$2,000,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$4,000,000

NEW SECTION. Sec. 6462. FOR THE DEPARTMENT OF ECOLOGY

2023-25 Stormwater Financial Assistance Program (40000539)

Reappropriation:

Model Toxics Control Stormwater Account—State	\$53,771,000
Prior Biennia (Expenditures)	\$14,229,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$68,000,000

NEW SECTION. Sec. 6463. FOR THE DEPARTMENT OF ECOLOGY

2023-25 Floodplains by Design (40000540)

Reappropriation:

Natural Climate Solutions Account—State	\$16,972,000
State Building Construction Account—State	\$47,320,000
Subtotal Reappropriation	\$64,292,000
Prior Biennia (Expenditures)	\$3,100,000

Future Biennia (Projected Costs).....	\$0
TOTAL	\$67,392,000

NEW SECTION. **Sec. 6464. FOR THE DEPARTMENT OF ECOLOGY**

2023-25 Sunnyside Valley Irrigation District Water Conservation (40000559)

Reappropriation:	
State Building Construction Account—State	\$3,246,000
Prior Biennia (Expenditures).....	\$0
Future Biennia (Projected Costs).....	\$0
TOTAL	\$3,246,000

NEW SECTION. **Sec. 6465. FOR THE DEPARTMENT OF ECOLOGY**

2023-25 Water Pollution Control Revolving Program (40000563)

Reappropriation:	
Water Pollution Control Revolving Fund—Federal	\$101,525,000
Water Pollution Control Revolving Fund—State	\$434,808,000
Subtotal Reappropriation	\$536,333,000
Prior Biennia (Expenditures).....	\$98,667,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$635,000,000

NEW SECTION. **Sec. 6466. FOR THE DEPARTMENT OF ECOLOGY**

2023-25 Streamflow Restoration Program (40000565)

Reappropriation:	
Watershed Restoration and Enhancement Bond Account—State	\$40,000,000
Prior Biennia (Expenditures).....	\$0
Future Biennia (Projected Costs).....	\$0
TOTAL	\$40,000,000

NEW SECTION. **Sec. 6467. FOR THE DEPARTMENT OF ECOLOGY**

2023-25 Sewer Overflow & Stormwater Reuse Municipal Grants Prog (40000567)

Reappropriation:	
General Fund—Federal	\$16,614,000
Prior Biennia (Expenditures).....	\$86,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$16,700,000

NEW SECTION. **Sec. 6468. FOR THE DEPARTMENT OF ECOLOGY**

2023-25 Waste Tire Pile Cleanup and Prevention (40000568)

Reappropriation:	
Waste Tire Removal Account—State	\$233,000
Prior Biennia (Expenditures).....	\$767,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$1,000,000

NEW SECTION. Sec. 6469. FOR THE DEPARTMENT OF ECOLOGY

2023-25 Stormwater Public Private Partnerships (40000569)

Reappropriation:

Model Toxics Control Stormwater Account—State	\$2,935,000
Prior Biennia (Expenditures)	\$65,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$3,000,000

NEW SECTION. Sec. 6470. FOR THE DEPARTMENT OF ECOLOGY

Elevator Restorations at Ecology Facilities (40000570)

Reappropriation:

State Building Construction Account—State	\$1,728,000
Prior Biennia (Expenditures)	\$7,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,735,000

NEW SECTION. Sec. 6471. FOR THE DEPARTMENT OF ECOLOGY

2023-25 Centennial Clean Water Program (40000571)

Reappropriation:

Model Toxics Control Capital Account—State	\$36,305,000
Prior Biennia (Expenditures)	\$3,695,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$40,000,000

NEW SECTION. Sec. 6472. FOR THE DEPARTMENT OF ECOLOGY

2023-25 Yakima River Basin Water Supply (40000572)

Reappropriation:

State Building Construction Account—State	\$44,368,000
Prior Biennia (Expenditures)	\$4,632,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$49,000,000

NEW SECTION. Sec. 6473. FOR THE DEPARTMENT OF ECOLOGY

2023-25 Columbia River Water Supply Development Program (40000583)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3001, chapter 375, Laws of 2024.

Reappropriation:

Columbia River Basin Water Supply Revenue	
Recovery Account—State	\$1,500,000
State Building Construction Account—State	\$60,759,000
Subtotal Reappropriation	\$62,259,000
Prior Biennia (Expenditures)	\$3,941,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$66,200,000

NEW SECTION. **Sec. 6474. FOR THE DEPARTMENT OF ECOLOGY**

2023-25 Zosel Dam Preservation (40000605)

Reappropriation:

State Building Construction Account—State	\$5,205,000
Prior Biennia (Expenditures)	\$344,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$5,549,000

NEW SECTION. **Sec. 6475. FOR THE DEPARTMENT OF ECOLOGY**

Improving Air Quality in Overburdened Communities Initiative (40000606)

Reappropriation:

Air Quality and Health Disparities Improvement	
Account—State	\$20,646,000
Prior Biennia (Expenditures)	\$754,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$21,400,000

NEW SECTION. **Sec. 6476. FOR THE DEPARTMENT OF ECOLOGY**

Landfill Methane Capture (40000611)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 7056 of this act.

Reappropriation:

Climate Commitment Account—State	\$9,697,000
Prior Biennia (Expenditures)	\$403,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$10,100,000

NEW SECTION. **Sec. 6477. FOR THE DEPARTMENT OF ECOLOGY**

Padilla Bay Samish Conservation Area (40000612)

Reappropriation:

General Fund—Federal	\$113,000
Prior Biennia (Expenditures)	\$2,220,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,333,000

NEW SECTION. **Sec. 6478. FOR THE DEPARTMENT OF ECOLOGY**

Cleanup Settlement Account Projects (40000613)

Reappropriation:

Cleanup Settlement Account—State	\$1,687,000
Prior Biennia (Expenditures)	\$513,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,200,000

NEW SECTION. Sec. 6479. FOR THE DEPARTMENT OF ECOLOGY

Lower Issaquah Valley PFAS Cleanup (40000618)

Reappropriation:

Model Toxics Control Capital Account—State	\$2,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,000,000

NEW SECTION. Sec. 6480. FOR THE DEPARTMENT OF ECOLOGY

State Parks Relocation to Ecology Headquarters Building (40000718)

Reappropriation:

State Building Construction Account—State	\$1,618,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,618,000

NEW SECTION. Sec. 6481. FOR THE DEPARTMENT OF ECOLOGY

Skagit Water (91000347)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 6326, chapter 474, Laws of 2023.

Reappropriation:

State Building Construction Account—State	\$1,521,000
Prior Biennia (Expenditures)	\$979,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,500,000

NEW SECTION. Sec. 6482. FOR THE DEPARTMENT OF ECOLOGY

2021-23 Water Banking (91000373)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 6027, chapter 375, Laws of 2024.

Reappropriation:

State Building Construction Account—State	\$3,707,000
State Drought Preparedness and Response Account—	
State	\$8,606,000
Subtotal Reappropriation	\$12,313,000
Prior Biennia (Expenditures)	\$1,687,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$14,000,000

NEW SECTION. Sec. 6483. FOR THE DEPARTMENT OF ECOLOGY

PSCAA Ultra-fine Particle Monitoring (91000378)

Reappropriation:

Air Quality and Health Disparities Improvement	
Account—State	\$29,000
Prior Biennia (Expenditures)	\$371,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$400,000

NEW SECTION. **Sec. 6484. FOR THE DEPARTMENT OF ECOLOGY**

DDT Soil Remediation Pilot (91000383)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3038, chapter 474, Laws of 2023.

Reappropriation:

Model Toxics Control Capital Account—State	\$4,548,000
Prior Biennia (Expenditures)	\$452,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$5,000,000

NEW SECTION. **Sec. 6485. FOR THE DEPARTMENT OF ECOLOGY**

City of Ruston Contamination Remediation (91000390)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3005, chapter 375, Laws of 2024.

Reappropriation:

Model Toxics Control Capital Account—State	\$1,003,000
Prior Biennia (Expenditures)	\$106,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,109,000

NEW SECTION. **Sec. 6486. FOR THE DEPARTMENT OF ECOLOGY**

Storm Water Improvements (92000076)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3016, chapter 35, Laws of 2016 1st sp. sess.

Reappropriation:

State Building Construction Account—State	\$8,802,000
Prior Biennia (Expenditures)	\$88,164,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$96,966,000

NEW SECTION. **Sec. 6487. FOR THE DEPARTMENT OF ECOLOGY**

Drought Response (92000142)

Reappropriation:

State Drought Preparedness and Response Account—

State	\$808,000
Prior Biennia (Expenditures)	\$5,915,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$6,723,000

NEW SECTION. Sec. 6488. FOR THE DEPARTMENT OF ECOLOGY

2022 Stormwater Projects (92000195)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3011, chapter 296, Laws of 2022.

Reappropriation:

Model Toxics Control Stormwater Account—State	\$4,855,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$4,855,000

NEW SECTION. Sec. 6489. FOR THE DEPARTMENT OF ECOLOGY

2023-25 Drought Response (92000205)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3037, chapter 474, Laws of 2023.

Reappropriation:

State Building Construction Account—State	\$2,720,000
Prior Biennia (Expenditures)	\$280,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$3,000,000

NEW SECTION. Sec. 6490. FOR THE WASHINGTON POLLUTION LIABILITY INSURANCE PROGRAM

Underground Storage Tank Capital Program Demonstration and Design (30000001)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3085, chapter 3, Laws of 2015 3rd sp. sess.

Reappropriation:

Pollution Liability Insurance Program Trust

Account—State	\$206,000
Prior Biennia (Expenditures)	\$1,594,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,800,000

NEW SECTION. Sec. 6491. FOR THE WASHINGTON POLLUTION LIABILITY INSURANCE PROGRAM

Underground Storage Tank Capital Financial Assistance Program (30000002)
Reappropriation:

Pollution Liability Insurance Agency Underground	
Storage Tank Revolving Account—State	\$3,603,000
Prior Biennia (Expenditures)	\$6,397,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$10,000,000

NEW SECTION. Sec. 6492. FOR THE WASHINGTON POLLUTION LIABILITY INSURANCE PROGRAM

Underground Storage Tank Capital Financing Assistance Pgm 2019-21 (30000702)
Reappropriation:

Pollution Liability Insurance Agency Underground	
Storage Tank Revolving Account—State	\$10,645,000
Prior Biennia (Expenditures)	\$1,855,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$12,500,000

NEW SECTION. Sec. 6493. FOR THE WASHINGTON POLLUTION LIABILITY INSURANCE PROGRAM

2021-23 Underground Storage Tank Capital Financial Assistance Pgm (30000705)
Reappropriation:

Pollution Liability Insurance Agency Underground	
Storage Tank Revolving Account—State	\$6,623,000
Prior Biennia (Expenditures)	\$444,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$7,067,000

NEW SECTION. Sec. 6494. FOR THE WASHINGTON POLLUTION LIABILITY INSURANCE PROGRAM

2023-25 Underground Storage Tank Capital Financial Assistance Pgm (40000002)
Reappropriation:

Pollution Liability Insurance Agency Underground	
Storage Tank Revolving Account—State	\$6,561,000
Prior Biennia (Expenditures)	\$439,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$7,000,000

NEW SECTION. Sec. 6495. FOR THE WASHINGTON POLLUTION LIABILITY INSURANCE PROGRAM

2023-25 Heating Oil Capital Financing Assistance Program (40000003)
Reappropriation:

Pollution Liability Insurance Agency Underground	
Storage Tank Revolving Account—State	\$7,465,000
Prior Biennia (Expenditures)	\$535,000

Future Biennia (Projected Costs).....	\$0
TOTAL	\$8,000,000

NEW SECTION. Sec. 6496. FOR THE WASHINGTON POLLUTION LIABILITY INSURANCE PROGRAM

Underground Storage Tank Capital Financial Assistance Pgm 2017-19 (92000001)

Reappropriation:

Pollution Liability Insurance Agency Underground Storage Tank Revolving Account—State	\$7,883,000
Prior Biennia (Expenditures).....	\$4,817,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$12,700,000

NEW SECTION. Sec. 6497. FOR THE STATE PARKS AND RECREATION COMMISSION

Fort Flagler - Welcome Center Replacement (30000097)

Reappropriation:

State Building Construction Account—State	\$967,000
Prior Biennia (Expenditures).....	\$479,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$1,446,000

NEW SECTION. Sec. 6498. FOR THE STATE PARKS AND RECREATION COMMISSION

Sun Lakes State Park: Dry Falls Campground Renovation (30000305)

Reappropriation:

State Building Construction Account—State	\$262,000
Prior Biennia (Expenditures).....	\$140,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$402,000

NEW SECTION. Sec. 6499. FOR THE STATE PARKS AND RECREATION COMMISSION

Lake Chelan State Park Moorage Dock Pile Replacement (30000416)

Reappropriation:

State Building Construction Account—State	\$240,000
Prior Biennia (Expenditures).....	\$2,076,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$2,316,000

NEW SECTION. Sec. 6500. FOR THE STATE PARKS AND RECREATION COMMISSION

Kopachuck Day Use Development (30000820)

Reappropriation:

State Building Construction Account—State	\$3,539,000
Prior Biennia (Expenditures).....	\$4,469,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$8,008,000

NEW SECTION. Sec. 6501. FOR THE STATE PARKS AND RECREATION COMMISSION

Mount Spokane - Maintenance Facility Relocation from Harms Way (30000959)

Reappropriation:

State Building Construction Account—State	\$443,000
Prior Biennia (Expenditures)	\$2,338,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,781,000

NEW SECTION. Sec. 6502. FOR THE STATE PARKS AND RECREATION COMMISSION

Palouse Falls Day Use Area Renovation (30000983)

Reappropriation:

State Building Construction Account—State	\$204,000
Prior Biennia (Expenditures)	\$16,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$220,000

NEW SECTION. Sec. 6503. FOR THE STATE PARKS AND RECREATION COMMISSION

Statewide New Park (30001019)

Reappropriation:

State Building Construction Account—State	\$47,000
Prior Biennia (Expenditures)	\$266,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$313,000

NEW SECTION. Sec. 6504. FOR THE STATE PARKS AND RECREATION COMMISSION

Statewide Electric Vehicle Charging Stations (40000016)

Reappropriation:

State Building Construction Account—State	\$86,000
Prior Biennia (Expenditures)	\$114,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$200,000

NEW SECTION. Sec. 6505. FOR THE STATE PARKS AND RECREATION COMMISSION

Saltwater - Green Vision Project (40000053)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3045, chapter 474, Laws of 2023.

Reappropriation:

State Building Construction Account—State	\$450,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$450,000

NEW SECTION. Sec. 6506. FOR THE STATE PARKS AND RECREATION COMMISSION

Preservation Minor Works 2019-21 (40000151)

Reappropriation:

State Building Construction Account—State	\$271,000
Prior Biennia (Expenditures)	\$4,176,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$4,447,000

NEW SECTION. Sec. 6507. FOR THE STATE PARKS AND RECREATION COMMISSION

Nisqually New Full Service Park (40000153)

Reappropriation:

State Building Construction Account—State	\$30,682,000
Prior Biennia (Expenditures)	\$9,628,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$40,310,000

NEW SECTION. Sec. 6508. FOR THE STATE PARKS AND RECREATION COMMISSION

Fort Ebey Replace Campground Restroom (40000186)

Reappropriation:

State Building Construction Account—State	\$128,000
Prior Biennia (Expenditures)	\$142,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$270,000

NEW SECTION. Sec. 6509. FOR THE STATE PARKS AND RECREATION COMMISSION

Fort Flagler Historic Theater Restoration (40000188)

Reappropriation:

State Building Construction Account—State	\$1,384,000
Prior Biennia (Expenditures)	\$179,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,563,000

NEW SECTION. Sec. 6510. FOR THE STATE PARKS AND RECREATION COMMISSION

Saint Edward Maintenance Facility (40000218)

Reappropriation:

State Building Construction Account—State	\$2,297,000
Prior Biennia (Expenditures)	\$227,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,524,000

NEW SECTION. Sec. 6511. FOR THE STATE PARKS AND RECREATION COMMISSION

Minor Works - Preservation 2021-23 (40000364)

Reappropriation:

State Building Construction Account—State	\$3,764,000
Prior Biennia (Expenditures)	\$3,236,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$7,000,000

NEW SECTION. Sec. 6512. FOR THE STATE PARKS AND RECREATION COMMISSION

Minor Works - Program 2021-23 (40000365)

Reappropriation:

State Building Construction Account—State	\$1,067,000
Prior Biennia (Expenditures)	\$869,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,936,000

NEW SECTION. Sec. 6513. FOR THE STATE PARKS AND RECREATION COMMISSION

Palouse to Cascades Trail - Trail Structure Repairs (40000438)

Reappropriation:

State Building Construction Account—State	\$1,196,000
Prior Biennia (Expenditures)	\$65,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,261,000

NEW SECTION. Sec. 6514. FOR THE STATE PARKS AND RECREATION COMMISSION

Fort Worden Geothermal Heating (40000457)

Reappropriation:

Climate Commitment Account—State	\$1,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,000,000

NEW SECTION. Sec. 6515. FOR THE STATE PARKS AND RECREATION COMMISSION

Lake Sammamish Dock Design & Permitting (40000461)

Reappropriation:

State Building Construction Account—State	\$250,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$250,000

NEW SECTION. Sec. 6516. FOR THE STATE PARKS AND RECREATION COMMISSION

Anderson Lake - New Day Use Facilities and Trail Development (91000441)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3023, chapter 296, Laws of 2022.

Reappropriation:

State Building Construction Account—State	\$80,000
Prior Biennia (Expenditures)	\$255,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$335,000

NEW SECTION. Sec. 6517. FOR THE STATE PARKS AND RECREATION COMMISSION

2023-25 Capital Preservation Pool (91000443)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3009, chapter 375, Laws of 2024.

Reappropriation:

State Building Construction Account—State	\$11,928,000
Prior Biennia (Expenditures)	\$8,454,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$20,382,000

NEW SECTION. Sec. 6518. FOR THE STATE PARKS AND RECREATION COMMISSION

State Parks Capital Preservation Pool (92000014)

The reappropriation in this section is subject to the following conditions and limitations:

(1) The reappropriation is subject to the provisions of section 3162, chapter 413, Laws of 2019.

(2) \$2,907,000 of the reappropriation is provided solely for Steptoe Butte road improvements. Within amounts reappropriated, the commission must work with local tribes to ensure adequate ADA-accessible comfort station access is provided for visitor use in the park.

Reappropriation:

State Building Construction Account—State	\$5,043,000
Prior Biennia (Expenditures)	\$24,922,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$29,965,000

NEW SECTION. Sec. 6519. FOR THE STATE PARKS AND RECREATION COMMISSION

2021-23 State Parks Capital Preservation Pool (92000017)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3025, chapter 296, Laws of 2022.

Reappropriation:

State Building Construction Account—State	\$13,645,000
Prior Biennia (Expenditures)	\$26,434,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$40,079,000

NEW SECTION. Sec. 6520. FOR THE STATE PARKS AND RECREATION COMMISSION

Enhancement of Puget Sound Pump Out Facilities (92001127)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3053, chapter 474, Laws of 2023.

Reappropriation:

State Building Construction Account—State	\$758,000
Prior Biennia (Expenditures)	\$242,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,000,000

NEW SECTION. Sec. 6521. FOR THE STATE PARKS AND RECREATION COMMISSION

2023-25 State Parks Capital Projects Pool (92001128)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3054, chapter 474, Laws of 2023.

Reappropriation:

Natural Climate Solutions Account—State	\$975,000
State Building Construction Account—State	\$19,519,000
Subtotal Reappropriation	\$20,494,000
Prior Biennia (Expenditures)	\$4,429,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$24,923,000

NEW SECTION. Sec. 6522. FOR THE RECREATION AND CONSERVATION OFFICE

Washington Wildlife Recreation Grants (30000220)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3029, chapter 296, Laws of 2022.

Reappropriation:

Farm and Forest Account—State	\$962,000
Habitat Conservation Account—State	\$660,000
Outdoor Recreation Account—State	\$1,373,000
Riparian Protection Account—State	\$117,000
Subtotal Reappropriation	\$3,112,000
Prior Biennia (Expenditures)	\$52,211,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$55,323,000

NEW SECTION. Sec. 6523. FOR THE RECREATION AND CONSERVATION OFFICE

Salmon Recovery Funding Board Programs (30000221)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 6361, chapter 474, Laws of 2023.

Reappropriation:

General Fund—Federal	\$4,100,000
State Building Construction Account—State	\$1,042,000
Subtotal Reappropriation	\$5,142,000
Prior Biennia (Expenditures)	\$61,203,000

Future Biennia (Projected Costs).....	\$0
TOTAL	\$66,345,000

NEW SECTION. Sec. 6524. FOR THE RECREATION AND CONSERVATION OFFICE

Recreational Trails Program (30000229)

Reappropriation:

General Fund—Federal	\$418,000
Prior Biennia (Expenditures).....	\$4,169,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$4,587,000

NEW SECTION. Sec. 6525. FOR THE RECREATION AND CONSERVATION OFFICE

Salmon Recovery Funding Board Programs (30000408)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3070, chapter 2, Laws of 2018.

Reappropriation:

General Fund—Federal	\$15,859,000
State Building Construction Account—State	\$967,000
Subtotal Reappropriation	\$16,826,000
Prior Biennia (Expenditures).....	\$49,387,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$66,213,000

NEW SECTION. Sec. 6526. FOR THE RECREATION AND CONSERVATION OFFICE

2017-19 Washington Wildlife Recreation Grants (30000409)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3034, chapter 296, Laws of 2022.

Reappropriation:

Farm and Forest Account—State.....	\$3,829,000
Habitat Conservation Account—State.....	\$4,889,000
Outdoor Recreation Account—State.....	\$3,529,000
Subtotal Reappropriation	\$12,247,000
Prior Biennia (Expenditures).....	\$67,753,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$80,000,000

NEW SECTION. Sec. 6527. FOR THE RECREATION AND CONSERVATION OFFICE

Boating Facilities Program (30000410)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3072, chapter 2, Laws of 2018.

Reappropriation:

Recreation Resources Account—State	\$2,272,000
Prior Biennia (Expenditures)	\$12,753,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$15,025,000

NEW SECTION. **Sec. 6528. FOR THE RECREATION AND CONSERVATION OFFICE**

Nonhighway Off-Road Vehicle Activities (30000411)

Reappropriation:

NOVA Program Account—State	\$2,227,000
Prior Biennia (Expenditures)	\$10,968,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$13,195,000

NEW SECTION. **Sec. 6529. FOR THE RECREATION AND CONSERVATION OFFICE**

Youth Athletic Facilities (30000412)

Reappropriation:

State Building Construction Account—State	\$501,000
Prior Biennia (Expenditures)	\$3,576,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$4,077,000

NEW SECTION. **Sec. 6530. FOR THE RECREATION AND CONSERVATION OFFICE**

Aquatic Lands Enhancement Account (30000413)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3037, chapter 296, Laws of 2022.

Reappropriation:

Aquatic Lands Enhancement Account—State	\$508,000
State Building Construction Account—State	\$1,613,000
Subtotal Reappropriation	\$2,121,000
Prior Biennia (Expenditures)	\$10,164,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$12,285,000

NEW SECTION. **Sec. 6531. FOR THE RECREATION AND CONSERVATION OFFICE**

Puget Sound Acquisition and Restoration (30000414)

Reappropriation:

State Building Construction Account—State	\$2,612,000
Prior Biennia (Expenditures)	\$37,388,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$40,000,000

NEW SECTION. **Sec. 6532. FOR THE RECREATION AND CONSERVATION OFFICE**

Puget Sound Estuary and Salmon Restoration Program (30000415)

Reappropriation:

State Building Construction Account—State	\$847,000
Prior Biennia (Expenditures)	\$7,153,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$8,000,000

NEW SECTION. Sec. 6533. FOR THE RECREATION AND CONSERVATION OFFICE

Firearms and Archery Range Recreation (30000416)

Reappropriation:

Firearms Range Account—State	\$390,000
Prior Biennia (Expenditures)	\$423,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$813,000

NEW SECTION. Sec. 6534. FOR THE RECREATION AND CONSERVATION OFFICE

Washington Coastal Restoration Initiative (30000420)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3082, chapter 2, Laws of 2018.

Reappropriation:

State Building Construction Account—State	\$958,000
Prior Biennia (Expenditures)	\$11,542,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$12,500,000

NEW SECTION. Sec. 6535. FOR THE RECREATION AND CONSERVATION OFFICE

Family Forest Fish Passage Program (40000001)

Reappropriation:

State Building Construction Account—State	\$97,000
Prior Biennia (Expenditures)	\$4,903,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$5,000,000

NEW SECTION. Sec. 6536. FOR THE RECREATION AND CONSERVATION OFFICE

2019-21 - Washington Wildlife Recreation Grants (40000002)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3200, chapter 413, Laws of 2019.

Reappropriation:

Farm and Forest Account—State	\$3,926,000
Habitat Conservation Account—State	\$11,893,000
Outdoor Recreation Account—State	\$5,297,000
Subtotal Reappropriation	\$21,116,000
Prior Biennia (Expenditures)	\$63,884,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$85,000,000

NEW SECTION. Sec. 6537. FOR THE RECREATION AND CONSERVATION OFFICE

2019-21 - Salmon Recovery Funding Board Programs (40000004)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3201, chapter 413, Laws of 2019.

Reappropriation:

General Fund—Federal	\$3,743,000
State Building Construction Account—State	\$4,367,000
Subtotal Reappropriation	\$8,110,000
Prior Biennia (Expenditures)	\$66,890,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$75,000,000

NEW SECTION. Sec. 6538. FOR THE RECREATION AND CONSERVATION OFFICE

2019-21 - Boating Facilities Program (40000005)

Reappropriation:

Recreation Resources Account—State	\$5,848,000
Prior Biennia (Expenditures)	\$12,024,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$17,872,000

NEW SECTION. Sec. 6539. FOR THE RECREATION AND CONSERVATION OFFICE

2019-21 - Nonhighway Off-Road Vehicle Activities (40000006)

Reappropriation:

NOVA Program Account—State	\$1,210,000
Prior Biennia (Expenditures)	\$10,201,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$11,411,000

NEW SECTION. Sec. 6540. FOR THE RECREATION AND CONSERVATION OFFICE

2019-21 - Youth Athletic Facilities (40000007)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3041, chapter 296, Laws of 2022.

Reappropriation:

State Building Construction Account—State	\$2,405,000
Prior Biennia (Expenditures)	\$9,595,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$12,000,000

NEW SECTION. Sec. 6541. FOR THE RECREATION AND CONSERVATION OFFICE

2019-21 - Aquatic Lands Enhancement Account (40000008)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3202, chapter 332, Laws of 2021.

Reappropriation:

State Building Construction Account—State	\$1,429,000
Prior Biennia (Expenditures)	\$5,171,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$6,600,000

NEW SECTION. Sec. 6542. FOR THE RECREATION AND CONSERVATION OFFICE

2019-21 - Puget Sound Acquisition and Restoration (40000009)

Reappropriation:

State Building Construction Account—State	\$5,240,000
Prior Biennia (Expenditures)	\$44,267,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$49,507,000

NEW SECTION. Sec. 6543. FOR THE RECREATION AND CONSERVATION OFFICE

2019-21 - Puget Sound Estuary and Salmon Restoration Program (40000010)

Reappropriation:

State Building Construction Account—State	\$1,051,000
Prior Biennia (Expenditures)	\$8,949,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$10,000,000

NEW SECTION. Sec. 6544. FOR THE RECREATION AND CONSERVATION OFFICE

2019-21 - Washington Coastal Restoration Initiative (40000011)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3208, chapter 413, Laws of 2019.

Reappropriation:

State Building Construction Account—State	\$567,000
Prior Biennia (Expenditures)	\$11,519,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$12,086,000

NEW SECTION. Sec. 6545. FOR THE RECREATION AND CONSERVATION OFFICE

2019-21 - Brian Abbott Fish Barrier Removal Board (40000012)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3209, chapter 413, Laws of 2019.

Reappropriation:

State Building Construction Account—State	\$2,715,000
Prior Biennia (Expenditures)	\$23,776,000

Future Biennia (Projected Costs).....	\$0
TOTAL	\$26,491,000

NEW SECTION. Sec. 6546. FOR THE RECREATION AND CONSERVATION OFFICE

2019-21 - Recreational Trails Program (40000014)

Reappropriation:

General Fund—Federal	\$805,000
Prior Biennia (Expenditures).....	\$4,195,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$5,000,000

NEW SECTION. Sec. 6547. FOR THE RECREATION AND CONSERVATION OFFICE

2019-21 - Land and Water Conservation Fund (40000016)

Reappropriation:

General Fund—Federal	\$1,843,000
Prior Biennia (Expenditures).....	\$4,157,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$6,000,000

NEW SECTION. Sec. 6548. FOR THE RECREATION AND CONSERVATION OFFICE

2019-21 Family Forest Fish Passage Program (40000017)

Reappropriation:

State Building Construction Account—State	\$119,000
Prior Biennia (Expenditures).....	\$4,881,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$5,000,000

NEW SECTION. Sec. 6549. FOR THE RECREATION AND CONSERVATION OFFICE

2021-23 - Washington Wildlife Recreation Grants (40000019)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3213, chapter 332, Laws of 2021.

Reappropriation:

Farm and Forest Account—State.....	\$7,841,000
Habitat Conservation Account—State.....	\$25,215,000
Outdoor Recreation Account—State.....	\$19,700,000
Subtotal Reappropriation	\$52,756,000
Prior Biennia (Expenditures).....	\$47,244,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$100,000,000

NEW SECTION. Sec. 6550. FOR THE RECREATION AND CONSERVATION OFFICE

2021-23 - Salmon Recovery Funding Board Programs (40000021)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3042, chapter 296, Laws of 2022.

Reappropriation:

General Fund—Federal	\$33,777,000
State Building Construction Account—State	\$12,183,000
Subtotal Reappropriation	\$45,960,000
Prior Biennia (Expenditures)	\$49,040,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$95,000,000

NEW SECTION. Sec. 6551. FOR THE RECREATION AND CONSERVATION OFFICE

2021-23 - Boating Facilities Program (40000023)

Reappropriation:

Recreation Resources Account—State	\$7,796,000
Prior Biennia (Expenditures)	\$7,154,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$14,950,000

NEW SECTION. Sec. 6552. FOR THE RECREATION AND CONSERVATION OFFICE

2021-23 - Nonhighway Off-Road Vehicle Activities (40000025)

Reappropriation:

NOVA Program Account—State	\$2,648,000
Prior Biennia (Expenditures)	\$7,352,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$10,000,000

NEW SECTION. Sec. 6553. FOR THE RECREATION AND CONSERVATION OFFICE

2021-23 - Youth Athletic Facilities (40000027)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3217, chapter 332, Laws of 2021.

Reappropriation:

State Building Construction Account—State	\$4,376,000
Prior Biennia (Expenditures)	\$6,851,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$11,227,000

NEW SECTION. Sec. 6554. FOR THE RECREATION AND CONSERVATION OFFICE

2021-23 - Aquatic Lands Enhancement Account (40000029)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3048, chapter 296, Laws of 2022.

Reappropriation:

Aquatic Lands Enhancement Account—State	\$126,000
State Building Construction Account—State	\$4,733,000
Subtotal Reappropriation	\$4,859,000
Prior Biennia (Expenditures)	\$4,659,000

Future Biennia (Projected Costs).....	\$0
TOTAL	\$9,518,000

NEW SECTION. Sec. 6555. FOR THE RECREATION AND CONSERVATION OFFICE

2021-23 - Puget Sound Acquisition and Restoration (40000031)

Reappropriation:

State Building Construction Account—State	\$28,980,000
Prior Biennia (Expenditures).....	\$23,827,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$52,807,000

NEW SECTION. Sec. 6556. FOR THE RECREATION AND CONSERVATION OFFICE

2021-23 - Washington Coastal Restoration Initiative (40000033)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3220, chapter 332, Laws of 2021.

Reappropriation:

State Building Construction Account—State	\$1,627,000
Prior Biennia (Expenditures).....	\$8,686,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$10,313,000

NEW SECTION. Sec. 6557. FOR THE RECREATION AND CONSERVATION OFFICE

2021-23 - Brian Abbott Fish Barrier Removal Board (40000035)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3043, chapter 296, Laws of 2022.

Reappropriation:

State Building Construction Account—State	\$12,684,000
Prior Biennia (Expenditures).....	\$14,111,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$26,795,000

NEW SECTION. Sec. 6558. FOR THE RECREATION AND CONSERVATION OFFICE

2021-23 - Recreational Trails Program (40000039)

Reappropriation:

General Fund—Federal	\$2,198,000
Prior Biennia (Expenditures).....	\$2,802,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$5,000,000

NEW SECTION. Sec. 6559. FOR THE RECREATION AND CONSERVATION OFFICE

2021-23 - Boating Infrastructure Grants (40000041)

Reappropriation:

General Fund—Federal	\$1,939,000
Prior Biennia (Expenditures)	\$261,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,200,000

NEW SECTION. Sec. 6560. FOR THE RECREATION AND CONSERVATION OFFICE

2021-23 - Land and Water Conservation Fund (40000043)

Reappropriation:

General Fund—Federal	\$8,432,000
Prior Biennia (Expenditures)	\$11,568,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$20,000,000

NEW SECTION. Sec. 6561. FOR THE RECREATION AND CONSERVATION OFFICE

2021-23 - Puget Sound Estuary and Salmon Restoration Program (40000045)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3226, chapter 332, Laws of 2021.

Reappropriation:

State Building Construction Account—State	\$4,175,000
Prior Biennia (Expenditures)	\$11,533,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$15,708,000

NEW SECTION. Sec. 6562. FOR THE RECREATION AND CONSERVATION OFFICE

2021-23 - Community Forest Grant Program (40000047)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3227, chapter 332, Laws of 2021.

Reappropriation:

State Building Construction Account—State	\$3,382,000
Prior Biennia (Expenditures)	\$12,917,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$16,299,000

NEW SECTION. Sec. 6563. FOR THE RECREATION AND CONSERVATION OFFICE

2021-23 - Outdoor Recreation Equity (40000049)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3203, chapter 332, Laws of 2021.

Reappropriation:

State Building Construction Account—State	\$643,000
Prior Biennia (Expenditures)	\$3,357,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$4,000,000

NEW SECTION. **Sec. 6564. FOR THE RECREATION AND CONSERVATION OFFICE**

2023-25 Washington Wildlife Recreation Program (40000053)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3018, chapter 375, Laws of 2024.

Reappropriation:

Farm and Forest Account—State	\$8,592,000
Habitat Conservation Account—State	\$49,418,000
Outdoor Recreation Account—State	\$41,600,000
Subtotal Reappropriation	\$99,610,000
Prior Biennia (Expenditures)	\$20,390,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$120,000,000

NEW SECTION. **Sec. 6565. FOR THE RECREATION AND CONSERVATION OFFICE**

2023-25 Salmon Recovery Funding Board Grant Programs (40000054)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3012, chapter 375, Laws of 2024.

Reappropriation:

General Fund—Federal	\$67,466,000
Natural Climate Solutions Account—State	\$25,000,000
State Building Construction Account—State	\$14,976,000
Subtotal Reappropriation	\$107,442,000
Prior Biennia (Expenditures)	\$12,558,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$120,000,000

NEW SECTION. **Sec. 6566. FOR THE RECREATION AND CONSERVATION OFFICE**

2023-25 Boating Facilities Program (40000055)

Reappropriation:

Recreation Resources Account—State	\$8,851,000
Prior Biennia (Expenditures)	\$4,949,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$13,800,000

NEW SECTION. **Sec. 6567. FOR THE RECREATION AND CONSERVATION OFFICE**

2023-25 Nonhighway and Off-Road Vehicle Activities (40000056)

Reappropriation:

NOVA Program Account—State	\$10,303,000
Prior Biennia (Expenditures)	\$1,760,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$12,063,000

NEW SECTION. Sec. 6568. FOR THE RECREATION AND CONSERVATION OFFICE

2023-25 Firearms and Archery Range Recreation (40000057)

Reappropriation:

Firearms Range Account—State	\$714,000
Prior Biennia (Expenditures)	\$126,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$840,000

NEW SECTION. Sec. 6569. FOR THE RECREATION AND CONSERVATION OFFICE

2023-25 Youth Athletics Facilities (40000058)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3017, chapter 375, Laws of 2024.

Reappropriation:

Youth Athletic Facility Nonappropriated Account— State	\$8,521,000
Prior Biennia (Expenditures)	\$1,919,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$10,440,000

NEW SECTION. Sec. 6570. FOR THE RECREATION AND CONSERVATION OFFICE

2023-25 Aquatic Lands Enhancement Account (40000059)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3061, chapter 474, Laws of 2023.

Reappropriation:

Aquatic Lands Enhancement Account—State	\$3,242,000
State Building Construction Account—State	\$2,308,000
Subtotal Reappropriation	\$5,550,000
Prior Biennia (Expenditures)	\$308,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$5,858,000

NEW SECTION. Sec. 6571. FOR THE RECREATION AND CONSERVATION OFFICE

2023-25 Community Forest Grant Program (40000060)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3013, chapter 375, Laws of 2024.

Reappropriation:

Natural Climate Solutions Account—State	\$5,770,000
State Building Construction Account—State	\$4,411,000
Subtotal Reappropriation	\$10,181,000
Prior Biennia (Expenditures)	\$3,396,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$13,577,000

NEW SECTION. **Sec. 6572. FOR THE RECREATION AND CONSERVATION OFFICE**

2023-25 Puget Sound Acquisition and Restoration (40000061)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3063, chapter 474, Laws of 2023.

Reappropriation:

Natural Climate Solutions Account—State	\$10,115,000
State Building Construction Account—State	\$27,812,000
Subtotal Reappropriation	\$37,927,000
Prior Biennia (Expenditures)	\$21,238,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$59,165,000

NEW SECTION. **Sec. 6573. FOR THE RECREATION AND CONSERVATION OFFICE**

2023-25 Estuary and Salmon Restoration Program (40000062)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3016, chapter 375, Laws of 2024.

Reappropriation:

Natural Climate Solutions Account—State	\$11,110,000
State Building Construction Account—State	\$9,654,000
Subtotal Reappropriation	\$20,764,000
Prior Biennia (Expenditures)	\$4,655,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$25,419,000

NEW SECTION. **Sec. 6574. FOR THE RECREATION AND CONSERVATION OFFICE**

2023-25 Washington Coastal Restoration and Resiliency Initiative (40000063)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3014, chapter 375, Laws of 2024.

Reappropriation:

Natural Climate Solutions Account—State	\$7,928,000
State Building Construction Account—State	\$7,704,000
Subtotal Reappropriation	\$15,632,000
Prior Biennia (Expenditures)	\$2,430,000

Future Biennia (Projected Costs)	\$0
TOTAL	\$18,062,000

NEW SECTION. Sec. 6575. FOR THE RECREATION AND CONSERVATION OFFICE

2023-25 Brian Abbott Fish Barrier Removal Board (40000064)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3015, chapter 375, Laws of 2024.

Reappropriation:

Natural Climate Solutions Account—State	\$36,487,000
State Building Construction Account—State	\$21,023,000
Subtotal Reappropriation	\$57,510,000
Prior Biennia (Expenditures)	\$13,095,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$70,605,000

NEW SECTION. Sec. 6576. FOR THE RECREATION AND CONSERVATION OFFICE

2023-25 Recreational Trails Program (40000065)

Reappropriation:

General Fund—Federal	\$4,868,000
Prior Biennia (Expenditures)	\$132,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$5,000,000

NEW SECTION. Sec. 6577. FOR THE RECREATION AND CONSERVATION OFFICE

2023-25 Boating Infrastructure Grants (40000066)

Reappropriation:

General Fund—Federal	\$4,531,000
Prior Biennia (Expenditures)	\$469,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$5,000,000

NEW SECTION. Sec. 6578. FOR THE RECREATION AND CONSERVATION OFFICE

2023-25 Land and Water Conservation Fund (40000067)

Reappropriation:

General Fund—Federal	\$19,768,000
Prior Biennia (Expenditures)	\$232,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$20,000,000

NEW SECTION. Sec. 6579. FOR THE RECREATION AND CONSERVATION OFFICE

2023-25 Family Forest Fish Passage Program (40000068)

Reappropriation:

Natural Climate Solutions Account—State	\$5,093,000
Prior Biennia (Expenditures)	\$2,687,000

Future Biennia (Projected Costs).....	\$0
TOTAL	\$7,780,000

NEW SECTION. Sec. 6580. FOR THE RECREATION AND CONSERVATION OFFICE

2021-23 Salmon Recovery Investment from Operating (40000069)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 7053, chapter 474, Laws of 2023.

Reappropriation:

Salmon Recovery Account—State	\$38,724,000
Prior Biennia (Expenditures).....	\$11,276,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$50,000,000

NEW SECTION. Sec. 6581. FOR THE RECREATION AND CONSERVATION OFFICE

2021-23 Grants For Watershed Projects from Operating (40000070)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 7054, chapter 474, Laws of 2023.

Reappropriation:

Salmon Recovery Account—State	\$15,543,000
Prior Biennia (Expenditures).....	\$9,457,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$25,000,000

NEW SECTION. Sec. 6582. FOR THE RECREATION AND CONSERVATION OFFICE

2021-23 Duckabush Estuary Restoration Project from Operating (40000071)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 7055, chapter 474, Laws of 2023.

Reappropriation:

Salmon Recovery Account—State	\$25,000,000
Prior Biennia (Expenditures).....	\$0
Future Biennia (Projected Costs).....	\$0
TOTAL	\$25,000,000

NEW SECTION. Sec. 6583. FOR THE RECREATION AND CONSERVATION OFFICE

Planning for Recreation Access Grants (40000503)

Reappropriation:

State Building Construction Account—State	\$2,797,000
Prior Biennia (Expenditures).....	\$2,203,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$5,000,000

NEW SECTION. Sec. 6584. FOR THE RECREATION AND CONSERVATION OFFICE

Coastal Restoration Grants (91000448)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3177, chapter 3, Laws of 2015 3rd sp. sess.

Reappropriation:

State Building Construction Account—State	\$622,000
Prior Biennia (Expenditures)	\$10,563,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$11,185,000

NEW SECTION. Sec. 6585. FOR THE RECREATION AND CONSERVATION OFFICE

Upper Quinault River Restoration Project (91000958)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3072, chapter 474, Laws of 2023.

Reappropriation:

State Building Construction Account—State	\$1,906,000
Prior Biennia (Expenditures)	\$4,094,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$6,000,000

NEW SECTION. Sec. 6586. FOR THE RECREATION AND CONSERVATION OFFICE

Fish Barrier Removal Projects in Skagit County (91001662)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3046, chapter 296, Laws of 2022.

Reappropriation:

State Building Construction Account—State	\$1,254,000
Prior Biennia (Expenditures)	\$746,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,000,000

NEW SECTION. Sec. 6587. FOR THE RECREATION AND CONSERVATION OFFICE

Springwood Ranch in Kittitas County (91001663)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3073, chapter 474, Laws of 2023.

Reappropriation:

State Building Construction Account—State	\$202,000
Prior Biennia (Expenditures)	\$23,798,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$24,000,000

NEW SECTION. Sec. 6588. FOR THE RECREATION AND CONSERVATION OFFICE

Salmon Recovery Funding Board: Riparian Grant Program (91001679)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3074, chapter 474, Laws of 2023.

Reappropriation:

Natural Climate Solutions Account—State	\$24,854,000
Prior Biennia (Expenditures)	\$146,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$25,000,000

NEW SECTION. Sec. 6589. FOR THE RECREATION AND CONSERVATION OFFICE

Recreation & Conservation Office Recreation Grants (92000131)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3049, chapter 356, Laws of 2020.

Reappropriation:

Outdoor Recreation Account—State	\$353,000
State Building Construction Account—State	\$3,616,000
Subtotal Reappropriation	\$3,969,000
Prior Biennia (Expenditures)	\$30,812,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$34,781,000

NEW SECTION. Sec. 6590. FOR THE RECREATION AND CONSERVATION OFFICE

Community Outdoor Athletic Facilities Program (92000458)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3076, chapter 474, Laws of 2023.

Reappropriation:

State Building Construction Account—State	\$5,900,000
Youth Athletic Facility Nonappropriated Account— State	\$6,568,000
Subtotal Reappropriation	\$12,468,000
Prior Biennia (Expenditures)	\$32,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$12,500,000

NEW SECTION. Sec. 6591. FOR THE RECREATION AND CONSERVATION OFFICE

City of LaCenter Breezee Creek Culvert Replacement (92000461)

Reappropriation:

State Building Construction Account—State	\$1,000,000
Prior Biennia (Expenditures)	\$0

Future Biennia (Projected Costs).....	\$0
TOTAL	\$1,000,000

NEW SECTION. Sec. 6592. FOR THE CONSERVATION COMMISSION

Match for Federal RCPP Program (30000017)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3033, chapter 35, Laws of 2016 1st sp. sess.

Reappropriation:

General Fund—Federal	\$1,369,000
Prior Biennia (Expenditures).....	\$5,506,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$6,875,000

NEW SECTION. Sec. 6593. FOR THE CONSERVATION COMMISSION

2019-21 Water Irrigation Efficiencies Program (40000009)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3224, chapter 413, Laws of 2019.

Reappropriation:

State Building Construction Account—State	\$2,738,000
Prior Biennia (Expenditures).....	\$1,262,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$4,000,000

NEW SECTION. Sec. 6594. FOR THE CONSERVATION COMMISSION

2021-23 Conservation Reserve Enhancement Program (CREP) (40000013)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3241, chapter 332, Laws of 2021.

Reappropriation:

State Building Construction Account—State	\$2,959,000
Prior Biennia (Expenditures).....	\$1,041,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$4,000,000

NEW SECTION. Sec. 6595. FOR THE CONSERVATION COMMISSION

2021-23 Water Irrigation Efficiencies Program (40000014)

Reappropriation:

State Building Construction Account—State	\$2,000,000
Prior Biennia (Expenditures).....	\$0
Future Biennia (Projected Costs).....	\$0
TOTAL	\$2,000,000

NEW SECTION. **Sec. 6596.** **FOR THE CONSERVATION COMMISSION**

2021-23 Conservation Reserve Enhancement Program (CREP) PIP Loan (40000015)
Reappropriation:

Conservation Assistance Revolving Account—State	\$160,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$160,000

NEW SECTION. **Sec. 6597.** **FOR THE CONSERVATION COMMISSION**

2021-23 Regional Conservation Partnership Program (RCPP) Match (40000017)
Reappropriation:

State Building Construction Account—State	\$5,260,000
Prior Biennia (Expenditures)	\$1,740,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$7,000,000

NEW SECTION. **Sec. 6598.** **FOR THE CONSERVATION COMMISSION**

2023-25 VSP Project Funding (40000021)
Reappropriation:

State Building Construction Account—State	\$2,528,000
Prior Biennia (Expenditures)	\$472,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$3,000,000

NEW SECTION. **Sec. 6599.** **FOR THE CONSERVATION COMMISSION**

2023-25 Natural Resource Investment for the Economy & Environment (40000022)
Reappropriation:

State Building Construction Account—State	\$2,602,000
Prior Biennia (Expenditures)	\$1,398,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$4,000,000

NEW SECTION. **Sec. 6600.** **FOR THE CONSERVATION COMMISSION**

2023-25 Conservation Reserve Enhancement Program (CREP) (40000023)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 7065 of this act.

Reappropriation:

State Building Construction Account—State	\$1,854,000
Prior Biennia (Expenditures)	\$2,146,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$4,000,000

NEW SECTION. Sec. 6601. FOR THE CONSERVATION COMMISSION

2023-25 Farmland Protection and Land Access (40000024)

Reappropriation:

State Building Construction Account—State	\$3,921,000
Prior Biennia (Expenditures)	\$79,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$4,000,000

NEW SECTION. Sec. 6602. FOR THE CONSERVATION COMMISSION

2023-25 Irrigation Efficiencies (40000025)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3082, chapter 474, Laws of 2023.

Reappropriation:

State Building Construction Account—State	\$16,000
Prior Biennia (Expenditures)	\$2,484,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,500,000

NEW SECTION. Sec. 6603. FOR THE CONSERVATION COMMISSION

2023-25 Regional Conservation Partnership Program (RCPP) (40000026)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3083, chapter 474, Laws of 2023.

Reappropriation:

State Building Construction Account—State	\$92,000
Prior Biennia (Expenditures)	\$2,908,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$3,000,000

NEW SECTION. Sec. 6604. FOR THE CONSERVATION COMMISSION

2023-25 Conservation Reserve Enhancement Program (CREP) PIP (40000027)

Reappropriation:

Conservation Assistance Revolving Account—State	\$100,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$100,000

NEW SECTION. Sec. 6605. FOR THE CONSERVATION COMMISSION

2023-25 Washington Shrubsteppe Restoration & Resiliency Initiative (40000028)

Reappropriation:

State Building Construction Account—State	\$344,000
Prior Biennia (Expenditures)	\$1,156,000

Future Biennia (Projected Costs).....	\$0
TOTAL	\$1,500,000

NEW SECTION. Sec. 6606. FOR THE CONSERVATION COMMISSION

2023-25 Improve Shellfish Growing Areas (40000029)

Reappropriation:

State Building Construction Account—State	\$1,909,000
Prior Biennia (Expenditures).....	\$1,591,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$3,500,000

NEW SECTION. Sec. 6607. FOR THE CONSERVATION COMMISSION

2021-23 Conservation Reserve Enhancement from Operating (40000038)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 7057, chapter 474, Laws of 2023.

Reappropriation:

Salmon Recovery Account—State	\$5,000,000
Prior Biennia (Expenditures).....	\$0
Future Biennia (Projected Costs).....	\$0
TOTAL	\$5,000,000

NEW SECTION. Sec. 6608. FOR THE CONSERVATION COMMISSION

2023-25 Alternative Manure Management (40000052)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 7066 of this act.

Reappropriation:

Climate Commitment Account—State	\$2,900,000
Prior Biennia (Expenditures).....	\$0
Future Biennia (Projected Costs).....	\$0
TOTAL	\$2,900,000

NEW SECTION. Sec. 6609. FOR THE CONSERVATION COMMISSION

Riparian Restoration with Landowners (91000020)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 7056, chapter 474, Laws of 2023.

Reappropriation:

Natural Climate Solutions Account—State.....	\$21,938,000
Salmon Recovery Account—State	\$1,294,000
Subtotal Reappropriation	\$23,232,000
Prior Biennia (Expenditures).....	\$11,768,000

Future Biennia (Projected Costs).....	\$0
TOTAL	\$35,000,000

NEW SECTION. Sec. 6610. FOR THE CONSERVATION COMMISSION

Natural Resource Investment for the Economy & Environment 2017-19 (92000011)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3090, chapter 2, Laws of 2018.

Reappropriation:

General Fund—Federal	\$1,000,000
Prior Biennia (Expenditures).....	\$4,000,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$5,000,000

NEW SECTION. Sec. 6611. FOR THE CONSERVATION COMMISSION

Whitman County Fire Recovery (92000017)

Reappropriation:

State Building Construction Account—State	\$383,000
Prior Biennia (Expenditures).....	\$578,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$961,000

NEW SECTION. Sec. 6612. FOR THE CONSERVATION COMMISSION

Skagit County Voluntary Stewardship (92001497)

Reappropriation:

State Building Construction Account—State	\$770,000
Prior Biennia (Expenditures).....	\$230,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$1,000,000

NEW SECTION. Sec. 6613. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Deschutes Watershed Center (20062008)

Reappropriation:

State Building Construction Account—State	\$1,216,000
Prior Biennia (Expenditures).....	\$16,479,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$17,695,000

NEW SECTION. Sec. 6614. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Migratory Waterfowl Habitat (20082045)

Reappropriation:

Limited Fish and Wildlife Account—State	\$1,214,000
Prior Biennia (Expenditures).....	\$3,223,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$4,437,000

NEW SECTION. Sec. 6615. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Mitigation Projects and Dedicated Funding (20082048)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3236, chapter 413, Laws of 2019.

Reappropriation:

Fish, Wildlife, and Conservation Account—State	\$172,000
General Fund—Federal	\$20,371,000
General Fund—Private/Local	\$2,999,000
Limited Fish and Wildlife Account—State	\$1,379,000
Special Wildlife Account—Federal	\$2,846,000
Special Wildlife Account—Private/Local	\$3,327,000
Subtotal Reappropriation	\$31,094,000
Prior Biennia (Expenditures)	\$94,627,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$125,721,000

NEW SECTION. Sec. 6616. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Eells Springs Hatchery Renovation (30000214)

Reappropriation:

State Building Construction Account—State	\$51,000
Prior Biennia (Expenditures)	\$1,442,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,493,000

NEW SECTION. Sec. 6617. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Samish Hatchery Intakes (30000276)

Reappropriation:

State Building Construction Account—State	\$134,000
Prior Biennia (Expenditures)	\$8,598,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$8,732,000

NEW SECTION. Sec. 6618. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Wooten Wildlife Area Improve Flood Plain (30000481)

Reappropriation:

State Building Construction Account—State	\$313,000
General Fund—Federal	\$5,700,000
Subtotal Reappropriation	\$6,013,000
Prior Biennia (Expenditures)	\$4,687,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$10,700,000

NEW SECTION. Sec. 6619. FOR THE DEPARTMENT OF FISH AND WILDLIFE

2021-23 Cooperative Elk Damage Fencing (30000662)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3243, chapter 413, Laws of 2019.

Reappropriation:

State Building Construction Account—State	\$292,000
Prior Biennia (Expenditures)	\$3,308,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$3,600,000

NEW SECTION. Sec. 6620. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Puget Sound and Adjacent Waters Nearshore Restoration - Match (30000753)

Reappropriation:

General Fund—Federal	\$500,000
State Building Construction Account—State	\$227,000
Subtotal Reappropriation	\$727,000
Prior Biennia (Expenditures)	\$273,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,000,000

NEW SECTION. Sec. 6621. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Snow Creek Reconstruct Facility (30000826)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3057, chapter 356, Laws of 2020.

Reappropriation:

State Building Construction Account—State	\$98,000
Prior Biennia (Expenditures)	\$1,038,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,136,000

NEW SECTION. Sec. 6622. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Forks Creek Hatchery - Renovate Intake and Diversion (30000827)

Reappropriation:

State Building Construction Account—State	\$1,084,000
Prior Biennia (Expenditures)	\$5,288,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$6,372,000

NEW SECTION. Sec. 6623. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Hurd Creek - Relocate Facilities out of Floodplain (30000830)

Reappropriation:

State Building Construction Account—State	\$973,000
---	-----------

Prior Biennia (Expenditures)	\$11,625,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$12,598,000

NEW SECTION. Sec. 6624. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Dungeness Hatchery - Replace Main Intake (30000844)

Reappropriation:

State Building Construction Account—State	\$281,000
Prior Biennia (Expenditures)	\$3,121,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$3,402,000

NEW SECTION. Sec. 6625. FOR THE DEPARTMENT OF FISH AND WILDLIFE

PSNERP Match (30000846)

Reappropriation:

General Fund—Federal	\$40,563,000
State Building Construction Account—State	\$361,000
Subtotal Reappropriation	\$40,924,000
Prior Biennia (Expenditures)	\$3,163,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$44,087,000

NEW SECTION. Sec. 6626. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Kalama Falls Hatchery Replace Raceways and PA System (30000848)

Reappropriation:

State Building Construction Account—State	\$200,000
Prior Biennia (Expenditures)	\$616,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$816,000

NEW SECTION. Sec. 6627. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Minor Works Programmatic 2019-21 (40000008)

Reappropriation:

State Building Construction Account—State	\$414,000
Prior Biennia (Expenditures)	\$2,013,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,427,000

NEW SECTION. Sec. 6628. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Elochoman Hatchery Demolition and Restoration (40000024)

Reappropriation:

General Fund—Federal	\$250,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$250,000

NEW SECTION. Sec. 6629. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Region 1 Office - Construct Secure Storage (40000087)

Reappropriation:

State Building Construction Account—State	\$56,000
Prior Biennia (Expenditures)	\$94,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$150,000

NEW SECTION. Sec. 6630. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Minor Works Preservation 21-23 (40000089)

Reappropriation:

State Building Construction Account—State	\$1,054,000
Prior Biennia (Expenditures)	\$7,936,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$8,990,000

NEW SECTION. Sec. 6631. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Fish and Wildlife Health and BioSecurity Facility (40000090)

Reappropriation:

State Building Construction Account—State	\$496,000
Prior Biennia (Expenditures)	\$388,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$884,000

NEW SECTION. Sec. 6632. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Minor Works Program 21-23 (40000092)

Reappropriation:

State Building Construction Account—State	\$1,331,000
Prior Biennia (Expenditures)	\$1,597,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,928,000

NEW SECTION. Sec. 6633. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Ringold Hatchery Replace Ponds (40000101)

Reappropriation:

General Fund—Federal	\$10,776,000
Prior Biennia (Expenditures)	\$58,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$10,834,000

NEW SECTION. Sec. 6634. FOR THE DEPARTMENT OF FISH AND WILDLIFE

SRKW - New Cowlitz River Hatchery (40000145)

Reappropriation:

State Building Construction Account—State	\$124,000
Prior Biennia (Expenditures)	\$176,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$300,000

NEW SECTION. Sec. 6635. FOR THE DEPARTMENT OF FISH AND WILDLIFE

SRKW - Kendall Creek Hatchery Modifications (40000146)

Reappropriation:

State Building Construction Account—State	\$1,829,000
Prior Biennia (Expenditures)	\$2,488,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$4,317,000

NEW SECTION. Sec. 6636. FOR THE DEPARTMENT OF FISH AND WILDLIFE

SRKW - Voights Creek Hatchery Modifications (40000148)

Reappropriation:

State Building Construction Account—State	\$3,273,000
Prior Biennia (Expenditures)	\$278,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$3,551,000

NEW SECTION. Sec. 6637. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Klickitat WLA - Simcoe Fencing (40000161)

Reappropriation:

State Building Construction Account—State	\$250,000
Prior Biennia (Expenditures)	\$200,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$450,000

NEW SECTION. Sec. 6638. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Taneum Creek Property Acquisition Post Closing Activities (40000162)

Reappropriation:

State Building Construction Account—State	\$136,000
Prior Biennia (Expenditures)	\$64,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$200,000

NEW SECTION. Sec. 6639. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Duckabush Estuary Habitat Restoration (40000163)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3101, chapter 474, Laws of 2023.

Reappropriation:

General Fund—Federal	\$30,000,000
State Building Construction Account—State	\$13,189,000
Subtotal Reappropriation	\$43,189,000
Prior Biennia (Expenditures)	\$811,000
Future Biennia (Projected Costs)	\$27,000,000
TOTAL	\$71,000,000

NEW SECTION. Sec. 6640. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Minor Works Preservation 23-25 (40000164)

Reappropriation:

State Building Construction Account—State	\$7,137,000
Prior Biennia (Expenditures)	\$4,393,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$11,530,000

NEW SECTION. Sec. 6641. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Minor Works Programmatic 23-25 (40000178)

Reappropriation:

State Building Construction Account—State	\$1,829,000
Prior Biennia (Expenditures)	\$1,021,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,850,000

NEW SECTION. Sec. 6642. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Seki Boat Ramp Acquisition (40000255)

Reappropriation:

State Building Construction Account—State	\$2,703,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,703,000

NEW SECTION. Sec. 6643. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Upper Columbia River Salmon Reintroduction from Operating (40000266)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 7058, chapter 474, Laws of 2023.

Reappropriation:

Salmon Recovery Account—State	\$48,000
Prior Biennia (Expenditures)	\$2,952,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$3,000,000

NEW SECTION. Sec. 6644. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Western Pond Turtle Nest Hill Restoration (91000161)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3061, chapter 296, Laws of 2022.

Reappropriation:

State Building Construction Account—State	\$112,000
Prior Biennia (Expenditures)	\$88,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$200,000

NEW SECTION. Sec. 6645. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Cooperative Elk and Deer Damage Fencing (91000162)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3106, chapter 474, Laws of 2023.

Reappropriation:

State Building Construction Account—State	\$935,000
Prior Biennia (Expenditures)	\$465,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,400,000

NEW SECTION. Sec. 6646. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Tribal Hatcheries (91000163)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3108, chapter 474, Laws of 2023.

Reappropriation:

State Taxable Building Construction Account—	
State	\$3,137,000
Prior Biennia (Expenditures)	\$346,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$3,483,000

NEW SECTION. Sec. 6647. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Naches Rearing Ponds (92000049)

Reappropriation:

State Building Construction Account—State	\$412,000
Prior Biennia (Expenditures)	\$188,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$600,000

NEW SECTION. Sec. 6648. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Shrubsteppe and Rangeland Cooperative Wildlife Fencing (92000050)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3294, chapter 332, Laws of 2021.

Reappropriation:

State Building Construction Account—State	\$590,000
Prior Biennia (Expenditures)	\$910,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,500,000

NEW SECTION. Sec. 6649. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Recreational Fishing Access on the Grande Ronde River (92000051)

The reappropriation in this section is subject to the following conditions and limitations:

(1) The reappropriation is subject to the provisions of section 3064, chapter 296, Laws of 2022.

(2) Within amounts reappropriated, the department must conduct an appraisal of easement 106165 and easement 113860 in Anatone, Washington, commonly referred to as the Dreamz Road easements, for the purpose of offering the easement rights for sale to private landowners.

Reappropriation:

State Building Construction Account—State	\$218,000
Prior Biennia (Expenditures)	\$282,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$500,000

NEW SECTION. Sec. 6650. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Mitchell Act BiOp Implementation (92001251)

Reappropriation:

General Fund—Federal	\$536,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$536,000

NEW SECTION. Sec. 6651. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Washougal Intake Replacement (92001252)

Reappropriation:

General Fund—Federal	\$13,946,000
Prior Biennia (Expenditures)	\$328,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$14,274,000

NEW SECTION. Sec. 6652. FOR THE DEPARTMENT OF NATURAL RESOURCES

Teanaway (40000038)

Reappropriation:

State Building Construction Account—State	\$244,000
Prior Biennia (Expenditures)	\$1,612,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,856,000

NEW SECTION. Sec. 6653. FOR THE DEPARTMENT OF NATURAL RESOURCES

2021-23 Forestry Riparian Easement Program (40000077)

Reappropriation:

State Building Construction Account—State	\$5,116,000
Prior Biennia (Expenditures)	\$884,000

Future Biennia (Projected Costs).....	\$0
TOTAL	\$6,000,000

NEW SECTION. Sec. 6654. FOR THE DEPARTMENT OF NATURAL RESOURCES

Rural Broadband Investment (40000082)

Reappropriation:

State Building Construction Account—State	\$1,248,000
Prior Biennia (Expenditures).....	\$752,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$2,000,000

NEW SECTION. Sec. 6655. FOR THE DEPARTMENT OF NATURAL RESOURCES

2021-23 Road Maintenance and Abandonment Planning (40000092)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3303, chapter 332, Laws of 2021.

Reappropriation:

State Building Construction Account—State	\$312,000
Prior Biennia (Expenditures).....	\$1,566,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$1,878,000

NEW SECTION. Sec. 6656. FOR THE DEPARTMENT OF NATURAL RESOURCES

2023-25 Safe and Sustainable Recreation (40000141)

Reappropriation:

State Building Construction Account—State	\$2,149,000
Prior Biennia (Expenditures).....	\$766,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$2,915,000

NEW SECTION. Sec. 6657. FOR THE DEPARTMENT OF NATURAL RESOURCES

Whiteman Cove Restoration (40000143)

Reappropriation:

State Building Construction Account—State	\$1,462,000
Prior Biennia (Expenditures).....	\$5,475,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$6,937,000

NEW SECTION. Sec. 6658. FOR THE DEPARTMENT OF NATURAL RESOURCES

Lakebay Marina UST Cleanup (40000144)

Reappropriation:

Model Toxics Control Capital Account—State.....	\$946,000
Prior Biennia (Expenditures).....	\$63,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$1,009,000

NEW SECTION. Sec. 6659. FOR THE DEPARTMENT OF NATURAL RESOURCES

Removal of Aquatic Derelict Structures (40000147)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3132, chapter 474, Laws of 2023.

Reappropriation:

Model Toxics Control Capital Account—State	\$5,306,000
Prior Biennia (Expenditures)	\$4,344,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$9,650,000

NEW SECTION. Sec. 6660. FOR THE DEPARTMENT OF NATURAL RESOURCES

2023-25 Structurally Deficient Bridges (40000150)

Reappropriation:

State Building Construction Account—State	\$2,074,000
Prior Biennia (Expenditures)	\$988,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$3,062,000

NEW SECTION. Sec. 6661. FOR THE DEPARTMENT OF NATURAL RESOURCES

2023-25 Natural Areas Facilities Preservation and Access (40000151)

Reappropriation:

State Building Construction Account—State	\$4,722,000
Prior Biennia (Expenditures)	\$370,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$5,092,000

NEW SECTION. Sec. 6662. FOR THE DEPARTMENT OF NATURAL RESOURCES

Revitalizing Trust Land Transfers (40000152)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3027, chapter 375, Laws of 2024.

Reappropriation:

Natural Climate Solutions Account—State	\$10,804,000
State Building Construction Account—State	\$1,482,000
Subtotal Reappropriation	\$12,286,000
Prior Biennia (Expenditures)	\$15,843,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$28,129,000

NEW SECTION. Sec. 6663. FOR THE DEPARTMENT OF NATURAL RESOURCES

Webster Nursery Seed Plant Replacement (40000153)

Reappropriation:

State Building Construction Account—State	\$5,933,000
Prior Biennia (Expenditures)	\$812,000

Future Biennia (Projected Costs).....	\$0
TOTAL	\$6,745,000

NEW SECTION. Sec. 6664. FOR THE DEPARTMENT OF NATURAL RESOURCES

2023-25 Minor Works Preservation (40000154)

Reappropriation:

Model Toxics Control Capital Account—State	\$433,000
State Building Construction Account—State	\$4,180,000
Subtotal Reappropriation	\$4,613,000
Prior Biennia (Expenditures).....	\$1,430,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$6,043,000

NEW SECTION. Sec. 6665. FOR THE DEPARTMENT OF NATURAL RESOURCES

Correction of Fish Barrier Culverts (40000155)

Reappropriation:

State Building Construction Account—State	\$750,000
Prior Biennia (Expenditures).....	\$0
Future Biennia (Projected Costs).....	\$0
TOTAL	\$750,000

NEW SECTION. Sec. 6666. FOR THE DEPARTMENT OF NATURAL RESOURCES

Webster Nursery Production Expansion (40000157)

Reappropriation:

State Building Construction Account—State	\$379,000
Prior Biennia (Expenditures).....	\$284,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$663,000

NEW SECTION. Sec. 6667. FOR THE DEPARTMENT OF NATURAL RESOURCES

2023-25 Emergent Environmental Mitigation Projects (40000158)

Reappropriation:

Model Toxics Control Capital Account—State	\$373,000
Prior Biennia (Expenditures).....	\$347,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$720,000

NEW SECTION. Sec. 6668. FOR THE DEPARTMENT OF NATURAL RESOURCES

2023-25 Minor Works Programmatic (40000162)

Reappropriation:

State Building Construction Account—State	\$2,955,000
Prior Biennia (Expenditures).....	\$277,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$3,232,000

NEW SECTION. Sec. 6669. FOR THE DEPARTMENT OF NATURAL RESOURCES

Eatonville Work Center and Fire Station (40000163)

Reappropriation:

State Building Construction Account—State	\$872,000
Prior Biennia (Expenditures)	\$8,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$880,000

NEW SECTION. Sec. 6670. FOR THE DEPARTMENT OF NATURAL RESOURCES

Forestry Riparian Easement Program from Operating (40000376)

Reappropriation:

Salmon Recovery Account—State	\$1,241,000
Prior Biennia (Expenditures)	\$3,759,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$5,000,000

NEW SECTION. Sec. 6671. FOR THE DEPARTMENT OF NATURAL RESOURCES

Port Angeles Fire and Seasonal Employee Housing (40000409)

Reappropriation:

State Building Construction Account—State	\$444,000
Prior Biennia (Expenditures)	\$44,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$488,000

NEW SECTION. Sec. 6672. FOR THE DEPARTMENT OF NATURAL RESOURCES

State-Owned Lands Carbon Sequestration (40000405)

Reappropriation:

Natural Climate Solutions Account—State	\$613,000
Prior Biennia (Expenditures)	\$82,387,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$83,000,000

NEW SECTION. Sec. 6673. FOR THE DEPARTMENT OF NATURAL RESOURCES

Drought Resilience Infrastructure Investments (40000411)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3031, chapter 375, Laws of 2024.

Reappropriation:

Natural Climate Solutions Account—State	\$500,000
State Building Construction Account—State	\$247,000
Subtotal Reappropriation	\$747,000
Prior Biennia (Expenditures)	\$3,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$750,000

NEW SECTION. Sec. 6674. FOR THE DEPARTMENT OF NATURAL RESOURCES

Recreational Target Shooting Pilot Sites (40000413)

Reappropriation:

Firearms Range Account—State	\$900,000
State Building Construction Account—State	\$900,000
Subtotal Reappropriation	\$1,800,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,800,000

NEW SECTION. **Sec. 6675. FOR THE DEPARTMENT OF NATURAL RESOURCES**

YMCA Camp Colman (40000424)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3033, chapter 375, Laws of 2024.

Reappropriation:

State Building Construction Account—State	\$3,670,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$3,670,000

NEW SECTION. **Sec. 6676. FOR THE DEPARTMENT OF NATURAL RESOURCES**

Port of Willapa Harbor Energy Innovation District Grant (91000099)

Reappropriation:

State Building Construction Account—State	\$1,400,000
Prior Biennia (Expenditures)	\$100,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,500,000

NEW SECTION. **Sec. 6677. FOR THE DEPARTMENT OF NATURAL RESOURCES**

Encumbered Lands - Acquisition (91000323)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3034, chapter 375, Laws of 2024.

Reappropriation:

Natural Climate Solutions Account—State	\$15,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$15,000,000

NEW SECTION. **Sec. 6678. FOR THE DEPARTMENT OF NATURAL RESOURCES**

Fallen Firefighter Memorial (SHB 2091) (91000328)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3036, chapter 375, Laws of 2024.

Reappropriation:

State Building Construction Account—State	\$371,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$371,000

NEW SECTION. Sec. 6679. FOR THE DEPARTMENT OF NATURAL RESOURCES

Camp Colman Cabin Preservation and Upgrades (92000039)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3075, chapter 296, Laws of 2022.

Reappropriation:

State Building Construction Account—State	\$1,301,000
Prior Biennia (Expenditures)	\$99,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,400,000

NEW SECTION. Sec. 6680. FOR THE DEPARTMENT OF NATURAL RESOURCES

Wildfire Reforestation Grants (92000063)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3035, chapter 375, Laws of 2024.

Reappropriation:

Natural Climate Solutions Account—State	\$8,971,000
Prior Biennia (Expenditures)	\$1,029,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$10,000,000

NEW SECTION. Sec. 6681. FOR THE DEPARTMENT OF AGRICULTURE

Agricultural Carbon Storage and Sequestration (40000001)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3038, chapter 375, Laws of 2024.

Reappropriation:

Natural Climate Solutions Account—State	\$5,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$5,000,000

NEW SECTION. Sec. 6682. FOR THE DEPARTMENT OF AGRICULTURE

State Lands Assessment (91000011)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3039, chapter 375, Laws of 2024.

Reappropriation:

State Taxable Building Construction Account—	
State	\$200,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$200,000

NEW SECTION. **Sec. 6683. FOR THE DEPARTMENT OF AGRICULTURE**

2021-23 WA State Fairs Health and Safety Grants (92000005)

Reappropriation:

State Building Construction Account—State		\$385,000
Prior Biennia (Expenditures)		\$7,620,000
Future Biennia (Projected Costs)		\$0
TOTAL		\$8,005,000

NEW SECTION. **Sec. 6684. FOR THE DEPARTMENT OF AGRICULTURE**

2023-25 WA State Fairs Health and Safety Grants (92000006)

Reappropriation:

State Building Construction Account—State		\$4,623,000
Prior Biennia (Expenditures)		\$3,377,000
Future Biennia (Projected Costs)		\$0
TOTAL		\$8,000,000

NEW SECTION. **Sec. 6685. FOR THE STATE BOARD FOR COMMUNITY AND TECHNICAL COLLEGES**

Grays Harbor College: Student Services and Instructional Building (30000127)

Reappropriation:

State Building Construction Account—State		\$420,000
Prior Biennia (Expenditures)		\$47,757,000
Future Biennia (Projected Costs)		\$0
TOTAL		\$48,177,000

NEW SECTION. **Sec. 6686. FOR THE STATE BOARD FOR COMMUNITY AND TECHNICAL COLLEGES**

Clark College: North County Satellite (30000135)

Reappropriation:

State Building Construction Account—State		\$5,012,000
Prior Biennia (Expenditures)		\$53,906,000
Future Biennia (Projected Costs)		\$0
TOTAL		\$58,918,000

NEW SECTION. **Sec. 6687. FOR THE STATE BOARD FOR COMMUNITY AND TECHNICAL COLLEGES**

Everett Community College: Learning Resource Center (30000136)

Reappropriation:

State Building Construction Account—State		\$4,415,000
Prior Biennia (Expenditures)		\$47,684,000
Future Biennia (Projected Costs)		\$0
TOTAL		\$52,099,000

NEW SECTION. Sec. 6688. FOR THE STATE BOARD FOR COMMUNITY AND TECHNICAL COLLEGES

Shoreline: Allied Health, Science & Manufacturing Replacement (30000990)

Reappropriation:

State Building Construction Account—State	\$893,000
Prior Biennia (Expenditures)	\$46,547,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$47,440,000

NEW SECTION. Sec. 6689. FOR THE STATE BOARD FOR COMMUNITY AND TECHNICAL COLLEGES

Walla Walla Science and Technology Building Replacement (30001452)

Reappropriation:

State Building Construction Account—State	\$36,000
Prior Biennia (Expenditures)	\$10,603,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$10,639,000

NEW SECTION. Sec. 6690. FOR THE STATE BOARD FOR COMMUNITY AND TECHNICAL COLLEGES

Spokane Falls: Fine and Applied Arts Replacement (30001458)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 5027, chapter 356, Laws of 2020.

Reappropriation:

State Building Construction Account—State	\$4,406,000
Prior Biennia (Expenditures)	\$37,763,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$42,169,000

NEW SECTION. Sec. 6691. FOR THE STATE BOARD FOR COMMUNITY AND TECHNICAL COLLEGES

Lake Washington: Center for Design (40000102)

Reappropriation:

State Building Construction Account—State	\$29,835,000
Prior Biennia (Expenditures)	\$12,274,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$42,109,000

NEW SECTION. Sec. 6692. FOR THE STATE BOARD FOR COMMUNITY AND TECHNICAL COLLEGES

Tacoma: Center for Innovative Learning and Engagement (40000104)

Reappropriation:

State Building Construction Account—State	\$6,161,000
Prior Biennia (Expenditures)	\$36,437,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$42,598,000

NEW SECTION. **Sec. 6693. FOR THE STATE BOARD FOR COMMUNITY AND TECHNICAL COLLEGES**

Spokane: Apprenticeship Center (40000107)

Reappropriation:

State Building Construction Account—State	\$2,995,000
Prior Biennia (Expenditures)	\$373,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$3,368,000

NEW SECTION. **Sec. 6694. FOR THE STATE BOARD FOR COMMUNITY AND TECHNICAL COLLEGES**

Centralia: Teacher Education and Family Development Center (40000109)

Reappropriation:

State Building Construction Account—State	\$6,000
Prior Biennia (Expenditures)	\$2,262,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,268,000

NEW SECTION. **Sec. 6695. FOR THE STATE BOARD FOR COMMUNITY AND TECHNICAL COLLEGES**

Skagit: Library/Culinary Arts Building (40000110)

Reappropriation:

State Building Construction Account—State	\$13,000
Prior Biennia (Expenditures)	\$2,244,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,257,000

NEW SECTION. **Sec. 6696. FOR THE STATE BOARD FOR COMMUNITY AND TECHNICAL COLLEGES**

Edmonds: Triton Learning Commons (40000114)

Reappropriation:

State Building Construction Account—State	\$495,000
Prior Biennia (Expenditures)	\$3,161,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$3,656,000

NEW SECTION. **Sec. 6697. FOR THE STATE BOARD FOR COMMUNITY AND TECHNICAL COLLEGES**

Bates: Fire Service Training Center (40000130)

Reappropriation:

State Building Construction Account—State	\$37,871,000
Prior Biennia (Expenditures)	\$3,066,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$40,937,000

NEW SECTION. **Sec. 6698. FOR THE STATE BOARD FOR COMMUNITY AND TECHNICAL COLLEGES**

Bellevue: Center for Transdisciplinary Learning and Innovation (40000168)

Reappropriation:

Capital Community Assistance Account—State	\$2,000,000
State Building Construction Account—State	\$38,420,000
Subtotal Reappropriation	\$40,420,000
Prior Biennia (Expenditures)	\$4,361,000

Future Biennia (Projected Costs).....	\$0
TOTAL	\$44,781,000

NEW SECTION. Sec. 6699. FOR THE STATE BOARD FOR COMMUNITY AND TECHNICAL COLLEGES

Everett: Baker Hall Replacement (40000190)

Reappropriation:

State Building Construction Account—State	\$38,040,000
Prior Biennia (Expenditures).....	\$139,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$38,179,000

NEW SECTION. Sec. 6700. FOR THE STATE BOARD FOR COMMUNITY AND TECHNICAL COLLEGES

Wenatchee: Center for Technical Education and Innovation (40000198)

Reappropriation:

State Building Construction Account—State	\$48,209,000
Prior Biennia (Expenditures).....	\$3,244,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$51,453,000

NEW SECTION. Sec. 6701. FOR THE STATE BOARD FOR COMMUNITY AND TECHNICAL COLLEGES

Renton: Health Sciences Center (40000204)

Reappropriation:

State Building Construction Account—State	\$3,029,000
Prior Biennia (Expenditures).....	\$968,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$3,997,000

NEW SECTION. Sec. 6702. FOR THE STATE BOARD FOR COMMUNITY AND TECHNICAL COLLEGES

Shoreline: STE(A)M Education Center (40000214)

Reappropriation:

State Building Construction Account—State	\$32,801,000
Prior Biennia (Expenditures).....	\$9,930,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$42,731,000

NEW SECTION. Sec. 6703. FOR THE STATE BOARD FOR COMMUNITY AND TECHNICAL COLLEGES

Cascadia: CC5 Gateway building (40000222)

Reappropriation:

State Building Construction Account—State	\$819,000
Prior Biennia (Expenditures).....	\$2,277,000
Future Biennia (Projected Costs).....	\$0
TOTAL	\$3,096,000

NEW SECTION. Sec. 6704. FOR THE STATE BOARD FOR COMMUNITY AND TECHNICAL COLLEGES

Pierce Puyallup: STEM building (40000293)

Reappropriation:

State Building Construction Account—State	\$1,364,000
Prior Biennia (Expenditures)	\$40,605,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$41,969,000

NEW SECTION. **Sec. 6705. FOR THE STATE BOARD FOR COMMUNITY AND TECHNICAL COLLEGES**

Pierce College Olympic South Asbestos Abatement and Restoration (40000516)

Reappropriation:

State Building Construction Account—State	\$1,832,000
Prior Biennia (Expenditures)	\$11,327,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$13,159,000

NEW SECTION. **Sec. 6706. FOR THE STATE BOARD FOR COMMUNITY AND TECHNICAL COLLEGES**

Minor Works - Facility Repairs (23-25) (40000595)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 5031, chapter 375, Laws of 2024.

Reappropriation:

Community and Technical College Capital Projects	
Account—State	\$904,000
State Building Construction Account—State	\$1,720,000
Subtotal Reappropriation	\$2,624,000
Prior Biennia (Expenditures)	\$36,822,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$39,446,000

NEW SECTION. **Sec. 6707. FOR THE STATE BOARD FOR COMMUNITY AND TECHNICAL COLLEGES**

Minor Works - Roof Repairs (23-25) (40000670)

Reappropriation:

Community and Technical College Capital Projects	
Account—State	\$3,035,000
Prior Biennia (Expenditures)	\$8,172,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$11,207,000

NEW SECTION. **Sec. 6708. FOR THE STATE BOARD FOR COMMUNITY AND TECHNICAL COLLEGES**

Minor Works - Site Repairs (23-25) (40000698)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 5032, chapter 375, Laws of 2024.

Reappropriation:

Community and Technical College Capital Projects	
Account—State	\$691,000

State Building Construction Account—State	\$1,300,000
Subtotal Reappropriation	\$1,991,000
Prior Biennia (Expenditures)	\$4,180,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$6,171,000

**NEW SECTION. Sec. 6709. FOR THE STATE BOARD FOR
COMMUNITY AND TECHNICAL COLLEGES**

Minor Works - Infrastructure Replacement (23-25) (40000721)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 5033, chapter 375, Laws of 2024.

Reappropriation:

Community and Technical College Capital Projects	
Account—State	\$1,397,000
State Building Construction Account—State	\$4,130,000
Subtotal Reappropriation	\$5,527,000
Prior Biennia (Expenditures)	\$34,773,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$40,300,000

**NEW SECTION. Sec. 6710. FOR THE STATE BOARD FOR
COMMUNITY AND TECHNICAL COLLEGES**

Minor Works - Program Improvements (23-25) (40000754)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 5034, chapter 375, Laws of 2024.

Reappropriation:

Community and Technical College Capital Projects	
Account—State	\$3,200,000
State Building Construction Account—State	\$1,180,000
Subtotal Reappropriation	\$4,380,000
Prior Biennia (Expenditures)	\$48,820,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$53,200,000

**NEW SECTION. Sec. 6711. FOR THE STATE BOARD FOR
COMMUNITY AND TECHNICAL COLLEGES**

CBPS SBCTC Statewide: Utility Submeters for Clean Buildings Act (40000878)

Reappropriation:

Climate Commitment Account—State	\$7,822,000
Prior Biennia (Expenditures)	\$722,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$8,544,000

**NEW SECTION. Sec. 6712. FOR THE STATE BOARD FOR
COMMUNITY AND TECHNICAL COLLEGES**

CTC Energy Efficiency Program (40000880)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 5036, chapter 375, Laws of 2024.

Reappropriation:

Climate Commitment Account—State	\$2,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,000,000

**NEW SECTION. Sec. 6713. FOR THE STATE BOARD FOR
COMMUNITY AND TECHNICAL COLLEGES**

Bellingham Technical College: Campus Center Emergency Repairs (40000916)

Reappropriation:

Community and Technical College Capital Projects	
Account—State	\$5,000,000
State Building Construction Account—State	\$11,624,000
Subtotal Reappropriation	\$16,624,000
Prior Biennia (Expenditures)	\$2,760,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$19,384,000

**NEW SECTION. Sec. 6714. FOR THE STATE BOARD FOR
COMMUNITY AND TECHNICAL COLLEGES**

HB 1390 - District Energy Systems (91000443)

Reappropriation:

Climate Commitment Account—State	\$907,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$907,000

**PART 7
SUPPLEMENTAL**

**Sec. 7001. 2023 c 474 s 6005 (uncodified) is amended to read as follows:
FOR THE DEPARTMENT OF COMMERCE**

2017 Local and Community Projects (30000846)

The reappropriation in this section is subject to the following conditions and limitations:

- (1) The reappropriation is subject to the provisions of section 6004, chapter 4, Laws of 2017 3rd sp. sess.
- (2) The reappropriation for any project for which the department has not executed a contract by December 31, 2023, shall lapse. The department shall provide a list of lapsed projects to the legislative fiscal committees no later than January 15, 2024.

Reappropriation:

State Building Construction Account—State .....	..((\$1,229,000))
	<u>\$645,000</u>
Prior Biennia (Expenditures)	\$9,517,000
Future Biennia (Projected Costs)	\$0
TOTAL .....	..((\$10,746,000))
	<u>\$10,162,000</u>

Sec. 7002. 2019 c 413 s 6003 (uncodified) is amended to read as follows:
FOR THE DEPARTMENT OF COMMERCE
 2018 Local and Community Projects (40000005)

The appropriations in this section are subject to the following conditions and limitations:

(1) The department shall not expend the appropriations in this section unless and until the nonstate share of project costs have been either expended or firmly committed, or both, in an amount sufficient to complete the project or a distinct phase of the project that is useable to the public for the purpose intended by the legislature. This requirement does not apply to projects where a share of the appropriation is for design costs only.

(2) Prior to receiving funds, project recipients must demonstrate that the project site is under control for a minimum of ten years, either through ownership or a long-term lease. This requirement does not apply to appropriations for preconstruction activities or appropriations in which the sole purpose is to purchase real property that does not include a construction or renovation component.

(3) Projects funded in this section may be required to comply with Washington's high performance building standards as required by chapter 39.35D RCW.

(4) Project funds are available on a reimbursement basis only, and shall not be advanced under any circumstances.

(5) In contracts for grants authorized under this section the department shall include provisions which require that capital improvements be held by the grantee for a specified period of time appropriate to the amount of the grant and that facilities be used for the express purpose of the grant. If the grantee is found to be out of compliance with provisions of the contract, the grantee shall repay to the state general fund the principal amount of the grant plus interest calculated at the rate of interest on state of Washington general obligation bonds issued most closely to the date of authorization of the grant.

(6) Projects funded in this section, including those that are owned and operated by nonprofit organizations, are generally required to pay state prevailing wages.

(7) The appropriation is provided solely for the following list of projects:

Aberdeen Gateway Center (Aberdeen)	\$1,750,000
Adams County Industrial Wastewater and Treatment Center (Othello)	\$1,250,000
Adna Elementary Playshed (Chehalis)	\$104,000
Airway Heights Recreation Complex (Airway Heights)	\$515,000
Alder Creek Pioneer Museum Expansion (Bickelton)	\$500,000
Anderson Island Historical Society (Anderson Island)	\$26,000

Appleway Trail Amenities (Spokane Valley)	\$556,000
ARC Community Center Renovation (Bremerton)	\$81,000
Arlington Pocket Park Downtown Business District (Arlington)	\$46,000
Asia Pacific Cultural Center Design and Preconstruction (Tacoma)	\$250,000
Belfair Sewer Extension to Puget Sound Industrial Ctr (Belfair)	\$515,000
Billy Frank Jr. Heritage Center (Olympia)	\$206,000
Bloodworks NW Bloodmobiles	\$425,000
Bothell Parks Projects (Bothell)	\$309,000
Bridgeview Education and Employment Resource Center (Vancouver)	\$500,000
Brier ADA Ramp Updates Phase (Brier)	\$115,000
Camp Schechter New Infrastructure and Dining Hall (Tumwater)	\$200,000
Capitol Campus E. WA Butte (Olympia)	\$52,000
Captain Joseph House (Port Angeles)	\$225,000
Carnation Central Business District Revitalization (Carnation)	\$1,545,000
Castle Rock Fair LED Lighting (Castle Rock)	\$10,000
Centennial Connect Project (Marysville)	\$642,000
Centennial Trail - Southern Extension #1 (Snohomish)	\$1,000,000
Centerville Grange Renovation (Centerville)	\$134,000
Centralia Fox Theatre Restoration (Centralia)	\$299,000
Chamber Economic Development Project (Federal Way)	\$250,000
Chelan County Emergency Operations Center (Wenatchee) ...	\$1,000,000
Chelatchie Prairie Railroad Maintenance Bldg. Phase 2 (Yacolt)	\$250,000
Cherry St. Fellowship (Seattle)	\$360,000
Children's Playgarden (Seattle)	\$315,000
Chimacum Ridge Forest Pilot (Port Townsend)	\$3,400,000
City of Brewster Manganese Abatement (Brewster)	\$752,000
Cityview Conversion to Residential Treatment (Moses Lake)	\$250,000
Clark County Historical Museum (Vancouver)	\$300,000
Clymer Museum and Gallery Remodel (Ellensburg)	\$258,000
Coastal Harvest Roof Replacement (Hoquiam)	\$206,000
Cocoon House (Everett)	\$1,000,000
College Place Well Consolidation and Replacement (College Place)	\$900,000
Columbia River Trail (Washougal)	\$1,000,000
Confluence Park Improvements (P2&3) (Issaquah)	\$206,000
Country Doctor Community Health Centers (Seattle)	\$280,000
Covington Town Center Civic Plaza Development (Covington)	\$820,000
Cross Park (Puyallup)	\$1,500,000
Daffodil Heritage Float Barn ((Puyallup))	\$103,000
Darrington Rodeo Grounds (Darrington)	\$250,000

Des Moines Marina Bulkhead & Fishing Pier Renovation (Des Moines)	\$2,000,000
Disaster Response Communications Project (Colville)	\$1,000,000
District 5 Public Safety Center (Sultan)	\$1,500,000
Downtown Pocket Park at Rockwell (Port Orchard)	\$309,000
DuPont Historical Museum Renovation HVAC (DuPont)	\$53,000
East Grays Harbor Fiber Project (Elma)	\$463,000
East Hill YMCA/Park Renovation (Kent)	\$1,000,000
Eastside Community Center (Tacoma)	\$2,550,000
Ebey Waterfront Trail and Shoreline Access (Marysville)	\$1,000,000
Emmanuel Life Center Kitchen (Spokane)	\$155,000
Ethiopian Community Affordable Senior Housing (Seattle)	\$400,000
Evergreen Pool Resurfacing (White Center)	\$247,000
Fall City Wastewater Infrastructure Planning & Design (Fall City)	\$1,000,000
Family Medicine Remodel (Goldendale)	\$195,000
Federal Way Camera Replacement (Federal Way)	\$250,000
Federal Way Senior Center (Federal Way)	\$175,000
Flood Protection Wall & Storage Building (Sultan)	\$286,000
Food Lifeline Food Bank	\$1,250,000
Forestry Museum Building (Tenino)	\$16,000
Fox Island Catastrophic Emergency Preparation (Fox Island)	\$17,000
Francis Anderson Center Roofing Project (Edmonds)	\$391,000
Freeland Water and Sewer District Sewer Project (Freeland)	\$1,500,000
FUSION Transitional Hse Pgm/FUSION Decor Boutique (Federal Way)	\$500,000
Gig Harbor Sports Complex (Gig Harbor)	\$206,000
Granger Historical Society Museum Acquisition (Granger)	\$255,000
Greater Maple Valley Veterans Memorial Foundation (Maple Valley)	\$258,000
GreenBridge/4th Ave Streetscaping (White Center)	\$1,195,000
Harmony Sports Complex Infrastructure & Safety Imprve (Vancouver)	\$1,177,000
Harrington School District #204, Pool Renovation (Harrington)	\$97,000
Historic Mukai Farm and Garden Restoration (Vashon)	\$250,000
Holly Ridge Center Building (Bremerton)	\$475,000
Honor Point Military and Aerospace Museum (Spokane)	\$100,000
HopeWorks TOD Center (Everett)	\$2,760,000
Hoquiam Library (Hoquiam)	\$250,000
HUB Sports Center (Liberty Lake)	\$516,000
Industrial Park No. 5 Road Improvements (George)	\$412,000
Industrial Park No. 5 Water System Improvements (George)	\$700,000
Inland Northwest Rail Museum (Reardan)	\$170,000

Innovative Health Care Learning Center (Yakima)	\$1,000,000
Interbay PDAC (Seattle)	\$900,000
Intrepid Spirit Center (Tacoma)	\$1,000,000
Islandwood Comm Dining Hall and Kitchen (Bainbridge Island)	\$200,000
Kenmore Public Boathouse (Kenmore)	\$250,000
Key Peninsula Civic Center Generator (Vaughn)	\$60,000
Key Peninsula Elder Community (Lakebay)	\$515,000
Kitchen Upgrade Belfair Senior Center Meals on Wheels (Belfair)	\$12,000
Kitsap Reg. Library Foundation, Silverdale Library (Silverdale)	\$250,000
Kona Kai Coffee Training Center (Tukwila)	\$407,000
La Conner New Regional Library (La Conner)	\$500,000
Lacey Boys and Girls Club (Lacey)	\$30,000
Lake Chelan Community Hospital & Clinic Replacement (Chelan)	\$300,000
Lake City Comm Center, Renovate Magnuson Comm Center (Seattle)	\$2,000,000
Lake Stevens Civic Center (Lake Stevens)	\$3,100,000
Lake Stevens Food Bank (Lake Stevens)	\$300,000
Lake Sylvia State Park Legacy Pavilion (Montesano)	\$696,000
Lake Tye All-Weather Fields (Monroe)	\$800,000
Lakewood Playhouse Lighting System Upgrade (Lakewood)	\$60,000
Lambert House Purchase (Seattle)	\$500,000
Larson Playfield Lighting Renovation (Moses Lake)	\$146,000
Lewis Co Fire Dist #1 Emergency Svcs Bldg & Resrce Ctr (Onalaska)	\$80,000
LIGO STEM Exploration Center (Richland)	\$411,000
Longbranch Marina (Longbranch)	\$248,000
Longview Police Department Range and Training (Castle Rock)	\$271,000
Lyon Creek, SR 104 Fish Barrier Removal (Lake Forest Park)	\$1,200,000
Maury Island Open Space Remediation (Maury Island)	\$2,000,000
McChord Airfield North Clear Zone (Lakewood)	\$2,000,000
Mill Creek Flood Control Project (Kent)	\$2,000,000
Millionair Club Charity Kitchen (Seattle)	\$167,000
Moorlands Park Improvements (Kenmore)	\$250,000
Morrow Manor (Poulsbo)	\$773,000
Mount Baker Properties Cleanup Site (Seattle)	\$1,100,000
Mount Rainier Early Warning System (Pierce County)	\$1,751,000
Mukilteo Tank Farm Remediation (Mukilteo)	\$257,000
Multicultural Community Center (Seattle)	\$1,300,000
NE Snohomish County Community Services Campus (Granite Falls)	\$375,000
NeighborCare Health (Vashon)	\$3,000,000
New Fire Station at Lake Lawrence (Yelm)	\$252,000
North Cove Erosion Control (South Bend)	\$650,000

Northshore Athletic Fields (Woodinville)	\$400,000
Northwest Improvement Company Building (Roslyn)	\$1,000,000
Olmstead-Smith Historical Gardens Replacement Well (Ellensburg)	\$17,000
Orting's Pedestrian Evacuation Crossing SR162 (Orting)	\$500,000
Othello Regional Water Project (Othello)	\$1,000,000
Paradise Point Water Supply System Phase IV (Ridgefield)	\$500,000
Pepin Creek Realignment (Lynden)	\$3,035,000
Performing Arts & Events Center (Federal Way)	\$1,000,000
Pioneer Village ADA Accessible Pathways (Ferndale)	\$154,000
Port Ilwaco/Port Chinook Marina Mtee Drdg & Matl Disps (Chinook)	\$77,000
Port Orchard Marina Breakwater Refurbishment (Port Orchard)	\$1,019,000
Poulsbo Outdoor Salmon Observation Area (Poulsbo)	\$475,000
Puyallup Meeker Mansion Public Plaza (Puyallup)	\$500,000
Quincy Square on 4th (Bremerton)	\$250,000
R.A. Long Park (Longview)	\$296,000
Redondo Beach Rocky Reef (Des Moines)	\$500,000
Ridgefield Outdoor Recreation Complex (Ridgefield)	\$750,000
Rochester Boys & Girls Club upgrades (Rochester)	\$26,000
Save the Old Tower (Pasco)	\$300,000
Schilling Road Fire Station (Lyle)	\$448,000
Scott Hill Park (Woodland)	\$750,000
Seattle Aquarium (Seattle)	\$400,000
Seattle Indian Health Board (Seattle)	\$200,000
Seattle Opera (Seattle)	\$465,000
Shelton Basin 3 Sewer Rehabilitation Project (Shelton)	\$1,500,000
Skagit Co Public Safety Emgcy Commun Ctr Exp/Remodel (Mt. Vernon)	\$525,000
Skagit County Veterans Community Park (Sedro-Woolley)	\$500,000
Skagit Valley YMCA (Mt. Vernon)	\$400,000
Snohomish JROTC Program (Snohomish)	\$189,000
South Gorge Trail (Spokane)	\$250,000
South Snohomish County Community Resource Center (Lynnwood)	\$2,210,000
South Thurston County Meals on Wheels Kitchen Upgrade (Yelm)	\$30,000
Southwest WA Agricultural Business Park (Tenino)	\$618,000
Southwest Washington Fair Grange Building Re-Roof (Chehalis)	\$54,000
Spanaway Lake Management Plan (Spanaway)	\$26,000
Squalicum Waterway Maintenance Dredging (Bellingham)	\$750,000
Steilacoom Historical Museum Storage Building (Steilacoom)	\$31,000
Sunnyside Community Hospital (Sunnyside)	\$2,000,000
Sunset Career Center (Renton)	\$412,000
Sunset Neighborhood Park (Renton)	\$3,050,000

Tacoma's Historic Theater District (Tacoma)	\$1,000,000
Tam O'Shanter Athletic Arena (Kelso)	\$1,000,000
Toledo Beautification (Toledo)	\$52,000
Trout Lake School/Community Soccer & Track Facility (Trout Lake)	\$77,000
Tumwater Boys and Girls Club (Olympia)	\$36,000
Turning Pointe Domestic Violence Svc: Shelter Imprv/Rep (Shelton)	\$27,000
Twisp Civic Building (Twisp)	\$750,000
University YMCA (Seattle).....	\$600,000
Veterans Memorial Museum (Chehalis)	\$354,000
Washington Agricultural Education Center (Lynden)	\$1,800,000
Washington Care Services (Seattle).....	\$400,000
Washington State Horse Park Covered Arena (Cle Elum)	\$2,000,000
Waste Treatment and Sewer Collection System (Toppenish).....	\$1,405,000
Wastewater Collection & Water Distribution Replacemnt (Carbonado)	\$1,500,000
Water Treatment for Kidney Dialysis	\$499,000
Wayne Golf Course Region Park (Bothell)	\$1,000,000
Wesley Homes Bradley Park (Puyallup)	\$1,380,000
Westport Marina (Westport)	\$2,500,000
Weyerhaeuser Land Preservation (Federal Way)	\$1,250,000
Whidbey Island Youth Project (Oak Harbor and Coupeville).	\$300,000
White Pass Country Historical Museum (Packwood)	\$283,000
Whitehouse Additional Capital Campaign (Pasco).....	\$1,500,000
Willows Road Regional Trail Connection (Kirkland)	\$1,442,000
Winlock HS Track (Winlock)	\$103,000
Winlock Industrial Infrastructure Development (Winlock)	\$1,500,000
Wishram School CTE Facility (Wishram).....	\$150,000
Yakima Valley SunDome Repairs (Yakima)	\$206,000
Yelm City Park Playground Modernization (Yelm).	\$247,000
Youth Eastside Services (Bellevue).....	\$26,000
YWCA Family Justice Center (Spokane)	\$103,000

(8) \$26,000 of the appropriation in this section is provided solely for implementation of the Spanaway lake management plan.

(9) \$1,250,000 of the appropriation in this section is provided solely for the planning, development, acquisition, and other activities pursuing open space conservation strategies for the historic Federal Way Weyerhaeuser campus. The grant recipient must be a regional nonprofit nature conservancy that works to conserve keystone properties selected by the city of Federal Way.

(10)(a) \$900,000 of the appropriation in this section is provided solely for an Interbay public development advisory committee. It is the intent of the legislature to examine current and future needs of a state entity that performs an essential public function on state-owned property located in one of the state's

designated manufacturing industrial centers. The legislature further intends to explore the potential future uses of this state-owned property in the event that the state entity determines that it must relocate in order to protect its ability to perform its essential public function.

(b) The Interbay public development advisory committee is created to make recommendations regarding the highest public benefit and future economic development uses for the Washington army national guard armory facility in the city of Seattle, pier 91 property, located at the descriptions referred to in the quit claim deeds for two parcels of land, 24.75 acres total, dated January 8, 1971, and December 22, 2009.

(c) The Interbay advisory committee consists of seven persons appointed as follows:

- (i) One person appointed by the speaker of the house of representatives;
- (ii) One person appointed by the president of the senate; and
- (iii) Five persons appointed by the governor, who must collectively have experience in forming public-private partnerships to develop workforce housing or affordable housing; knowledge of project financing options for public-private partnerships related to housing; architectural design and development experience related to industrial lands and mixed-use zoning to include housing; and experience leading public processes to engage communities and other stakeholders in public discussions regarding economic development decisions.

(d) The Interbay public development advisory committee must:

(i) Work in collaboration with the military department to determine the needs of the military department if it is relocated from the land described in subsection (1) of this section, including identifying:

- (A) Current uses;
- (B) Future needs of the units currently at this location;
- (C) Potential suitable publicly owned sites in Washington for relocation of current units; and
- (D) The costs associated with acquisition, construction, and relocation to another site or sites for these units;

(ii) Explore the future economic development opportunities if the land described in subsection (1) of this section is vacated by the military department, and make recommendations, including identifying:

- (A) Suitable and unsuitable future uses for the land;
- (B) Environmental issues and associated costs;
- (C) Current public infrastructure availability, future public infrastructure plans by local or regional entities, and potential public infrastructure needs;
- (D) Transportation corridors in the immediate area and any potential right-of-way needs; and

(E) Existing zoning regulations for the land and potential future zoning needs to evaluate workforce housing, affordable housing, and other commercial and industrial development compatible with the Ballard-Interbay manufacturing industrial center designation;

(iii) Explore the potential funding sources and partners as well as any needed transactions, and make recommendations, including:

- (A) Any potential private partners or investors;
- (B) Necessary real estate transactions;
- (C) Federal funding opportunities; and

(D) State and local funding sources, including any tax-related programs; and

(iv) Conduct at least three public meetings at a location within the Ballard-Interbay manufacturing industrial center, where a quorum of the Interbay public development advisory committee members are present, at which members of the public are invited to present to the Interbay advisory committee regarding the future uses of the site and potential issues such as industrial land use, commercial development, residential zoning, and public infrastructure needs.

(e) Nothing in this section authorizes the solicitation of interest or bids for work related to the purposes of this section.

(f) The department of commerce shall provide staff support to the Interbay advisory committee. The department may contract with outside consultants to provide any needed expertise.

(g) Legislative members of the Interbay advisory committee are reimbursed for travel in accordance with RCW 44.04.120. Nonlegislative members are not entitled to be reimbursed for travel expenses if they are elected officials or are participating on behalf of an employer, governmental entity, or other organization. Any reimbursement for other nonlegislative members is subject to chapter 43.03 RCW.

(11) \$2,000,000 of the appropriation in this section is provided solely to the city of Lakewood for the purchase of property within the federally designated north clear zone at joint base Lewis-McChord. Once acquired, the property must be zoned for use compatible with the mission and activity of McChord airfield. The city may lease or resell the acquired property for fair market value, but any such lease or sale must include restrictions or covenants ensuring that the use of the property is safely compatible with the mission and activity of McChord airfield. If the city subsequently resells, rezones, develops, or leases the property for commercial or industrial uses contrary to the allowed uses in the north clear zone, the city must repay to the state the amount spent on the purchase of the property in its entirety within ten years.

(12) \$250,000 of the appropriation in this section is provided solely for a grant to the Federal Way chamber of commerce for two economic development projects focused in the south Puget Sound area. The amounts in this section must be used for a business retention and expansion program to conduct economic research in collaboration with stakeholders, develop data-driven economic strategies, and produce a written evaluation; and a tourism enhancement program to develop and inventory the Federal Way area tourism sector, analyze data regarding visitation, and produce a written evaluation.

(13) \$400,000 of the appropriation in this section is provided solely for the Northshore athletic field which shall be named "Andy Hill Sports Complex."

(14) \$1,177,000 of the appropriation in this section is provided solely for the Harmony sports complex infrastructure and safety improvements in Vancouver and is contingent upon the facility being open to the public.

(15) \$250,000 of the appropriation in this section is provided solely for the Asia Pacific cultural center in Tacoma. ~~((It is the intent of the legislature that beyond the 2017-2019 fiscal biennium no state funding is provided to the Asia Pacific cultural center in Tacoma.))~~

Appropriation:

State Building Construction Account—State	\$130,941,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$130,941,000

Sec. 7003. 2023 c 474 s 6013 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

Early Learning Facility Grants (40000006)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 1005, chapter 298, Laws of 2018.

Reappropriation:

Early Learning Facilities Development Account—	
State	\$314,000
Early Learning Facilities Revolving Account—	
State	(\$1,556,000))
	<u>\$1,530,000</u>
Subtotal Reappropriation	(\$1,870,000))
	<u>\$1,844,000</u>
Prior Biennia (Expenditures)	\$13,595,000
Future Biennia (Projected Costs)	\$0
TOTAL	(\$15,465,000))
	<u>\$15,439,000</u>

Sec. 7004. 2023 c 474 s 6014 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

Dental Clinic Capacity Grants (40000007)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1002, chapter 356, Laws of 2020.

Reappropriation:

State Building Construction Account—State	(\$978,000))
	<u>\$967,000</u>
Prior Biennia (Expenditures)	\$14,556,000
Future Biennia (Projected Costs)	\$0
TOTAL	(\$15,534,000))
	<u>\$15,523,000</u>

Sec. 7005. 2024 c 375 s 6012 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

Behavioral Health Community Capacity (40000018)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 6004, chapter 413, Laws of 2019, except that \$416,000 of the appropriation has been moved to section 1009 ~~((of this act))~~, chapter 375, Laws of 2024.

Reappropriation:

State Building Construction Account—State	(\$18,747,000))
	<u>\$16,173,000</u>
Prior Biennia (Expenditures)	\$63,936,000
Future Biennia (Projected Costs)	\$0
TOTAL	(\$82,683,000))
	<u>\$80,109,000</u>

Sec. 7006. 2023 c 474 s 6021 (uncodified) is amended to read as follows:
FOR THE DEPARTMENT OF COMMERCE
2019-21 Youth Recreational Facilities Grant Program (40000041)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1034, chapter 413, Laws of 2019.

Reappropriation:

State Building Construction Account—State	(\$3,190,000))
	<u>\$2,132,000</u>
Prior Biennia (Expenditures)	\$2,690,000
Future Biennia (Projected Costs)	\$0
TOTAL	(\$5,880,000))
	<u>\$4,822,000</u>

Sec. 7007. 2023 c 474 s 6023 (uncodified) is amended to read as follows:
FOR THE DEPARTMENT OF COMMERCE
2019-21 Building Communities Fund Program (40000043)

The reappropriation in this section is subject to the following conditions and limitations:

- (1) The reappropriation is subject to the provisions of section 1036, chapter 413, Laws of 2019, except as provided in subsection (2) of this section.
- (2) Funding for the YMCA of Greater Seattle project shall lapse on the effective date of this section.

Reappropriation:

State Building Construction Account—State	(\$15,255,000))
	<u>\$11,069,000</u>
Prior Biennia (Expenditures)	\$21,530,000
Future Biennia (Projected Costs)	\$0
TOTAL	(\$36,785,000))
	<u>\$32,599,000</u>

Sec. 7008. 2023 c 474 s 6024 (uncodified) is amended to read as follows:
FOR THE DEPARTMENT OF COMMERCE
2019-21 Early Learning Facilities (40000044)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section ~~((1006, chapter 356, Laws of 2020))~~ 6006, chapter 332, Laws of 2021.

Reappropriation:

Early Learning Facilities Development Account—

State(((\$1,140,000))
\$306,000

Early Learning Facilities Revolving Account—

State \$13,292,000

State Building Construction Account—State \$3,767,000

Subtotal Reappropriation(((\$18,199,000))
\$17,365,000

Prior Biennia (Expenditures) \$16,821,000

Future Biennia (Projected Costs) \$0

TOTAL(((\$35,020,000))
\$34,186,000

Sec. 7009. 2024 c 375 s 6013 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

2019-21 Behavioral Health Capacity Grants (40000114)

The reappropriation in this section is subject to the following conditions and limitations:

(1) The reappropriation is subject to the provisions of section 1010, chapter 356, Laws of 2020, except ~~((that))~~ as provided for under subsections (2) and (3) of this section.

(2) \$1,960,000 of the appropriation for the Lummi Nation and \$1,960,000 of the funding for the Comprehensive Walla Walla project has been moved to section 1009 of this act.

(3) \$3,000,000 of the appropriation in this section for the Issaquah Opportunity Center (Issaquah) project shall lapse on the effective date of this section.

Reappropriation:

State Building Construction Account—State(((\$31,999,000))
\$28,999,000

Prior Biennia (Expenditures) \$90,232,000

Future Biennia (Projected Costs) \$0

TOTAL(((\$122,231,000))
\$119,231,000

Sec. 7010. 2024 c 375 s 6010 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

2020 Local and Community Projects (40000116)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 6007, chapter 332, Laws of 2021, except that:

(1) ~~((Funding))~~ The funding provided in this section may not be directed to the Arivva Community Center;

(2) The Main Street Redevelopment Project appropriation level is reduced from \$985,000 to \$865,000;

(3) \$120,000 of the reappropriation is provided solely for the Steilacoom Cultural Center; ~~((and))~~

(4) \$200,000 of the \$2,000,000 reappropriation for the Lake City Community Center Replacement (Seattle) project must be used to facilitate community engagement and a community needs assessment to inform design of the redevelopment of the Lake City Community Center;

(5) \$2,000,000 of the appropriation in this section for the Seattle Goodwill (Seattle) project shall lapse on the effective date of this section; and

(6) \$78,000 of the appropriation in this section for the Hoh Tribe Broadband (Grays Harbor) project shall lapse on the effective date of this section.

Reappropriation:

State Building Construction Account—State	(((\$50,532,000))
	\$48,454,000
Prior Biennia (Expenditures)	\$115,775,000
Future Biennia (Projected Costs)	\$0
TOTAL	(((\$166,307,000))
	\$164,229,000

Sec. 7011. 2023 c 474 s 6036 (uncodified) is amended to read as follows:
FOR THE DEPARTMENT OF COMMERCE

2021-23 Building Communities Fund Grant Program (40000142)

The reappropriation in this section is subject to the following conditions and limitations:

(1) The reappropriation is subject to the provisions of section 1059, chapter 332, Laws of 2021, except as provided in subsection (2) of this section.

(2) Funding for the Sea Mar Community Health project and the Sea Mar Community Health Centers project shall lapse on the effective date of this section.

Reappropriation:

State Building Construction Account—State	(((\$27,103,000))
	\$24,161,000
Prior Biennia (Expenditures)	\$3,043,000
Future Biennia (Projected Costs)	\$0
TOTAL	(((\$30,146,000))
	\$27,204,000

Sec. 7012. 2024 c 375 s 1001 (uncodified) is amended to read as follows:
FOR THE DEPARTMENT OF COMMERCE

2022 Local & Community Projects (40000230)

The appropriations in this section are subject to the following conditions and limitations:

(1) The reappropriation is subject to the provisions of section 7012 of this act, except that:

(a) \$2,000,000 of the reappropriation is for the Tiny House Villages (Seattle) project, and not the Tiny House Villages and Cottages (Seattle) project; and

(b) \$206,000 of the reappropriation is for the Renton Housing Repair Assistance Program (Renton) project, and not the 300 Rainier Ave Building (Renton) project.

(2) The department must reimburse the city of Chelan for its expenditures for the Chelan municipal airport extension project. The amount of the

reimbursement to the city of Chelan under this section may not exceed the amount appropriated for the Chelan municipal airport extension project in section 1022, chapter 296, Laws of 2022.

(3) \$1,000,000 of the appropriation in this section is for the remaining costs of the Chelan municipal airport extension project.

(4) \$250,000 of the appropriation in this section for the Port of Olympia Marine Center (Olympia) project shall lapse on the effective date of this section.

(5) \$38,000 of the appropriation in this section for the Communications Tower (Ocean Shores) project shall lapse on the effective date of this section.

(6) \$155,000 of the appropriation in this section for the Trails End Community Meeting Space (Tumwater) project shall lapse on the effective date of this section.

Reappropriation:

State Building Construction Account—State	(\$117,688,000))
	<u>\$117,245,000</u>
	Appropriation:
State Building Construction Account—State	\$1,000,000
Prior Biennia (Expenditures)	\$51,879,000
Future Biennia (Projected Costs)	\$0
TOTAL	(\$170,567,000))
	<u>\$170,124,000</u>

Sec. 7013. 2024 c 375 s 6009 (uncodified) is amended to read as follows:
FOR THE DEPARTMENT OF COMMERCE
 2023 Local and Community Projects (40000266)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 7007 of this act, except that:

(1) \$273,000 of the reappropriation is for the City of Arlington Jensen Park Improvements (Arlington) project, and not the Senior Resources Svc HUB Feasibility Study (Freeland) project; (~~and~~)

(2) No funding may be directed to the Allyn Community Center(-);

(3) \$1,200,000 of the appropriation is for the Camp Boucher Civil Air Patrol Building Refurbishment, and not the Civil Air Patrol Hanger (Ephrata) project;

(4) The Newman Lake Milfoil Wash Station (Newman Lake) project is renamed the Newman Lake Oxygenation System project; and

(5) \$200,000 of the appropriation in this section for the Craft Beverage (Tumwater) project shall lapse on the effective date of this section;

(6) \$1,200,000 of the appropriation in this section for the Camp Boucher Civil Air Patrol Building Refurbishment project shall lapse on the effective date of this section.

Reappropriation:

Capital Community Assistance Account—State	\$309,000
State Building Construction Account—State	(\$48,001,000))
	<u>\$46,601,000</u>
Subtotal Reappropriation	(\$48,310,000))
	<u>\$46,910,000</u>
Prior Biennia (Expenditures)	\$5,017,000

Future Biennia (Projected Costs).....	\$0
TOTAL	(\$53,327,000)
	<u>\$51,927,000</u>

Sec. 7014. 2023 c 474 s 6037 (uncodified) is amended to read as follows:
FOR THE DEPARTMENT OF COMMERCE
2021-23 Building for the Arts Grant Program (40000143)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1060, chapter 332, Laws of 2021.

Reappropriation:

State Building Construction Account—State	(\$9,955,000)
	<u>\$8,705,000</u>
Prior Biennia (Expenditures).....	\$6,045,000
Future Biennia (Projected Costs).....	\$0
TOTAL	(\$16,000,000)
	<u>\$14,750,000</u>

Sec. 7015. 2024 c 375 s 1009 (uncodified) is amended to read as follows:
FOR THE DEPARTMENT OF COMMERCE
2023-25 Behavioral Health Community Capacity Grants (40000299)

The appropriation in this section is subject to the following conditions and limitations:

- (1) The appropriations in this section ~~((is))~~ are provided solely for the department to issue grants to community hospitals or other community providers to expand and establish new capacity for behavioral health services in communities. The department must consult an advisory group consisting of representatives from the department of social and health services, the health care authority, one representative from a managed care organization, one representative from an accountable care organization, and one representative from the association of county human services. Amounts provided in this section may be used for construction and equipment costs associated with establishment or preservation of the facilities. The department may approve funding for the acquisition of a facility if the project will result in increased behavioral health capacity. Amounts provided in this section may not be used for operating costs associated with the treatment of patients using these services.
- (2) In awarding funding for projects in subsection (5) of this section, the department must establish criteria for the issuance of the grants, which must include:
- (a) Evidence that the application was developed in collaboration with one or more regional behavioral health entities that administer the purchasing of services;
 - (b) Evidence that the applicant has assessed and would meet gaps in geographical availability of behavioral health services in their region;
 - (c) Evidence that the applicant is able to meet applicable licensing and certification requirements in the facility that will be used to provide services;
 - (d) A commitment by applicants to serve persons who are publicly funded and persons detained for involuntary commitment under chapter 71.05 RCW;

(e) A commitment by the applicant to maintain and operate the beds or facility for a time period commensurate to the state investment, but for at least a 10-year period;

(f) The date upon which structural modifications or construction would begin and the anticipated date of completion of the project;

(g) A detailed estimate of the costs associated with opening the beds;

(h) A financial plan demonstrating the applicant's ability to maintain and operate the facility; and

(i) The applicant's commitment to work with local courts and prosecutors to ensure that prosecutors and courts in the area served by the hospital or facility will be available to conduct involuntary commitment hearings and proceedings under chapter 71.05 RCW.

(3) In awarding funding for projects in subsection (5) of this section, the department, in consultation with the advisory group established in subsection (1) of this section, must strive for geographic distribution and to allocate funding based on population and service needs of an area. The department must consider current services available, anticipated services available based on projects underway, and the service delivery needs of an area.

(4) The department must prioritize projects that increase capacity in unserved and underserved areas of the state.

(5)(a) \$29,443,000 of the state building construction account—state appropriation in this section is provided solely for competitive community behavioral health grants to address regional needs. Applicants must provide confirmation that the health care authority, department of social and health services, or a managed care organization plans to contract with the facility sufficient to cover the facility's operating costs. The department must give priority to facilities that:

(i) Serve individuals on 90-day or 180-day civil commitments as an alternative to treatment in the state hospitals;

(ii) Serve individuals who will be transitioned from or diverted from the state hospitals;

(iii) Provide secure withdrawal management and stabilization treatment beds; or

(iv) Provide substance use disorder treatment.

(b) In awarding this funding to projects under (a)(i) of this subsection (5), the department must coordinate with the department of social and health services, the health care authority, and the department of health and must only select facilities that meet the following conditions:

(i) The funding must be used to increase capacity related to serving individuals who will be transitioned from or diverted from the state hospitals;

(ii) The facility is not subject to federal funding restrictions that apply to institutions of mental diseases;

(iii) The provider has submitted a proposal for operating the facility to the health care authority;

(iv) The provider has demonstrated to the department of health and the health care authority that it is able to meet the applicable licensing and certification requirements for the facility that will be used to provide services; and

(v) The health care authority has confirmed that it intends to contract with the facility for operating costs within funds provided in the operating budget for these purposes.

(c) \$24,000,000 of the state building construction account—state appropriation in this section is provided solely for grants to intensive behavioral health treatment facilities for long-term placement of behavioral health patients with complex needs and that are not subject to federal funding restrictions that apply to institutions of mental diseases.

(d) \$18,000,000 of the state building construction account—state appropriation in this section is provided solely for grants to community providers to increase behavioral health services and capacity for children and minor youth including, but not limited to, services for youth crisis walk-in intervention, substance use disorder treatment, sexual assault and traumatic stress, anxiety, or depression, children with behavioral health and intellectual or developmental disability needs, and interventions for children exhibiting aggressive or depressive behaviors in facilities that are not subject to federal funding restrictions. Consideration must be given to programs that incorporate outreach and treatment for youth dealing with behavioral health or social isolation issues.

(e) \$4,250,000 of the state building construction account—state appropriation in this section is provided solely for grants to community providers to increase opioid treatment program services and access.

(6) The amounts provided in this subsection are subject to the criteria in subsection (1) of this section, except the projects are not required to establish new capacity:

(a) \$7,500,000 of the state building construction account—state appropriation in this section is provided solely for grants to community providers to prevent the closure of existing behavioral health facilities. For purposes of this subsection (6)(a), the department must implement necessary procedures to enable rapid commitment of funds on a first-come, first-served basis to qualifying project proposals that satisfy the goal of long-term preservation of behavioral health facilities.

(b) (~~(\$181,476,000)~~) \$179,576,000 of the state building construction account—state appropriation in this section is provided solely for the following list of projects:

Aristo Healthcare Services (Renton)	\$2,000,000
Center for Alcohol & Drug Treatment New Facility (Wenatchee)	\$19,600,000
Chehalis Wellness Center Renovation	\$3,000,000
Columbia River Mental Health Services Clinic	\$600,000
Columbia Valley Center for Recovery	\$6,500,000
Colville Tribes Detox Facility Feasibility Study	\$500,000
Compass Health Broadway Behavioral Health Services (Everett)	\$18,700,000
CRMHS Satellite Building Project (Vancouver)	\$2,500,000
Evergreen Treatment Services (Seattle).	\$6,000,000
Holman Recovery Center Freedom Bridge	\$1,900,000
Ituha Stabilization Facility Bed Increase	\$93,000

Jamestown S'Klallam Behavioral Health Center (Sequim)	\$28,000,000
Kalispel Tribe Camas Health Inpatient Treatment Center	\$5,000,000
Kitsap Mental Health Services Bremerton Campus Expansion	\$773,000
Lynnwood Community Recovery Center (Lynnwood)	\$2,750,000
Muckleshoot We Care Daily	\$3,500,000
Nisqually Tribe Healing Village (Olympia)	\$12,000,000
Opioid Recovery and Care Access	\$3,500,000
Quinalt Indian Nation Wellness Center Expansion	\$7,800,000
((Recovery Innovations Crisis Stabilization (Federal Way)	\$1,900,000))
SeaMar Youth Crisis Center (Seattle)	\$480,000
Seven Nations Healing Lodge Youth Expansion	\$2,000,000
SHC Medical Center - Astria/Toppenish Hospital (Toppenish)	\$2,500,000
SIHB Thunderbird Treatment Center (Vashon)	\$1,030,000
Skagit County Crisis Stabilization Center	\$12,950,000
Snoqualmie Tribe Behavioral Health	\$100,000
Spokane Treatment and Recovery Service (Spokane)	\$4,000,000
Substance Use Disorder & Mental Health Inpatient Treatment (Yakima)	\$11,750,000
Suquamish On-Reservation Health Service Center	\$4,500,000
Triumph SUD & Mental Health Treatment	\$2,500,000
Whatcom 23-Hour Crisis Relief Center (Bellingham)	\$11,350,000
Yakama Nation Detox Center	\$900,000
Yakima Drop-in Center	\$800,000

(c) ~~(((\$11,607,000))~~ \$22,107,000 of the state building construction account—state appropriation and \$1,250,000 of the capital community assistance account—state appropriation in this section are provided solely for design and construction of the Lummi Nation Substance Abuse Treatment project. ~~((The legislature intends to provide funds in the amount of \$23,357,000 over the course of the 2023-2025 and 2025-2027 fiscal biennia for the Lummi Nation Substance Abuse Treatment project.))~~ Pursuant to RCW 43.88.130, the department may enter into a multiyear contract with Lummi Nation for the design and construction of the project. Nothing in this section authorizes the department to make an expenditure without an appropriation.

(7)(a) \$10,002,000 of the state building construction account—state appropriation and \$4,998,000 of the capital community assistance account—state appropriation in this section are provided solely for the purchase of the former Daybreak Youth Services building located in Clark County, Washington. Title of the property must be held in the name of the state under the custody and control of the department of enterprise services.

(b) The department, with the assistance of the department of enterprise services, shall facilitate a lease agreement with Madrona Recovery Center, Inc. (Madrona) for a term of no less than 10 years, at a lease cost of \$1 per year. As a

condition of the lease, the department shall obtain commitments and acknowledgments from Madrona as follows:

(i) The building will be operated for the purpose of providing substance use disorder treatment and other behavioral health treatment services to children and minor youth throughout the term of the lease;

(ii) Madrona is able to meet applicable licensing and certification requirements necessary to operate the facility;

(iii) Madrona commits to prioritizing services for persons who are publicly funded and are residents of the state of Washington;

(iv) Madrona has provided a detailed estimate of the costs associated with opening the beds at the facility;

(v) The date upon which structural modifications or construction would begin and the anticipated date of completion of the project, with an anticipated opening date of the facility that is no more than 12 months from commencement of the lease; and

(vi) Madrona has submitted a financial plan demonstrating its ability to maintain and operate the facility, including confirmation that the health care authority, department of social and health services, or a managed care organization plans to contract with the facility sufficient to cover the facility's operating costs.

(c) \$1,000,000 of the state building construction account—state appropriation in this section is provided solely to Madrona for the purpose of tenant improvements necessary to operate the building for the purposes outlined in (b) of this subsection. The department must inform Madrona of its obligation to pay prevailing wage in completing tenant improvements financed by the state. Subsequent maintenance and repairs during the term of the lease are the responsibility of Madrona.

(d) \$200,000 of the state building construction account—state appropriation in this section is provided solely for the administrative costs associated with this project.

(8) The department shall notify all applicants that they may be required to have a construction review performed by the department of health.

(9) To accommodate the emergent need for behavioral health services, the department and the department of health, in collaboration with the health care authority and the department of social and health services, must establish a concurrent and expedited process to assist grant applicants in meeting any applicable regulatory requirements necessary to operate inpatient psychiatric beds, freestanding evaluation and treatment facilities, enhanced services facilities, triage facilities, crisis stabilization facilities, or secure detoxification/secure withdrawal management and stabilization facilities.

(10) The department must strive to allocate all of the amounts provided in this section in the manner prescribed in each subsection. However, if upon review of applications, the department determines, in consultation with the advisory group established in subsection (1) of this section, that there are not adequate suitable projects in a category, the department may allocate funding to other project categories listed in this section, prioritizing projects that support serving individuals who will be transitioned from or diverted from the state hospitals. Underserved areas of the state may also be considered.

(11) In contracts for grants authorized under this section, the department must include provisions that require that the grantee or successor hold the capital improvements for at least a 10-year period. The provisions must require the facility to be used for behavioral health services, but may allow the facility to change ownership or facility type during the commitment period. The department shall monitor the activities of recipients of grants under this program to determine compliance with the terms and conditions set forth in its contract.

(12) The department must provide a progress report to the appropriate committees of the legislature by September 1, 2024. The report must include:

- (a) The total number of applications and amount of funding requested;
- (b) A list and description of the projects approved for funding including state funding, total project cost, services anticipated to be provided, bed capacity, and anticipated completion date;
- (c) A statewide map of new capacity since 2018, including projected bed capacity and opening dates;
- (d) A status report of projects that received funding in prior funding rounds, including details about the project completion and the date the facility began providing services; and
- (e) Recommendations for statutory language that would codify the grant program on an ongoing basis including:
 - (i) Evaluation and prioritization criteria;
 - (ii) Monitoring and compliance requirements;
 - (iii) Preconstruction and technical assistance services; and
 - (iv) Data needed to determine the service needs by area of the state.

(13) The department must coordinate with the health care authority to submit capital budget requests to fund behavioral health community capacity grants for the 2025-2027 biennial budget by the due date established by the office of financial management. Associated state budget operating costs must also be identified and requested.

Appropriation:

Capital Community Assistance Account—State	\$6,248,000
State Building Construction Account—State	(\$287,478,000))
	<u>\$296,078,000</u>
Subtotal Appropriation	(\$293,726,000))
	<u>\$302,326,000</u>
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$1,174,904,000
TOTAL	(\$1,468,630,000))
	<u>\$1,477,230,000</u>

Sec. 7016. 2023 c 474 s 6033 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

2021-23 Youth Recreational Facilities Grant Program (40000139)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1056, chapter 332, Laws of 2021.

Reappropriation:

State Building Construction Account—State	((<u>\$3,019,000</u>))
	<u>\$1,222,000</u>
Prior Biennia (Expenditures)	\$670,000
Future Biennia (Projected Costs)	\$0
TOTAL	((<u>\$3,689,000</u>))
	<u>\$1,892,000</u>

Sec. 7017. 2024 c 375 s 1002 (uncodified) is amended to read as follows:
FOR THE DEPARTMENT OF COMMERCE

2023-25 Energy Retrofits and Solar Power for Public Buildings (40000283)

The appropriation in this section is subject to the following conditions and limitations:

(1) \$14,500,000 of the appropriation in this section is provided solely for grants to local governments, public higher education institutions, school districts, tribal governments, and state agencies for improvements to facilities and related projects that result in energy and operational cost savings.

(a) At least 20 percent of each competitive grant round is designated for award to eligible projects in small cities or towns with a population of 5,000 or fewer residents.

(b) In each competitive round, a higher energy savings to investment ratio must result in a higher project ranking. Priority consideration must be given to applicants that have not received grant awards for this purpose in prior biennia.

(c) The department must determine a minimum match ratio to maximize the leverage of nonstate funds.

(2) \$22,500,000 of the appropriation in this section is provided solely for grants to be awarded in competitive rounds to local governments, public higher education institutions, school districts, tribal governments, and state agencies for projects that involve the purchase and installation of solar energy systems, including solar modules and inverters, with a preference for products manufactured in Washington.

(a) At least 20 percent of each competitive grant round is designated for award to eligible projects in small cities or towns with a population of 5,000 or fewer residents.

(b) In each competitive round, a higher energy savings to investment ratio must result in a higher project ranking. Priority consideration must be given to applicants that have not received grant awards for this purpose in prior biennia.

(c) The department must determine a minimum match ratio to maximize the leverage of nonstate funds.

(3) \$5,000,000 of the appropriation in this section is provided solely for the energy efficiency and environmental performance improvements to minor works, stand-alone, and emergency projects at facilities owned by agencies that repair or replace existing building systems and reduce greenhouse gas emissions from state operations, including, but not limited to, HVAC, lighting, insulation, windows, and other mechanical systems. Eligibility for this funding is dependent on an analysis using the office of financial management's life-cycle cost tool that compares project design alternatives for initial and long-term cost-effectiveness. Assuming a reasonable return on investment, the department shall provide grants

in the amount required to improve the project's energy efficiency compared to the original project request.

(4) (~~(\$4,000,000)~~) \$5,000,000 of the appropriation in this section is provided solely for the Washington state association of counties to provide funding for energy audits on county-owned tier 1 and tier 2 covered buildings and collect and manage data on the costs for counties to comply with the requirements of RCW 19.27A.210 and 19.27A.250.

(a) The Washington state association of counties may award grants to counties with qualifying buildings to assess current energy performance and determine the approximate costs of facility and system upgrades to meet state energy performance standards in chapter 19.27A RCW.

(b) The Washington state association of counties shall submit to the appropriate committees of the legislature no later than December 31, (~~(2025)~~) 2026, a report detailing the current energy performance of each county-owned tier 1 and tier 2 building for which an energy audit was completed with the funding provided in this subsection (4), and an estimate of the costs for bringing each building into compliance with the state energy performance standards in chapter 19.27 RCW.

(c) Up to 12 percent of the amount of the grants awarded in (a) of this subsection may be retained by the Washington state association of counties for administrative costs.

(5) \$4,000,000 of the appropriation in this section is provided solely for the association of Washington cities to provide funding for energy audits on city-owned tier 1 and tier 2 covered buildings and collect and manage data on the costs for cities to comply with the requirements of RCW 19.27A.210 and 19.27A.250.

(a) The association of Washington cities may award grants to cities with qualifying buildings to assess current energy performance and determine the approximate costs of facility and system upgrades to meet state energy performance standards in chapter 19.27A RCW.

(b) The association of Washington cities shall submit to the appropriate committees of the legislature no later than December 31, (~~(2025)~~) 2026, a report detailing the current energy performance of each city-owned tier 1 and tier 2 building for which an energy audit was completed with the funding provided in this subsection (5), and an estimate of the costs for bringing each building into compliance with the state energy performance standards in chapter 19.27 RCW.

(c) Up to 12 percent of the amount of the grants awarded in (a) of this subsection may be retained by the association of Washington cities for administrative costs.

(6) The department shall develop metrics that indicate the performance of energy efficiency efforts.

(7) If a grant is provided in subsection (1) or (3) of this section to purchase heating devices or systems, the agency must, whenever possible and most cost effective, select devices and systems that do not use fossil fuels.

(8) Grants provided in subsections (1) through (3) of this section to state agencies are exempt from the match requirements in this section.

Appropriation:

Climate Commitment Account—State	(((\$50,000,000))
	<u>\$51,000,000</u>
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$200,000,000
TOTAL	(((\$250,000,000))
	<u>\$251,000,000</u>

Sec. 7018. 2023 c 474 s 1003 (uncodified) is amended to read as follows:
FOR THE DEPARTMENT OF COMMERCE
2023-25 Building Communities Fund Grant Program (40000279)

The appropriation in this section is subject to the following conditions and limitations:

- (1) The appropriation is subject to the provisions of RCW 43.63A.125.
- (2) The department may not expend the appropriation in this section unless and until the nonstate share of project costs have been either expended or firmly committed, or both, in an amount sufficient to complete the project or a distinct phase of the project that is useable to the public for the purpose intended by this appropriation. This requirement does not apply to projects where a share of the appropriation is for design costs only.
- (3) The appropriation in this section is provided solely for the following list of projects:

American Legion Veteran Housing and Resource Center	\$493,000
Asia Pacific Cultural Center Renovation.	\$1,082,000
Behavioral Health Clinic	\$250,000
Benston Hall	\$247,000
Capital Expansion for Job Skills, Training, Support, and More	\$100,000
Carl Maxey Center Remodel - Phase 3	\$350,000
Cham Community Center	\$2,050,000
Childcare and Development Center Phase II.	\$200,000
CLR Certified Community Behavioral Health Center	\$2,446,000
Community Meal Program	\$672,000
Culinary Training Academy and Community Event Space at HopeWorks.	\$635,000
CYS Marina View Building Renovation	\$100,000
Eloise's Cooking Pot Food Bank Capital Remodel Project.	\$243,000
Energy Retrofit Project	\$135,000
Eritrean Community Center Expansion Project.	\$312,000
Expanding Capacity for Workforce Development.	\$99,000
Expansion of and Updates to GLOW Children ELC Space.	\$185,000
Expansion of Public Food Business Incubator	\$100,000
Food Bank Renovation	\$425,000
Food Pantry Renovation in Kittitas County.	\$473,000
Global Neighborhood Building Expansion: Enhancing Services for Local Refugees.	\$229,000

HVAC Replacement for ECEAP Classrooms	\$188,000
Lake Stevens Food Bank Building	\$675,000
Landing Youth Service Center	\$297,000
Latino Arts and Culture Community Center	\$90,000
Makah Community Gymnasium	\$160,000
New Family Resource Center Construction	\$325,000
NEW Health Newport Capital Expansion	\$823,000
Nisqually Health and Wellness Center Project	\$6,000,000
North Seattle Family Support Center	\$1,090,000
((Puyallup Food Bank Facilities	\$558,000))
RAI Maker Space and Cultural Center	\$778,000
ReCyclery Infrastructure, Bathroom and Shop Improvement Project	\$144,000
Scott and Sis Names Family YMCA	\$3,000,000
Sea Mar CHC - Concrete	\$186,000
Sea Mar CHC - Elma	\$187,000
Sedro-Woolley Club Renovation	\$100,000
SEYFS Renovations	\$187,000
Snohomish Family Center Improvements	\$206,000
South Everett/Mukilteo Building Communities	\$100,000
Step By Step Early Learning Center	\$2,622,000
Teen Center Building Renovation	\$318,000
UHeights Community Kitchen, Safety, and Accessibility Project	\$250,000
Unbridled Spirit: Outdoor Program Space	\$68,000
United Learning Center	\$100,000
William Grose Innovation Center	\$250,000
Yelm Boys & Girls Club Remodel	\$100,000
YWCA Clark County Community Office Repairs and Renovation	\$101,000

(4) \$850,000 of the appropriation in this section is provided solely for the department to provide technical assistance to organizations interested in applying for the building communities fund grants.

Appropriation:

State Building Construction Account—State	(((\$30,579,000))
	<u>\$30,021,000</u>
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$122,000,000
TOTAL	(((\$152,579,000))
	<u>\$152,021,000</u>

Sec. 7019. 2024 c 375 s 1005 (uncodified) is amended to read as follows:
FOR THE DEPARTMENT OF COMMERCE
 Capital Pre-Development Funding (40000293)

The appropriation in this section is subject to the following conditions and limitations: Of the amounts provided in this section, ~~(((\$3,800,000))~~ \$3,783,000 is provided solely for the LETI Incubator for Family Success project in Everett.

Appropriation:

State Taxable Building Construction Account—	
State	(((\$3,800,000))
	<u>\$3,783,000</u>
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$20,000,000
TOTAL	(((\$23,800,000))
	<u>\$23,783,000</u>

Sec. 7020. 2024 c 375 s 1007 (uncodified) is amended to read as follows:
FOR THE DEPARTMENT OF COMMERCE
2023-25 Housing Trust Fund (40000295)

The appropriations in this section are subject to the following conditions and limitations:

(1) \$180,663,000 of the state taxable building construction account—state appropriation is provided solely for the new construction, acquisition, or rehabilitation of affordable housing projects that serve and benefit low-income and special needs populations including, but not limited to, people with chronic mental illness or behavioral health conditions, farmworkers, people who are homeless, and people in need of permanent supportive housing. The department shall strive to invest at least 20 percent of the appropriation provided under this subsection with by and for organizations, as defined by the office of equity.

(2) \$35,500,000 of the state taxable building construction account—state appropriation and \$8,500,000 of the Washington housing trust fund account—state appropriation are provided solely for affordable housing projects that serve and benefit low-income people with developmental or intellectual disabilities. The department must use a separate application form and evaluation criteria for applications under this subsection. The department must coordinate with the department of social and health services regarding any needed supportive services and make efforts to enact the recommendations of the housing needs study for individuals with intellectual and developmental disabilities, as provided in section 1068(6), chapter 332, Laws of 2021.

(3) (~~(\$100,000,000)~~) \$92,785,000 of the state taxable building construction account—state appropriation is provided solely for the apple health and homes rapid permanent supportive housing program created in chapter 216, Laws of 2022. Of the amounts provided in this subsection(~~(~~

~~(a))~~, \$5,000,000 is provided solely for the St. Agnes Haven project in Spokane(~~(~~

~~(b))~~ \$7,000,000 is provided solely for the CoLead Northgate project in Seattle)).

(4) (~~(\$60,000,000)~~) \$46,680,000 of the state building construction account—state and \$13,320,000 of the state taxable construction account—state appropriations (~~(~~) are provided solely for awards to organizations eligible under RCW 43.185A.040 for the development of homeownership projects affordable to first-time low-income households throughout the state. Projects serving homebuyers whose income is up to 80 percent of the area median income, adjusted for household size, for the county where the property is located are eligible to apply, except that projects located in rural areas of the state, as defined by the department, serving homebuyers whose income is up to 100

percent of the area median income, adjusted for household size, for the county where the property is located are eligible to apply. Eligible activities include, but are not limited to, down payment assistance, closing costs, acquisition, rehabilitation costs, and new construction. Eligible organizations may include those that plan to provide housing to socially disadvantaged communities as defined in 13 C.F.R. Sec. 124.103. The department shall strive to invest at least 50 percent of these funds with by and for organizations, as defined by the office of equity, and make efforts to enact the recommendations of the homeownership disparities work group created in section 128(100), chapter 297, Laws of 2022. Of the amount provided in this subsection:

(a) \$1,500,000 of the state building construction account—state appropriation is provided solely for the Boulevard Townhomes project; and

(b) \$248,000 of the state building construction account—state appropriation is provided solely for the Crail Cottages project.

(5) \$25,000,000 of the state building construction account—state appropriation is provided solely for affordable housing preservation projects, which may include, but are not limited to:

(a) Projects preserving and extending the affordability commitment period for projects in the housing trust fund portfolio. The funds may be provided for major building improvements, preservation, and system replacements, necessary for the existing housing trust fund portfolio to maintain long-term viability. The department must require a capital needs assessment be provided prior to contract execution. Funds may not be used to add or expand the capacity of the property. When allocating funds, the department must prioritize buildings that are older than 15 years and that serve very low-income and extremely low-income populations.

(b) Projects preserving affordable multifamily housing at risk of losing its affordability due to expiration of use restrictions that otherwise require affordability including, but not limited to, United States department of agriculture funded multifamily housing. The department must prioritize projects that satisfy the goal of long-term preservation of Washington's affordable multifamily housing stock, particularly in rural areas of the state. Funds may be used for acquisition or for acquisition and rehabilitation of properties to preserve the affordable housing units beyond their existing use restrictions and keep them in Washington's housing portfolio for a minimum of 40 years. If a capital needs assessment is required, the department must work with the applicant to ensure that this does not create an unnecessary impediment to rapidly accessing these funds.

(c) The funding provided under this subsection (5) is not subject to the 90-day application periods in RCW 43.185.070 or 43.185A.050.

(d) The amount awarded under this subsection (5) may not be calculated in award limitations for other housing trust fund awards.

(6) \$14,000,000 of the state (~~taxable~~) building construction account—state appropriation is provided solely for a grant to the northwest cooperative development center to provide subgrants for the acquisition and preservation of mobile or manufactured home communities. Funding provided under this subsection may be used to acquire mobile or manufactured home communities for the purpose of avoiding household displacement due to sale or other

transactions and ensuring preservation of housing affordability for low-income households for a minimum of 40 years.

(7) \$7,000,000 of the state (~~(taxable)~~) building construction account—state appropriation is provided solely for capital improvements to mobile home or manufactured home communities and includes the following:

(a) \$5,500,000 is provided solely for a grant to the northwest cooperative development center to provide subgrants to organizations that are "mobile home park cooperatives" or "manufactured housing cooperatives" under RCW 59.20.030 for completing capital improvement processes. Subgrants provided under this subsection may be used solely for critical improvements, repairs, and infrastructure upgrades to promote the preservation of mobile or manufactured home communities as affordable housing. The grantee must award subgrants based on needs relating to health, safety, and cost; and

(b) \$1,500,000 is provided solely for the Alpine Ridge Utility Upgrades project.

(8) (~~(\$71,876,000)~~) (a) \$78,091,000 of the state taxable building construction account—state appropriation is provided solely for the following list of projects:

African Diaspora Cultural Anchor Village (SeaTac)	\$4,000,000
Bringing It Home II 24-Hour Domestic Violence Shelter.	\$8,720,000
Broadway Senior Housing.	\$1,000,000
Casa MiA: Supporting Housing for Survivors	\$1,030,000
Cedar House.	\$112,000
<u>CoLead Northgate project in Seattle</u>	<u>\$7,215,000</u>
Generations Place Workforce Housing	\$1,600,000
Gravelly Lake Commons at LASA (Lakewood)	\$500,000
(Habitat for Humanity)	\$6,000,000)
KCR Mills Crossing Affordable Housing	\$2,000,000
Leavenworth Affordable Workforce Rental Housing (Leavenworth)	\$2,300,000
Lewis County Homeless Shelter (Chehalis)	\$2,500,000
Lincoln District Family Housing (Tacoma).	\$5,050,000
Mary's Place Shelter Replacement (Burien)	\$6,000,000
Mount Baker Housing Association Trenton Apartments.	\$500,000
Mount Zion Housing (Seattle).	\$1,000,000
Multicultural Village Design (Kent)	\$550,000
New Hope Family Housing (Seattle).	\$325,000
Peninsula Community Health Housing (Bremerton).	\$412,000
<u>PHPDA Intergenerational Housing</u>	<u>\$5,000,000</u>
Raymond Manor Low-Income Senior Housing.	\$1,500,000
Redmond Supportive Housing.	\$3,200,000
Saint Vincent de Paul.	\$1,000,000
Shiloh Baptist Church New Life Housing (Tacoma).	\$1,000,000
Skyway Affordable Housing (Skyway).	\$3,000,000
Sky Valley Youth Center	\$1,153,000
Tacoma/Pierce County Habitat Affordable Housing (Pierce County).	\$14,000,000
The House of Bethlehem	\$424,000
West Klickitat Assisted Living Facility.	\$3,000,000

(b) \$6,000,000 of the state building construction account—state appropriation is provided solely for the following project:

Habitat for Humanity (Seattle) \$6,000,000

(9) \$20,000,000 of the state taxable building construction account—state appropriation in this section is provided solely for eligible organizations defined under RCW 43.185A.040 to acquire, renovate, and prepare real property for rapid conversion into enhanced emergency shelters, permanent supportive housing, transitional housing, permanent housing, youth housing, tiny homes, or shelter for extremely low-income people, as well as individuals, families, unaccompanied youth, and young people experiencing sheltered and unsheltered homelessness. Acquisitions completed with temporary financing are eligible for funding provided in this section. The department may only approve funding for projects that result in increased shelter or housing capacity.

(a) Acquisition of multifamily housing is a priority, and the department shall prioritize housing projects that rapidly move people experiencing unsheltered homelessness into housing, including, but not limited to, individuals living in unsanctioned encampments, the public rights-of-way, or other public spaces.

(b) Amounts provided in this section may not be used for operating or maintenance costs, supportive services, or debt service.

(c) Awards made to tiny homes under this subsection (9) may be made to noncode compliant structures and may be exempted from the 40-year affordability requirement under RCW 43.185A.060.

(10) \$5,000,000 of the state building construction account—state appropriation in this section is provided solely for affordable housing urgent repair grants to be provided on an ongoing basis. Funding is not subject to the 60-day notification requirement in RCW 43.185A.150. The funding may be provided to address nonreoccurring repair projects including repair of units or buildings, abatement of potentially hazardous materials, and safety-related structural improvements of affordable housing. Each repair grant award may not exceed \$200,000 per award. However, the department may not limit the number of awards or amount received per organization.

(a) For purposes of this subsection (10), "affordable housing" means:

(i) Permanent supportive housing as defined in RCW 36.70A.030; and

(ii) Multifamily affordable housing projects in the housing trust fund portfolio.

(b) If the department receives application requests that exceed the appropriation level in this subsection (10), the department must prioritize projects under (a)(i) of this subsection.

(11) In evaluating projects in this section, the department must give preference for applications based on some or all of the criteria in RCW 43.185.070(5).

(12) The department shall strive to allocate at least 30 percent of the funds provided in this section to projects located in rural areas of the state, as defined by the department.

(13) The department must strive to allocate all of the amounts appropriated in this section within the 2023-2025 fiscal biennium in the manner prescribed in each subsection. However, if upon review of applications the department determines there are not adequate suitable projects in a category, the department

may allocate funds to other affordable housing projects serving other low-income and special needs populations, provided those projects are located in an area with an identified need for the type of housing proposed.

Appropriation:

State Building Construction Account—State	(((\$90,000,000))
	<u>\$103,680,000</u>
State Taxable Building Construction Account—	
State	(((\$429,039,000))
	<u>\$420,359,000</u>
Washington Housing Trust Account—State	\$8,500,000
Subtotal Appropriation	(((\$527,539,000))
	<u>\$532,539,000</u>
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$2,076,156,000
TOTAL	(((\$2,603,695,000))
	<u>\$2,608,695,000</u>

Sec. 7021. 2024 c 375 s 1010 (uncodified) is amended to read as follows:
FOR THE DEPARTMENT OF COMMERCE
2023-25 Early Learning Facilities Fund Grant Program (40000300)

The appropriation in this section is subject to the following conditions and limitations:

- (1) \$7,350,000 of the Ruth LeCocq Kagi early learning facilities development account—state appropriation in this section is provided solely for minor renovation grants.
- (2) ~~(((\$46,550,000))~~ \$39,830,000 of the Ruth LeCocq Kagi early learning facilities development account—state and \$6,720,000 of the Ruth LeCocq Kagi early learning facilities revolving account—state appropriations in this section ~~((is))~~ are provided solely for the early learning facility grant and loan program, subject to the provisions of RCW 43.31.573 through 43.31.583 and 43.84.092, to provide state assistance for designing, constructing, purchasing, expanding, or modernizing public or private early learning education facilities for eligible organizations. Up to four percent of the funding in this subsection may be used by the department of children, youth, and families to provide technical assistance to early learning providers interested in applying for the early learning facility grant or loan program.
- (3) The department of children, youth, and families must develop methodology to identify, at the school district boundary level, the geographic locations of where early childhood education and assistance program slots are needed to meet the entitlement specified in RCW 43.216.556. This methodology must be linked to the caseload forecast produced by the caseload forecast council and must include estimates of the number of slots needed at each school district. This methodology must inform any early learning facilities needs assessment conducted by the department and the department of children, youth, and families. This methodology must be included as part of the budget submittal documentation required by RCW 43.88.030.
- (4) When prioritizing areas with the highest unmet need for early childhood education and assistance program slots, the committee of early learning experts

convened by the department pursuant to RCW 43.31.581 must first consider those areas at risk of not meeting the entitlement specified in RCW 43.216.556.

(5) The department must track the number of slots being renovated separately from the number of slots being constructed and, within these categories, must track the number of slots separately by program for the working connections child care program and the early childhood education and assistance program.

(6) When prioritizing applications for projects pursuant to RCW 43.31.581, the department must award priority points to applications from a rural county or from extreme child care deserts as defined by the department of children, youth, and families.

(7) For early learning facilities collocated with affordable or supportive housing developments, the department may remit state funding on a reimbursement basis for 100 percent of eligible project costs, regardless of the project's match amount, once the nonstate share of project costs have been either expended or firmly committed in an amount sufficient to complete the entire project or a distinct phase of the project that is useable to the public as an early learning facility. These projects are not subject to section 8015 of this act or RCW 43.88.150.

(8) It is the intent of the legislature to reappropriate funding in the 2023-2025 omnibus capital appropriations act for early learning facilities appropriated in this section.

(9) ((~~\$37,438,000~~)) \$36,138,000 of the Ruth LeCocq Kagi early learning facilities development account—state appropriation in this section is provided solely for the following list of early learning facility projects:

Boys and Girls Club of Lewis County.	\$1,950,000
Brightonview Childcare Expansion.	\$2,305,000
Cora Whitley Family Center (Tacoma)	\$3,015,000
Eastside Early Childhood Center (Bellevue).	\$1,100,000
Lions Park Community Center	\$2,550,000
Montesano Child Care.	\$515,000
New Tomorrow's Hope Child Development Center (Everett)	\$1,000,000
((Northaven Green Space Restoration.))	\$1,300,000
Northgate Jose Marti Early Learning Center (Seattle).	\$2,488,000
Rainier Valley Early Learning Center (Seattle).	\$6,000,000
ReWA MLK Early Learning Center	\$4,252,000
Shore Metro Park District Child Care Expansion	\$773,000
Skyway Affordable Housing and Early Learning Center (Seattle).	\$3,000,000
Step by Step's Early Learning Center	\$515,000
Whatcom Meridian Early Learning.	\$3,000,000
YMCA Early Learning Center (Port Angeles)	\$2,500,000
Young Child & Family Center, North Thurston PS (Olympia)	\$1,000,000
YWCA Walla Walla Childcare Center	\$175,000

(10) \$350,000 of the Ruth LeCocq Kagi early learning facilities development account—state appropriation in this section is provided solely for the early learning facilities capital readiness pilot program. The department, in partnership with the department of children, youth, and families, shall administer the program as part of the early learning facilities program. The early learning facilities capital readiness pilot program must support no more than 10 licensed early learning providers that will serve children through working connections child care or through the early childhood education and assistance program to study the feasibility of expanding, remodeling, purchasing, or constructing early learning facilities and classrooms. Participants must receive small grants and project support to conduct capital feasibility studies that cover financing, architectural design, construction, business operations, and other relevant topics. Participants must also have access to professional consultation related to financing, architectural design, construction, and business operations.

Appropriation:

Ruth LeCocq Kagi Early Learning Facilities	
Development Account—State	(\$91,688,000)
	<u>\$83,668,000</u>
<u>Ruth LeCocq Kagi Early Learning Facilities</u>	
<u>Revolving Account—State</u>	<u>\$6,720,000</u>
<u>Subtotal Appropriation</u>	<u>\$90,388,000</u>
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$366,752,000
TOTAL	(\$458,440,000)
	<u>\$457,140,000</u>

Sec. 7022. 2024 c 375 s 1011 (uncodified) is amended to read as follows:
FOR THE DEPARTMENT OF COMMERCE
2024 Local and Community Projects (40000301)

The appropriations in this section are subject to the following conditions and limitations:

- (1) ~~((The))~~ Except as provided in subsection (10) of this section, the department shall not expend the appropriation in this section unless and until the nonstate share of project costs have been either expended or firmly committed, or both, in an amount sufficient to complete the project or a distinct phase of the project that is useable to the public for the purpose intended by the legislature. This requirement does not apply to projects where a share of the appropriation is for design costs only.
- (2) Prior to receiving funds, project recipients must demonstrate that the project site is under control for a minimum of 10 years, either through ownership or a long-term lease. This requirement does not apply to appropriations for preconstruction activities or appropriations in which the sole purpose is to purchase real property that does not include a construction or renovation component.
- (3) Projects funded in this section may be required to comply with Washington's high performance building standards under chapter 39.35D RCW.
- (4) Project funds are available on a reimbursement basis only and may not be advanced under any circumstances.

(5) In contracts for grants authorized under this section, the department shall include provisions that require that capital improvements be held by the grantee for a specified period of time appropriate to the amount of the grant and that facilities be used for the express purpose of the grant. If the grantee is found to be out of compliance with provisions of the contract, the grantee shall repay to the state general fund the principal amount of the grant plus interest calculated at the rate of interest on state of Washington general obligation bonds issued most closely to the date of authorization of the grant.

(6) Projects funded in this section, including those that are owned and operated by nonprofit organizations, are generally required to pay state prevailing wages.

(7) The department must comply with the requirements set forth in executive order 21-02 and must consult with the department of archaeology and historic preservation and affected tribes on the potential effects of these projects on cultural resources and historic properties. Consultation with the department of archaeology and historic preservation and affected tribes must be initiated before project funds are made available.

(8) The state building construction account—state appropriation in this section is provided solely for the following list of projects:

57th Ave Sewer Project (University Place)	\$200,000
ACT Historic Landmark Roof Restoration (Seattle)	\$539,000
ADA For Northwest Center Janitorial (Spokane Valley)	\$20,000
Admiral Theatre Facility Improvements (Bremerton)	\$165,000
Affordable Housing Land Acquisition (Tacoma)	\$1,500,000
Afterschool Program Expansion (Walla Walla)	\$45,000
Agricultural Innovation Center (Pasco)	\$200,000
Airlift Northwest Hangar (East Wenatchee)	\$1,700,000
Airway Heights Public Safety (Airway Heights)	\$1,340,000
Algona Wetland Preserve Interpretive Trail (Algona)	\$600,000
American Indian Community Center (Spokane)	\$1,000,000
American Legion Post 79 Roof Replacement (Snoqualmie)	\$49,000
Anderson Island Multipurpose Building (Anderson Island)	\$258,000
Angleside Reservoir Capacity Upgrades (Shelton)	\$1,850,000
Arlington Commercial Kitchen (Arlington)	\$581,000
ARTE NOIR Capital Construction Completion (Seattle)	\$381,000
Asbestos Abatement Old City Hall (Benton City)	\$309,000
Ashley House (Spokane)	\$515,000
Ashley House (Tacoma)	\$500,000
Asia Pacific Cultural Center (Tacoma)	\$2,000,000
ASUW Shell House (Seattle)	\$3,000,000
Athletic Field Lights For Ridgefield Outdoor (Ridgefield)	\$250,000
Auburn Avenue Theater Rebuild (Auburn)	\$1,545,000

Avista Stadium Improvements (Spokane Valley)	\$543,000
B5 Community Learning Center (Kennewick)	\$773,000
Ball Field at Historic Petes (Enumclaw)	\$439,000
Ballard Boys & Girls Clubs Flooring Replacement (Seattle).	\$49,000
Behavioral Health Wellbeing Clinic (Spokane).	\$1,571,000
Bonney Lake Senior Center Rehab Project (Bonney Lake).	\$650,000
Boys & Girls Club Parking Lot Renovation (Federal Way)	\$168,000
Boys & Girls Club Seismic Upgrade & Roof Replacement (Vancouver).	\$412,000
Brewster Boys and Girls Club Facility (Brewster)	\$300,000
Bridge Meadows Pre-Development (Tacoma)	\$515,000
Bringing It Home II 24-Hour Domestic Violence Shelter (Yakima).	\$125,000
Browse Infrastructure (Seattle)	\$144,000
Camp Thunderbird Wastewater Treatment Facility (Olympia)	\$618,000
Cannery Parking Lot & Sidewalk Rehab (Anacortes).	\$110,000
Capitol Land Trust Public Access Preconstruction (Olympia)	\$77,000
Cathlamet Waterfront Park (Cathlamet)	\$86,000
Cedarwood Community Recreation Ctr Redevelopment (Lake Stevens)	\$1,123,000
Celebration Park Synthetic Turf Upgrade (Federal Way)	\$822,000
Center Senior Living Housing Development (Grand Coulee)	\$361,000
Central Colville Apartments (Colville)	\$52,000
Central Whidbey Fire & Rescue Station 53 (Coupeville)	\$2,750,000
Centralia Quad Infield Turf Project (Centralia).	\$2,480,000
Chehalis River Raw Water (Chehalis).	\$250,000
Chelan Butte Acquisition Feasibility Study (Chelan)	\$125,000
Children's Therapy Center (University Place).	\$500,000
Chinese Reconciliation Project Design (Tacoma)	\$1,000,000
City Hall Structural Assessment (Toledo)	\$53,000
City of Longview Mint Valley Golf Course Irrigation Replacement (Longview)	\$2,000,000
City of Othello Lions Park (Othello).	\$600,000
City of Selah Wastewater Treatment Plant Improvements (Selah).	\$1,442,000
City of Sequim Park Acquisition (Sequim).	\$375,000
Clallam Joint Public Safety Facility (Port Angeles)	\$5,750,000
Cloney Inclusive Playground (Longview).	\$1,000,000
Colfax Community Center (Colfax)	\$72,000

Colfax Pool (Colfax)	\$1,030,000
Columbia Grove Community Playground (East Wenatchee)	\$72,000
Columbia Play Project Children's Museum (Vancouver)	\$515,000
Commercial Pumpouts to Save Puget Sound (Anacortes)	\$800,000
Communications Devices for Officials (Olympia)	\$15,000
Community Center at Lake Chelan (Chelan)	\$1,723,000
Community Center Roof Replacement (Aberdeen)	\$165,000
Community Homes Renovations 41st LD (Bellevue)	\$106,000
Community Homes Renovations 45th LD (Woodinville)	\$77,000
Community Homes Renovations 48th LD (Bellevue)	\$243,000
Community Homes Upgrades 1st LD (Bothell)	\$104,000
Conconully Service Complex/Fire Hall (Conconully)	\$2,050,000
Coupeville Food Bank & Workforce Housing Apartments (Coupeville)	\$230,000
Cross Kirkland Corridor 132nd Avenue NE Improvements (Kirkland)	\$515,000
Day Island Bridge Design Project (University Place)	\$200,000
Des Moines Marina Steps (Des Moines)	\$1,000,000
deWilde Rugby Fields (Ferndale)	\$150,000
Diking District 7 Fish Passage and Levee (Stanwood)	\$1,900,000
Dishman Hills Conservancy Education Ctr Site Planning (Spokane)	\$46,000
Double Culvert Replacement (Castle Rock)	\$2,000,000
Downtown Pasco North Plaza (Pasco)	\$155,000
Eagle Track Raceway Stadium Light Project (Republic)	\$117,000
East Hill North Community Park Phase 1 (Kent)	\$1,000,000
Eaton Urban Pathway Project (Battle Ground)	\$1,000,000
Ebey Waterfront Trail Phase 4 (Marysville)	\$1,030,000
Edmonds Boys & Girls Clubs Capital Project (Edmonds)	\$1,385,000
Edmonds Center for the Arts Design (Edmonds)	\$200,000
Ejidos Community Farm (Everson)	\$824,000
El Centro de la Raza Federal Way Campus (Federal Way)	\$1,545,000
Electron Way & Contra Costa Ave Intersection Improvemt (Fircrest)	\$153,000
Ellensburg Rodeo Grandstands (Ellensburg)	\$1,030,000
Emergency Operation Generator (Coupeville)	\$386,000
Emergency Shelter Capital Improvements (Shelton)	\$103,000
Enumclaw Community Center (Enumclaw)	\$500,000
Evans Creek Relocation Project (Redmond)	\$1,030,000
EWAM Handicap Parking Improvement Project (Pomeroy)	\$98,000

Fair Building Improvements (Graham)	\$77,000
Fall City Business District Septic Project (Fall City)	\$1,550,000
Family Resource Center at Cedar Crossing (Seattle)	\$360,000
Felts Field Gateway Improvement (Spokane)	\$515,000
Ferndale Civic and Community Organization Campus (Ferndale)	\$3,050,000
Ferry County Fairgrounds (Republic)	\$50,000
Fife Aquatic & Community Center Improvements (Fife)	\$1,500,000
Fire Panel Replacement & Integration (Seattle)	\$294,000
FISH Food Bank Expansion (Ellensburg)	\$573,000
Foothills Trail Crossing at Main Street (Buckley)	\$128,000
Forest Park Pickleball Court Installation (Everett)	\$345,000
Free Clinic & Central Construction Project (Walla Walla)	\$515,000
Frontier Park Horse Cover (Graham)	\$1,388,000
Ft Steilacoom Park Nisqually Indian Tribe Improvements (Lakewood)	\$309,000
Gibson Hall Improvement Project (Issaquah)	\$206,000
Glen Tana (Spokane)	\$3,000,000
Golden Tiger Multi-Use Trail Phase 2 (Republic)	\$168,000
Goldendale Municipal Airport - Land Acquisition (Goldendale)	\$361,000
Greater Wenatchee Irrigation Dist Infrastructure (East Wenatchee)	\$2,000,000
Greenwood Early Learning Playground (Seattle)	\$69,000
Greg Cuoio Park Accessibility Improvements (Lacey)	\$515,000
Harbour Point Boulevard Pathway (Mukilteo)	\$258,000
Harlequin Theater Renovation (Olympia)	\$700,000
Heritage Center at Meeker Mansion (Puyallup)	\$496,000
Heritage Heights Remodel and Conversion to Medical Care (Chelan)	\$824,000
High Prairie Fire District 14 Emergency Preparedness (Lyle)	\$248,000
Highland Park Improvement Club Rebuild (Seattle)	\$500,000
Historic Lamar Cabin Preservation (Prescott)	\$267,000
HUB Sports Fields (Liberty Lake)	\$1,030,000
ICOM 911 Microwave Radio Broadband System ((Oak Harbor))	\$500,000
Indian American Community Services Community Center (Kent)	\$794,000
Interurban Trail War Memorials (Pacific)	\$400,000
Issaquah Senior Ctr Veterans Memorial Consolidated Prk (Issaquah)	\$721,000
Japanese American Exclusion Memorial Vis Ctr (Bainbridge Island)	\$350,000

Jarstad Aquatic Center Assessment & Roof Repair (Bremerton)	\$309,000
Jenkins Creek Recreation Trail (Covington)	\$250,000
Kalama Creek Hatchery Renovation (Olympia)	\$3,350,000
KCFD #50 Generator (Baring)	\$20,000
Kelso School District-Construction & Renovation Projects (Kelso)	\$165,000
Kelso Train Station Roof Replacement (Kelso)	\$575,000
Kennewick Kiwanis Playground (Kennewick)	\$258,000
King County Sheriff's Office Air Support Unit (Seattle)	\$1,000,000
King Street Station Creative Youth Empowerment Hub (Seattle)	\$500,000
Kirkland Boys & Girls Clubs Community Playfield (Kirkland)	\$150,000
Kirkland Performance Center Safety Improvements (Kirkland)	\$1,288,000
Kitsap Humane Society Veterinary Lifesaving Center (Silverdale)	\$412,000
Klineline Bridge and ADA Improvements (Vancouver)	\$1,365,000
Kulshan View (Mount Vernon)	\$309,000
Lacamas Lake Water Improvements (Camas)	\$515,000
Lake Boren CrossTown Recreational Trail (Newcastle)	\$824,000
Lake Chelan Food Bank Building Remodel & Addition (Chelan)	\$2,000,000
Lake Hills Clubhouse Renovation (Bellevue)	\$583,000
Lake Wilderness Arboretum Improvements (Maple Valley)	\$450,000
Lakebay Marina (Lakebay)	\$300,000
Lambert House Flood Abatement & Foundation Replacement (Seattle)	\$1,030,000
Larson Playfield Irrigation Conversion (Moses Lake)	\$258,000
Latah Water System Rehabilitation Project (Latah)	\$180,000
Latino Community Service Center ((Lynnwood))	\$515,000
Lester Creek Personnel to Water Intake (Pe Ell)	\$640,000
Lewis County Senior Centers (Chehalis)	\$500,000
Lincoln County Fair and Livestock (Davenport)	\$1,000,000
Local Grain Conveyance & Storage System (Tumwater)	\$255,000
Logistics Facility (Vancouver)	\$874,000
Lynden Senior and Community Center (Lynden)	\$309,000
Lynnwood Neighborhood Center (Lynnwood)	\$2,050,000
Lyon Creek Culvert at SR 104 (Lake Forest Park)	\$1,820,000
Madison Street School Sidewalk Project (South Bend)	\$175,000
Manson Fire Station - Training Room and Living Quarters (Manson)	\$206,000
Marine Spills Operations Base (Friday Harbor)	\$210,000

Marshall Park Inclusive Community Playground (Vancouver)	\$685,000
Mason County Jail Expansion (Shelton)	\$1,030,000
Mason PUD 1 Vuccrest Water System Storage Project (Union)	\$618,000
Mason PUD Water Infrastructure (Matlock)	\$1,000,000
Masonic Building Roof Renovation (Centralia)	\$170,000
Mays Pond Playground (Bothell)	\$650,000
Medical Lake Storm Water Mitigation (Medical Lake)	\$1,000,000
Medically-Tailored Meals & Groceries Expansion (Seattle).	\$1,175,000
Memorial Stadium (Seattle).	\$4,000,000
Menastash Grange Revitalization and Expansion (Ellensburg)	\$85,000
Mental Health Quiet Room (Moses Lake).	\$31,000
Mill Creek City Hall North Renovation (Mill Creek)	\$515,000
Mill Creek Multiuse Recreational Property (Mill Creek)	\$1,030,000
MLK Jr. Resource & Technology Center (Pasco)	\$250,000
MLK Jr.Park & Swimming Pool (Yakima)	\$1,160,000
Modernization of Pacific County Jail Facility (South Bend).	\$464,000
Monroe Therapeutic Facility (Monroe).	\$1,100,000
Montesano Economic Development (Montesano)	\$700,000
Mt. Spokane Ski & Snowboard Park (Mead)	\$100,000
Mukilteo First Responder Wellness Center (Mukilteo).	\$258,000
Muslim American Youth Foundation Center (Burien)	\$500,000
National Nordic Museum East Garden Capital Project (Seattle).	\$258,000
Nespelem Community Longhouse (Nespelem).	\$1,850,000
New Beginnings Homes (Puyallup)	\$440,000
No. County Rec. Association Youth Sports (Castle Rock)	\$256,000
Nooksack Community Housing (Deming)	\$470,000
North Fork Skykomish River 911 Extension Project (Index)	\$420,000
North Seattle Boys & Girls Clubs Flooring Replacement (Seattle).	\$134,000
NW Stream Center Sustainable Infrastructure (Everett)	\$273,000
Oak Harbor Boys & Girls Club Sports Court (Oak Harbor)	\$250,000
Oak Harbor Economic Development (Oak Harbor)	\$621,000
ODT Land Purchase (Port Townsend).	\$750,000
Old Fort Lake Subarea Remediation & Public Access Proj (DuPont)	\$215,000
Othello's Regional Water Plan (Othello)	\$412,000
Parkland School (Parkland).	\$500,000

Pasado's Safe Haven Water and Safety Upgrades (Monroe)	\$485,000
Pasco Boulevard Soccer Field (Pasco)	\$750,000
Pasco Clubhouse Safety Modernization (Pasco)	\$840,000
Peninsula Medical Respite & Housing Center (Bremerton)	\$1,000,000
Peninsula Senior Activity (Ocean Park)	\$272,000
PenMet Parks Community Recreation Center (Gig Harbor)	\$1,030,000
Perfect Passage (Tonasket)	\$730,000
Pierce County Food Hub (Bonney Lake)	\$300,000
Pike Place Market Elevator & Stair Replacement (Seattle).	\$515,000
Plaza Retreat Space (Vashon)	\$544,000
Pond to Pines Infrastructure (Ellensburg)	\$518,000
Port Gamble Shoreline Restoration (Port Gamble)	\$2,400,000
Port of Allyn Public Pier Replacement (Allyn)	\$515,000
Port of Anacortes T-Dock Reconfiguration (Anacortes)	\$1,000,000
Port of Mattawa Event Center Phase 3 Upgrade Project (Mattawa)	\$361,000
Port of Skamania Cascades Business Park (North Bonneville)	\$1,000,000
Port of Willapa Harbor (South Bend)	\$800,000
Port Orchard Breakwater Replacement (Port Orchard)	\$1,000,000
Port Remediation (Olympia)	\$2,200,000
Portland Avenue Park Sprayground (Tacoma)	\$500,000
Poulsbo Historical Society - Nilsen-Sonju House (Poulsbo).	\$300,000
Prosser City Entrance Sign (Prosser).	\$110,000
Public Works Facility & Vehicle Storage (Sedro Woolley)	\$500,000
Puyallup Elks Roof Replacement (Puyallup)	\$370,000
Rainier Court Phase V (Seattle).	\$750,000
Raze Development Capital Project (Spokane)	\$500,000
Redondo Fishing Pier Replacement Phase 1 (Des Moines)	\$1,000,000
Refugee Welcoming & Healing Center (SeaTac)	\$515,000
Regional Athletic Complex Transformer Upgrade (Olympia)	\$103,000
Regional Water & Sewer Upgrades Mason County	\$250,000
Rejuvenation Community Day Center (Bremerton)	\$200,000
Remembrance Gallery (Puyallup)	\$257,000
Renovation and Addition to RP Theater Building (Richland)	\$350,000
Renton Public Square (Renton)	\$1,485,000
Republic Community Library (Republic)	\$183,000
Reservoir Capacity & Seismic (Battle Ground)	\$1,288,000

Ritzville Legion Hall Renovation (Ritzville)	\$165,000
Ritzville Rodeo Bleachers Replacement (Ritzville)	\$194,000
Ritzville Theater (Ritzville)	\$75,000
Rock Creek Horse Park (Ravensdale)	\$206,000
Roslyn Old City Hall Community Center (Roslyn)	\$77,000
Rotary Boys & Girls Clubs HVAC Replacement (Seattle)	\$309,000
Rotary Morrow Community Park (Poulsbo)	\$100,000
Roy Water Preliminary Design (Roy)	\$250,000
Sail Sand Point (Seattle)	\$258,000
Sam Chastain Trail (Renton)	\$500,000
School Based Health Care Facility (Tacoma)	\$515,000
Scott Hill Park & Sports Complex of Woodland (Woodland)	\$350,000
Scriber Place Housing for Homeless Students (Lynnwood)	\$2,050,000
Search & Rescue Headquarters Feasibility Study (Snoqualmie)	\$103,000
Seattle Aquarium (Seattle)	\$3,000,000
Seattle Public Library Holds Pick-Up Locker (Seattle)	\$93,000
Seattle Public Theater Accessibility Upgrades (Seattle)	\$77,000
Security & Access Improvements (Shelton)	\$250,000
((Sentinel Gap Community Park (Mattawa)	\$1,000,000))
Sewer Pump Station 12 & Force Main (Bellevue)	\$1,030,000
Shelton Day Care & Building Project (Shelton)	\$215,000
Short's Farm Purchase (Chimacum)	\$1,000,000
Skagit PUD 10th District Waterlines (Skagit)	\$650,000
Skagit PUD 39th District Waterline Relocations (Mt. Vernon)	\$600,000
Skagit PUD Headquarters Public Meeting Room (Mt. Vernon)	\$206,000
Slavonian Hall (Tacoma)	\$472,000
Snohomish Boys & Girls Club Teen Center (Snohomish)	\$412,000
Snohomish Public Safety & City Services Campus (Snohomish)	\$700,000
Snoqualmie Indian Tribe Consultation (Snoqualmie)	\$150,000
Snoqualmie Valley Youth Center Barn with Storage (North Bend)	\$232,000
South Seattle Community Food Hub (Seattle)	\$499,000
South Thurston Fire & EMS New Fire Station (Tenino)	\$3,050,000
South UGA Water and Sewer Extensions (Kennewick)	\$1,122,000
South Whidbey Aquatic Wellness Center (Langley)	\$360,000
Southwest Boys & Girls Clubs Safety & Security Improve (Seattle)	\$3,000

SPARC Capital Campaign (Mount Vernon)	\$750,000
Spokane Civic Theatre Facility (Spokane)	\$1,500,000
Spokane International Airport (Spokane)	\$1,000,000
Spokane Scale House Market (Spokane Valley)	\$750,000
Spring Box Replacement/Water (Concrete)	\$450,000
St. Mary Medical Center (Walla Walla)	\$75,000
Stanwood Art Center Design (Stanwood)	\$327,000
Stonerose Fossil Center (Republic)	\$721,000
Storm Upgrades Downtown Phase N2 (Puyallup)	\$696,000
Sue Bird and Lenny Wilkens Statues (Seattle)	\$412,000
Sultan Basin Park (Sultan)	\$500,000
Sumas Ave Water Pipe Replacement (Sumas)	\$150,000
SW WA Agricultural Business (Tenino)	\$1,250,000
Swede Hall Renovation Project (Rochester)	\$198,000
Take-A-Break Park Playground (Maple Valley)	\$412,000
Tam O'Shanter Multi-Purpose Court Fencing and Lighting (Kelso)	\$46,000
Taproot Theatre Jewell Mainstage Renovation (Seattle)	\$515,000
Tasveer Art Center (Bellevue)	\$258,000
Tenino Stone Carvers Guild Workshop and Classroom (Tenino)	\$160,000
Terminal 4 Expansion & Redevelopment Project (Aberdeen)	\$3,500,000
Thun Field - Emergency Response and Meeting Space (Puyallup)	\$1,000,000
Town of Elmer City Fire Station Improvements (Elmer City)	\$537,000
Town of Index Water Line Repair and Replacement (Index)	\$628,000
Township Hall North & West (Spokane)	\$100,000
Tribal Cultural Center & Museum Restoration (Steilacoom)	\$200,000
Tugboat Parthia Pavilion Construction (Olympia)	\$148,000
Tukwila Community Center HVAC Replacement (Tukwila)	\$515,000
Tukwila Immigrant & Refugee Wadajir Land Acquisition (Tukwila)	\$2,250,000
Tulalip Creek Hatchery (Marysville)	\$1,000,000
United Way Elevator and Disability Access (Tacoma)	\$129,000
Van Zandt Community Hall Renovation (Deming)	\$502,000
Veterans Memorial Balfour Park (Spokane Valley)	\$207,000
VFW Post 2224 Critical Renovations (Puyallup)	\$206,000
Village Theatre's Francis J Gaudette HVAC Replacement (Issaquah)	\$489,000
Wallace Heights Septic Elimination Program (Vancouver)	\$500,000
Washougal Civic Campus Project (Washougal)	\$2,000,000
Washtucna Town Hall (Washtucna)	\$20,000

Wastewater Lift Stations (Concrete)	\$450,000
Wastewater Treatment Facility & Loss Project (Carbonado)	\$500,000
Wastewater Treatment System Upgrades (Long Beach)	\$340,000
Waterfront Organic Soil Removal (Washougal)	\$2,000,000
Weld Seattle Reentry Resource Center (Seattle)	\$5,000,000
Wenatchee Valley Museum Expansion and Redesign (Wenatchee)	\$1,000,000
Wenatchee Valley YMCA (Wenatchee)	\$1,030,000
West Biddle Lake Dam Restoration (Vancouver)	\$412,000
Whatcom Ag Research Station (Lynden)	\$764,000
What-Comm Dispatch Center (Bellingham)	\$1,000,000
White Bluffs Rail/Rail Replacement (Richland)	\$1,250,000
White Center Community Hub (Seattle)	\$1,000,000
White Center Food Bank Renovation (Seattle)	\$275,000
Wilkeson Infrastructure (Wilkeson)	\$824,000
Windermere Park Playground (Longview)	\$155,000
WRF Upgrades Solid Side (Yelm)	\$442,000
Yakama Nation "Creator Law Sculpture" (Roslyn)	\$99,000
Yakima Co Fire Emergency Responder Radio System (Yakima)	\$139,000
Yakima County Fire District 12 Wildfire Response (Yakima)	\$38,000
Yakima County Meals on Wheels (Union Gap)	\$1,000,000
Yakima Trolley Museum (Yakima)	\$25,000
Youth Assist Program Skills Training Center (Tacoma)	\$500,000
Youth Emergency Shelter (Longview)	\$250,000
Zillah Park Renovation (Zillah)	\$300,000
(9) The model toxics control capital account—state appropriation in this section is provided solely for the Port of Vancouver Dock Demo and Removal of Creosote project in Vancouver.	
<u>(10) The requirements of subsection (1) of this section do not apply to the Lakebay Marina (Lakebay) project in this section.</u>	
<u>(11) The climate commitment account—state appropriation in this section is provided solely for the Port Gamble Shoreline Restoration (Port Gamble) project</u>	
<u>\$2,400,000</u>	
Appropriation:	
Model Toxics Control Capital Account—State	\$3,500,000
Natural Climate Solutions Account—State	\$2,400,000
State Building Construction Account—State	(\$229,543,000)
	\$228,543,000
Subtotal Appropriation	(\$233,043,000)
	\$234,443,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$916,800,000
TOTAL	(\$1,149,843,000)
	\$1,151,243,000

Sec. 7023. 2024 c 375 s 1018 (uncodified) is amended to read as follows:
FOR THE DEPARTMENT OF COMMERCE
 2025 Local and Community Projects (40000614)

The appropriations in this section are subject to the following conditions and limitations:

(1) ~~((The))~~ Except as provided for under subsection (14) in this section, the department shall not expend the appropriation in this section unless and until the nonstate share of project costs have been either expended or firmly committed, or both, in an amount sufficient to complete the project or a distinct phase of the project that is useable to the public for the purpose intended by the legislature. This requirement does not apply to projects where a share of the appropriation is for design costs only.

(2) Prior to receiving funds, project recipients must demonstrate that the project site is under control for a minimum of 10 years, either through ownership or a long-term lease. This requirement does not apply to appropriations for preconstruction activities or appropriations in which the sole purpose is to purchase real property that does not include a construction or renovation component.

(3) Projects funded in this section may be required to comply with Washington's high performance building standards under chapter 39.35D RCW.

(4) Project funds are available on a reimbursement basis only and may not be advanced under any circumstances.

(5) In contracts for grants authorized under this section, the department shall include provisions that require that capital improvements be held by the grantee for a specified period of time appropriate to the amount of the grant and that facilities be used for the express purpose of the grant. If the grantee is found to be out of compliance with provisions of the contract, the grantee shall repay to the state general fund the principal amount of the grant plus interest calculated at the rate of interest on state of Washington general obligation bonds issued most closely to the date of authorization of the grant.

(6) Projects funded in this section, including those that are owned and operated by nonprofit organizations, are generally required to pay state prevailing wages.

(7) The department must comply with the requirements set forth in executive order 21-02 and must consult with the department of archaeology and historic preservation and affected tribes on the potential effects of these projects on cultural resources and historic properties. Consultation with the department of archaeology and historic preservation and affected tribes must be initiated before project funds are made available.

(8) ~~((\$58,862,000))~~ \$58,162,000 of the state building construction account—state appropriation in this section is provided solely for the following list of projects:

192nd & Hemlock Public Engagement and Design Program	\$129,000
23rd & Cherry Fellowship Hall Renovation	
Pre-development.	\$110,000
Abu Bakr Youth Center Renovation	\$350,000
Adams County Evidence Processing & Public Safety	
Improvements.	\$1,000,000

African Business Innovation Center	\$25,000
Alathea Capacity Building Capital Project.	\$150,000
Aquatic Center At Martin Luther King Jr. Park.	\$75,000
Auburn Downtown Plaza Design/Development	\$258,000
Bainbridge Island Senior/Community Center	\$100,000
Battle Ground Health Care Clinic	\$400,000
Battle Ground Senior Center	\$309,000
Benaroya Hall Street Front Poster Boxes	\$200,000
BIPOC Farm Fresh HUB.	\$103,000
Bremerton Mason County Sewer Expansion.	\$3,000,000
Buckley Foothills Trailhead Doc Tait Pavilion	\$52,000
Buddhist Temple Arson Restoration	\$225,000
California Creek Estuary Park Expansion	\$185,000
Chamber of Commerce Historical Archive.	\$38,000
Charter Park Master Plan Bathroom	\$52,000
Chelan County Hazard Mitigation.	\$98,000
Chimacum Grange Hall Roofing Replacement.	\$26,000
Chinese American Legacy Artwork Project	\$25,000
City of Bonney Lake ADA Accessible Playground	\$151,000
City of Lacey Regional Public Safety Training Center.	\$50,000
City of Mill Creek Veteran's Monument Expansion & Memorial	\$258,000
City of Roy Water Infrastructure	\$300,000
City of Sequim Park Acquisition.	\$171,000
CLC Childcare Fire Alarm System	\$77,000
Coastal CAP Fire Remodel	\$515,000
((Columbia Basin Rodeo Association	\$258,000))
Columbia Grange #87 Safety Improvements.	\$25,000
Commercial Platform Lift	\$17,000
Connections Mental Health	\$44,000
Cougar Mountain Zoo Indoor Educational Exhibit Space.	\$206,000
Council for the Homeless Building Rehabilitation	\$200,000
Coupeville Boy and Girls Club Pathway.	\$36,000
Crescent Grange Hall Urgent Roof Repairs	\$103,000
Crosby Community Center Restoration.	\$412,000
Davenport Senior Center Capital Improvement	\$120,000
Des Moines Marina Electrification	\$100,000
District Distributed Antenna System Installation	\$258,000
Douglas Building HVAC Replacement	\$110,000
Downtown Camas Lighting Transformation Project.	\$300,000
DV Shelter and Advocacy Center HVAC Upgrade.	\$100,000
Eatonville Community Track & Field Restrooms	\$300,000
Edmonds BGC Capital Project	\$300,000
Elevator Purchase and Installation.	\$274,000
Ellensburg Community Fieldhouse	\$72,000
Emergency Communications Radio Microwave	\$235,000
Engineering and Surveying of Essential Fire Recovery	\$300,000
Eritrean Community Center Expansion.	\$100,000
Everest Park Facilities Update.	\$300,000

Everett Labor Temple Roof	\$500,000
FACYV and APIC Building	\$103,000
FareStart Job Training & Social Enterprise Capital Improvements	\$300,000
Fire Station 41 Headquarters	\$300,000
Fire Station Restoration	\$314,000
Firefighting PPE Decontamination CO2 Demonstration Project	\$100,000
Florence Robison North Park Equipment Replacement	\$173,000
Foss Waterway Seaport Esplanade Connector	\$185,000
Gage Academy of Art South Lake Union Building	\$100,000
Garfield Super Block	\$3,000,000
GCA Dignity Completion	\$112,000
Glenwood Little League Facility Improvements	\$50,000
Goldsborough Switching Station	\$52,000
Goodwill Land Acquisition for Redevelopment	\$3,000,000
Granger Community Electric Sign	\$31,000
Granite Falls Boys & Girls Club	\$103,000
<u>Grant County Bleachers</u>	<u>\$258,000</u>
Green Waste Recycling at Point Roberts	\$94,000
Idylwood Beach Park Accessibility Improvements	\$215,000
Inclusive Playground at Cirque Park	\$258,000
Institute for Black Justice	\$75,000
Intergenerational Community and Expanded Aquatic Center	\$206,000
Japanese American Exclusion Visitor Center - I	\$300,000
Kalama Community Building Architectural Survey	\$62,000
Kelso Rotary Park	\$72,000
KidsQuest Children's Museum Stories of Water	\$350,000
Kirkland BGC Upgrades and Expansion	\$128,000
KVH Surgical Services Clinic Remodel	\$100,000
La Center Wheel Club Community Center Remodel	\$250,000
Lake Sacajawea Irrigation Pump	\$200,000
Lakebay Marina Renovation and Historic Preservation	\$206,000
Latah Valley Fire Station	\$350,000
Latah Water System Rehabilitation Project	\$187,000
Lincoln Creek Grange #407	\$81,000
Little Saigon Landmark	\$100,000
Lopez Food Center	\$197,000
Lynnwood Convention Center Expansion	\$400,000
Main Street	\$42,000
Manson Grange Hall Improvement Project	\$193,000
Maple Valley Permanent Message Boards	\$200,000
Mason PUD No. 1 (Lilliwaup Corner Project) <u>Utility Relocation Projects</u>	<u>\$1,800,000</u>
Matlock Grange Safety & Structure Improvements	\$90,000
Medical Equipment Bank - Building	\$250,000
Mt View Grange	\$100,000
Municipal Services Campus Design & Infrastructure	\$103,000

Murakami Building	\$100,000
Nespelem Community Park	\$52,000
New Facility for South Kitsap Helpline	\$250,000
Next Chapter Maroon Village	\$315,000
NEYFS Creativity Project	\$93,000
North Mason Food Bank Relocation	\$47,000
Northside Flood Reduction and Open Spaces	\$223,000
<u>Northaven Green Space Restoration</u>	<u>\$1,300,000</u>
NWYS PAD Shelter Whatcom County	\$250,000
Oak Harbor Recreation Center Feasibility Study	\$200,000
Ohop Grange Insulation & Electrical Upgrades	\$36,000
Olalla Recovery Centers Facility Improvements	\$250,000
Old Swim Hole Revitalization Project	\$206,000
Omak Arena LED Lighting Project	\$185,000
Open Doors for Multicultural Families	\$5,000,000
Operation GROW - A Regional Processing Facility for WA	\$42,000
Oroville Grange Drainage Remediation	\$62,000
Othello Water Supply	\$400,000
Parkwood Community Club Repairs	\$232,000
PAWS Community Support Center	\$250,000
Pea Patch Community Campus	\$360,000
People's Community Center	\$400,000
Perry Tech for Clean Energy Jobs	\$5,000,000
Pierce Center for Arts & Technology	\$129,000
Port of Benton Inland	\$240,000
Port of Quincy Business & Event Center Upgrade	\$309,000
Port of Skagit Granary Expansion	\$125,000
Preserve and Maintain RTOP Theatre	\$77,000
Prosser Clubhouse	\$105,000
Providence Academy Elevator & Rehabilitation	\$103,000
Public Dock Emergency Repair	\$41,000
Puget Sound Estuarium Property	\$250,000
Rainier Beach Family Empowerment Center	\$100,000
Redmond Academy Renovations	\$87,000
Regional Sports Complex-Site Evaluation and Pre-Design	\$300,000
Rehab and Care Center Shower Renovation	\$206,000
Rejuvenation Community Day Center	\$500,000
Renovations for Children's Developmental Center	\$174,000
Republic Library and Community Center	\$315,000
Resurface and Revitalize Prescott Public Pool	\$98,000
Riverwalk Sports and Entertainment Facility	\$309,000
Rose Valley Grange Capital Improvement	\$40,000
Roza Drought Funding	\$200,000
Ruston Community Center Repairs & ADA Improvements	\$360,000
School Playground Renovation	\$258,000
Seattle Aquarium Ocean Pavilion	\$400,000
Seattle Black Panther Legacy Project	\$200,000
Seattle Storm Center	\$500,000

Sheffield Trail	\$100,000
Shelton Multi-Use Trail	\$206,000
Skagit PUD Olsen Creek Waterline Relocation	\$300,000
Skamania County Public Safety Radio System	\$200,000
South Camano Grange #930	\$132,000
South End Community Center	\$200,000
South King Cultural Public Market	\$77,000
South Seattle Community Food Hub	\$135,000
South Yakima Avenue Senior Housing	\$400,000
Southwest Washington Fair Equestrian Facility	\$206,000
Spokane CD Gray and Oregon Road Forest Fire Recovery	\$975,000
Spokane Scale House Market & Kitchen	\$300,000
Spokane Valley Cross Country Course	\$150,000
Stanwood Police Station	\$100,000
Summit Park Sewer Upgrade Project	\$103,000
Sunnyside Beach Park Beach Nourishment Project	\$103,000
Sunnyside Safe Haven Baby Box	\$16,000
SVE Expansion Equipment & Furnishing	\$108,000
SW Youth & Family Services HVAC Replacement	\$165,000
Tekoa Parks and Recreation	\$200,000
Terrain Cultural Hub	\$207,000
Town of Index Safety and ADA Access Improvements	\$25,000
Transload Area Sewer	\$515,000
Tristate Health Hospital	\$1,000,000
Tukwila Health & Wellness Center	\$25,000
((Turnwater Mazama Pocket Gopher Habitat Acquisition and Restoration	\$2,000,000))
Uplift Northwest's Beacon of Hope	\$300,000
Vancouver Family Resource Center Expansion	\$200,000
Vancouver Waterfront Gateway Event Plaza	\$197,000
W. Valley Centennial Middle School Field Fences & Dugout	\$32,000
WA Soldier's Home Cemetery Pavement & Parking Extension	\$72,000
Wahkiakum PUD - Puget Island Water Source Project	\$309,000
Waitsburg Childcare Center	\$100,000
Wallace Heights Septic Elimination	\$515,000
Washington Masonic Services Library & Museum Remodel	\$47,000
Water Treatment Facility Project	\$920,000
Water Valve-Pipeline, Intersection Replacement	\$103,000
Water Way 18 Dock Replacement	\$250,000
West Echo Lake Public Engagement and Design Program	\$129,000
Western Ranchettes Water Distribution System	\$150,000
Wilkeson Town Hall Renovation	\$134,000
Yakima Trolley Car barn Fire Suppression System	\$197,000
Yakima Valley Local Crime Lab Facility	\$200,000
Yelm Activated Alleyway	\$46,000

(9) \$5,122,000 of the model toxics control stormwater account—state appropriation in this section is provided solely for the following list of projects:

Boat Haven Stormwater Improvement	\$3,100,000
Silver Bay Logging Property Acquisition	\$1,250,000
City of Puyallup Stormwater	\$772,000

(10) \$4,641,000 of the model toxics control capital account—state appropriation in this section is provided solely for the following list of projects:

APCC Asbestos Abatement	\$286,000
Spokane and Pend Oreille County Gray and Oregon Road Fire Cleanup	\$3,500,000
PFAS Treatment at City of DuPont Water Wells	\$855,000

(11) \$500,000 of the state building construction account—state appropriation and \$100,000 of the climate commitment account—state appropriation in this section is provided solely for the Langley Library Historic Preservation project.

(12) \$40,000 of the climate commitment account—state appropriation in this section is provided solely for the Temple Association Energy Efficiency Improvements project.

(13) In addition to the requirements in subsection (5) of this section, the contract for the Goodwill Land Acquisition for Redevelopment (Seattle) project must require that the redevelopment of the property into affordable housing under subsection (8) of this section be completed within 10 years of the contract execution.

(14) The requirements of subsection (1) of this section do not apply to the Lakebay Marina Renovation and Historic Preservation project in this section.

Appropriation:

Model Toxics Control Capital Account—State	\$4,641,000
Model Toxics Control Stormwater Account—State	\$5,122,000
State Building Construction Account—State	(\$59,362,000)
	\$58,662,000
Climate Commitment Account—State	\$140,000
Subtotal Appropriation	(\$69,265,000)
	\$68,565,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$237,448,000
TOTAL	(\$306,713,000)
	\$306,013,000

Sec. 7024. 2024 c 375 s 1021 (uncodified) is amended to read as follows:
FOR THE DEPARTMENT OF COMMERCE
2023-25 Community EV Charging (40000622)

The appropriation in this section is subject to the following conditions and limitations:

(1) Except as provided in subsections (10) and (11) of this section, the appropriation in this section is provided solely for grants for the development of community electric vehicle charging infrastructure.

(2) Funding provided in this section must be used for projects that provide a benefit to the public through development, demonstration, and deployment of clean energy technologies that save energy and reduce energy costs, reduce harmful air emissions, or increase energy independence for the state.

(3) Projects that receive funding under this section must be implemented by, or include partners from, one or more of the following: Local governments, federally recognized tribal governments, or public and private electrical utilities that serve retail customers in the state.

(4) Grant funding must be used for level two or higher charging infrastructure and related costs including, but not limited to, construction and site improvements. Projects may include a robust public and private outreach plan that includes engaging with affected parties in conjunction with the new electric vehicle infrastructure.

(5) The department must prioritize funding for projects in the following order:

- (a) Multifamily housing;
- (b) Publicly available charging at any location;
- (c) Schools and school districts;
- (d) State and local government buildings and office buildings;
- (e) All other eligible projects.

(6) The department must coordinate with other electrification programs, including projects developed by the department of transportation, to determine the most effective distribution of the systems. The department must also collaborate with the interagency electric vehicle coordinating council established in RCW 43.392.030 to implement this section and must work to meet benchmarks established in chapter 182, Laws of 2022.

(7) The department may:

(a) Provide information to applicants about available clean energy tax credits and incentives, including elective pay, that may be applicable to the project for which state funding is being sought;

(b) Inquire, as part of the application, which tax credits and incentives the applicant plans to seek for the project;

(c) Prioritize projects seeking any applicable clean energy tax credits and incentives when developing and applying competitive criteria for selecting recipients under this section; and

(d) Consider the availability of any federal tax credits or other federal or nonfederal grants or incentives that the applicant may benefit from in review of the application.

(8) Funding awards made under this section may not exceed 100 percent of the cost of the project.

(9) Up to three percent of the appropriation in this section is for the department to administer the grant program.

(10) (~~(\$412,000))~~ \$1,304,000 of the appropriation in this section is provided solely for the following list of projects:

Town of Steilacoom Electrical Charging Station

Infrastructure\$103,000

EV Chargers Federal Way Community Center\$309,000

Interim CDA I5 EV Chargers in City of Seattle\$892,000

(11) The department may directly reimburse a state agency for costs to review proposed construction on property leased by the state.

Appropriation:

Climate Commitment Account—State	\$105,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$420,000,000
TOTAL	\$525,000,000

Sec. 7025. 2024 c 375 s 1023 (uncodified) is amended to read as follows:
FOR THE DEPARTMENT OF COMMERCE
2026 FIFA World Cup (40000650)

The appropriations in this section are subject to the following conditions and limitations:

~~(1)((a))~~ The state building construction account—state appropriation in this section is provided solely for the following list of projects for capital improvements required to host the 2026 World Cup in Seattle:

University of Washington Practice Field	\$2,577,000
Seattle University Practice Field	\$1,017,000
Washington State Public Stadium Authority	\$6,406,000

~~((b))~~ (2) As a condition of receiving moneys, Seattle University must provide one-to-one matching funds for the improvement of the practice field and make the practice field available as needed for the 2026 World Cup.

~~((2) The stadium world cup capital account state appropriation in this section is provided solely for the purpose of advancing funds, to the extent needed, to the Washington state public stadium authority for capital improvements required to host the 2026 FIFA World Cup. Loan and repayment terms must be in accordance with the provisions of section 9, chapter . . . (Engrossed Senate Bill No. 6098), Laws of 2024.))~~

Appropriation:

State Building Construction Account—State	\$10,000,000
((Stadium World Cup Capital Account—State	\$10,000,000
Subtotal Appropriation	\$20,000,000))
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	((\$20,000,000)))
	\$10,000,000

Sec. 7026. 2024 c 375 s 1025 (uncodified) is amended to read as follows:
FOR THE DEPARTMENT OF COMMERCE
Local Emission Reduction Projects (91002184)

The appropriations in this section are subject to the following conditions and limitations:

(1) The appropriations in this section are provided solely for the following list of projects:

Algae Carbon Sequestration and Regenerative Soils	\$2,500,000
((C6 Forest to Farm Biochar Pilot Plant	(Leavenworth))
<u>Chelan County Processing Facility</u> <u>for Wood Biomass / Small Diameter Wood</u>	\$1,425,000
College Place Fire Department Energy Efficiency	\$1,137,000

Douglas PUD Storage & Fuel Cell	\$1,348,000
Great Northern School District HVAC Installation (Spokane)	\$1,613,000
HAPO Community Center	\$3,000,000
Kenmore Public Works Geothermal System	\$464,000
KVH Hydrogen Storage System	\$300,000
Meydenbauer Center Energy Efficiency (Bellevue)	\$6,000,000
Outdoor Fields LED Retrofit and Solar Installation (Tukwila)	\$500,000
Nisqually Indian Tribe Microgrid System	\$8,600,000
Process Water Reuse Facility (Pasco)	\$5,050,000
Small Faces Preschool HVAC Upgrades (Seattle)	\$435,000
Squaxin Island Tribe Blue Carbon Sequestration	\$3,050,000
SW Youth & Family Services HVAC Replacement	\$273,000
Tacoma Power Grid Upgrades & Feasibility Study	\$2,875,000
Waterfront Low Carbon District Energy System (Bellingham)	\$100,000

(2) The department may not expend funding for a project in this section unless and until the nonstate share of that project's costs have been either expended or firmly committed, or both, in an amount sufficient to complete the project or a distinct phase of the project. This requirement does not apply to projects where a share of the appropriation is for design costs only.

(3) Prior to receiving funding, grant recipients must demonstrate that the project site is under control for a minimum of 10 years, either through ownership or a long-term lease. This requirement does not apply to grants for preconstruction activities or grants in which the sole purpose is to purchase real property that does not include a construction or renovation component.

(4) In contracts for grants authorized under this section, the department must include provisions that require that capital improvements be held by the grantee for a specified period of time appropriate to the amount of the grant and that facilities be used for the express purpose of the grant. If the department finds the grantee to be out of compliance with provisions of the contract, the grantee shall repay to the state general fund the principal amount of the grant plus interest calculated at the rate of interest on state of Washington general obligation bonds issued most closely to the date of authorization of the grant.

~~((5)(a) This section takes effect January 1, 2025.~~

~~(b) If the climate commitment account or the natural climate solutions account is repealed as of December 30, 2024, then this section is null and void on December 31, 2024.)~~

Appropriation:

Climate Commitment Account—State	\$31,695,000
Natural Climate Solutions Account—State	\$6,975,000
Subtotal Appropriation	\$38,670,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$87,396,000
TOTAL	\$126,066,000

Sec. 7027. 2024 c 375 s 1024 (uncodified) is amended to read as follows:
FOR THE DEPARTMENT OF COMMERCE

2023-25 Youth Shelters and Housing (91001682)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation in this section is provided solely for the following list of projects:

Community Youth Services (Olympia)	\$200,000
((Housing and Services for Youth Wellness (Seattle).	\$5,000,000))
New Horizons (King County)	\$75,000
OlyCap Pfeiffer House (Port Townsend).	\$97,000
ROOTS Young Adult Shelter Phase 2 Renovations (Seattle).	\$1,500,000
Safe Harbor Support Center (Kennewick).	\$300,000
Serenity House (Port Angeles)	\$50,000
Shelton Young Adult Transitional Housing (Shelton).	\$1,200,000
Skagit Valley Family YMCA (Mt. Vernon).	\$2,200,000
VOA Crosswalk 2.0 (Spokane)	\$2,500,000
YouthCare (Seattle)	\$2,500,000

(2) The department may not expend funding for a project in this section unless and until the nonstate share of that project's costs have been either expended or firmly committed, or both, in an amount sufficient to complete the project or a distinct phase of the project. This requirement does not apply to projects where a share of the appropriation is for design costs only.

(3) Prior to receiving funding, grant recipients must demonstrate that the project site is under control for a minimum of 10 years, either through ownership or a long-term lease. This requirement does not apply to grants for preconstruction activities or grants in which the sole purpose is to purchase real property that does not include a construction or renovation component.

(4) In contracts for grants authorized under this section, the department must include provisions that require that capital improvements be held by the grantee for a specified period of time appropriate to the amount of the grant and that facilities be used for the express purpose of the grant. If the department finds the grantee to be out of compliance with provisions of the contract, the grantee shall repay to the state general fund the principal amount of the grant plus interest calculated at the rate of interest on state of Washington general obligation bonds issued most closely to the date of authorization of the grant.

Appropriation:

State Building Construction Account—State	(\$15,622,000))
	<u>\$10,622,000</u>
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs).	\$62,488,000
TOTAL	(\$78,110,000))
	<u>\$73,110,000</u>

Sec. 7028. 2024 c 375 s 6007 (uncodified) is amended to read as follows:
FOR THE DEPARTMENT OF COMMERCE
 Infrastructure Projects (91001687)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 1033, chapter 296, Laws of 2022, except that:

(1) \$618,000 of the reappropriation is for the Port of Mattawa Water Infrastructure (Mattawa) project, and not the Port of Mattawa Wastewater Infrastructure (Mattawa) project;

(2) No funding may be directed to the Dryden Wastewater Improvement project;

(3) No funding may be directed to the New Well for the Community of Peshastin project;

(4) The Fall City Waste Management System total appropriation is adjusted from \$6,500,000 to \$7,536,000; ~~((and))~~

(5) \$1,030,000 of the coronavirus state fiscal recovery account—federal appropriation is provided solely for the Skamania PUD Water Tank Replacement project; and

(6) The coronavirus state fiscal recovery account—federal appropriation for the Packwood sewer system is reduced to \$1,607,000.

Reappropriation:

Capital Community Assistance Account—State	\$25,714,000
Coronavirus State Fiscal Recovery Fund—Federal	(\$94,106,000))
	<u>\$87,166,000</u>
Public Works Assistance Account—State	\$485,000
State Building Construction Account—State	\$10,087,000
Subtotal Reappropriation	(\$130,392,000))
	<u>\$123,452,000</u>
Prior Biennia (Expenditures)	\$6,908,000
Future Biennia (Projected Costs)	\$0
TOTAL	(\$137,300,000))
	<u>\$130,360,000</u>

Sec. 7029. 2024 c 375 s 6018 (uncodified) is amended to read as follows:
FOR THE DEPARTMENT OF COMMERCE
 Projects that Strengthen Communities & Quality of Life (92000230)

The reappropriation in this section is subject to the following conditions and limitations:

(1) The reappropriation is subject to the provisions of section 6006, chapter 3, Laws of 2015 3rd sp. sess.

(2) The reappropriation for any project for which the department has not executed a contract by December 31, 2023, shall lapse. The department shall provide a list of lapsed projects to the legislative fiscal committees no later than January 15, 2024.

(3) Pursuant to subsection (2) of this section, funding for the Seabrook Trail project has lapsed.

Reappropriation:

State Building Construction Account—State	(\$559,000))
	<u>\$35,000</u>

Prior Biennia (Expenditures)	\$31,102,000
Future Biennia (Projected Costs)	\$0
TOTAL	(\$31,661,000)
	<u>\$31,137,000</u>

Sec. 7030. 2023 c 474 s 6074 (uncodified) is amended to read as follows:
FOR THE DEPARTMENT OF COMMERCE
Local & Community Projects 2016 (92000369)

The reappropriation in this section is subject to the following conditions and limitations:

- (1) The reappropriation is subject to the provisions of section 1030, chapter 296, Laws of 2022.
- (2) The reappropriation for any project for which the department has not executed a contract by December 31, 2023, shall lapse. The department shall provide a list of lapsed projects to the legislative fiscal committees no later than January 15, 2024.

Reappropriation:

State Building Construction Account—State	(\$5,917,000)
	<u>\$1,829,000</u>
Prior Biennia (Expenditures)	\$123,002,000
Future Biennia (Projected Costs)	\$0
TOTAL	(\$128,919,000)
	<u>\$124,831,000</u>

Sec. 7031. 2024 c 375 s 1035 (uncodified) is amended to read as follows:
FOR THE DEPARTMENT OF COMMERCE
Public Facility Improvement Fund (92001367)

The appropriations in this section are subject to the following conditions and limitations:

- (1) ~~(\$24,000,000)~~ \$23,862,000 of the youth athletic facility account—state appropriation ~~((and \$1,162,000 of the state building construction account—state appropriation))~~ in this section ~~((are))~~ is provided solely for the following list of projects:

Bellingham: Joe Martin Stadium	\$700,000
City of Everett: New Stadium	\$7,400,000
((Lower Columbia College: David Story Field	\$1,300,000))
Lower Columbia College: Softball Facilities	\$700,000
Pasco: Gesa Stadium	\$3,000,000
Port Angeles: Civic Field	\$600,000
Ridgefield: Ridgefield Outdoor Recreational Complex	\$450,000
Spokane County: Avista Stadium	\$5,800,000
Tacoma: Cheney Stadium	\$3,000,000
Walla Walla: Borleske Stadium	\$525,000
Wenatchee Valley College: Paul Thomas Sr. Field	\$700,000
Wenatchee Valley College: Softball Facilities	\$462,000
Yakima County: Yakima County Stadium	\$525,000

- (2) The funding appropriated under this section must be combined with local funds.

(3) The department may not expend funding for a project in this section unless and until the nonstate share of that project's costs have been either expended or firmly committed, or both, in an amount sufficient to complete the project or a distinct phase of the project. This requirement does not apply to projects where a share of the appropriation is for design costs only.

(4) Prior to receiving funding, grant recipients must demonstrate that the project site is under control for a minimum of 10 years, either through ownership or a long-term lease. This requirement does not apply to grants for preconstruction activities or grants in which the sole purpose is to purchase real property that does not include a construction or renovation component.

(5) In contracts for grants authorized under this section, the department must include provisions that require that capital improvements be held by the grantee for a specified period of time appropriate to the amount of the grant and that facilities be used for the express purpose of the grant. If the department finds the grantee to be out of compliance with provisions of the contract, the grantee shall repay to the state general fund the principal amount of the grant plus interest calculated at the rate of interest on state of Washington general obligation bonds issued most closely to the date of authorization of the grant.

(6) (~~(\$360,000))~~ \$222,000 of the state building construction account—state appropriation and \$138,000 of the youth athletic facility account—state appropriation in this section (~~(is)~~) are provided solely for administrative costs.

Appropriation:

State Building Construction Account—State	(\$1,522,000)) <u>\$222,000</u>
Youth Athletic Facility Account—State	\$24,000,000
Subtotal Appropriation	(\$25,522,000)) <u>\$24,222,000</u>
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	(\$25,522,000)) <u>\$24,222,000</u>

NEW SECTION. Sec. 7032. A new section is added to 2023 c 474 (uncodified) to read as follows:

FOR THE DEPARTMENT OF COMMERCE

Anaerobic Digester Development (92001947)

The appropriation in this section is subject to the following conditions and limitations:

(1) \$13,200,000 of the appropriation in this section is provided solely for grants for cost share agreements regarding anaerobic digester development and maintenance projects at dairies. Grants awarded must have at least a 15 percent nonstate match and be awarded through a competitive process that considers:

(a) The amount of greenhouse gas reduction expected to be achieved by the proposal; and

(b) The amount of untreated effluent expected to be reduced by the proposal.

(2) \$500,000 of the appropriation in this section is provided solely for the department to contract with the Washington State University energy extension program to provide technical assistance in the administration of the competitive

grant process and to provide ongoing support to dairies and digester operators regarding opportunities to enhance digester function, advance nutrient recovery, and improve the economic sustainability of on-farm digesters.

Appropriation:

Climate Commitment Account—State	\$13,700,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$54,800,000
TOTAL	\$68,500,000

NEW SECTION. Sec. 7033. A new section is added to 2023 c 474 (uncodified) to read as follows:

FOR THE DEPARTMENT OF COMMERCE

Broadband Infrastructure Federal Match Projects (92001948)

The appropriations in this section are subject to the following conditions and limitations:

(1)(a) \$114,034,000 of the state building construction account—state appropriation in this section is provided solely as match for federal authority allocated under this section for the statewide broadband office to administer the broadband equity, access, and deployment state grants program in section 60102 of P.L. 117-58 (infrastructure investment and jobs act), or a substantially similar successor federal program. Expenditure of the amount appropriated in this subsection is contingent on the receipt of this grant funding.

(b) To the extent permitted by federal law, the office shall provide state matching funds only for projects where the lead applicant is a public or tribal government entity. The office must allocate state matching funds in a manner that prioritizes projects based on affordability, fair labor practices, speed to deployment, open access, local and tribal coordination, and the provision of digital navigation services, as outlined in the scoring criteria contained in the plan submitted by the statewide broadband office to the national telecommunications and information administration.

(c) The legislature intends to provide sufficient funds to match federal funds available. To the extent that appropriated state funds are insufficient to satisfy federal matching requirements for federal funds, the department must secure from subgrantees such additional cash, in-kind contributions, or other eligible forms of match as are necessary to provide sufficient funds in order to meet federal matching requirements.

(2) To the extent permitted by federal law, in addition to scoring and weighting criteria established pursuant to the federal broadband equity, access, and deployment program, or a substantially similar successor federal program, the state broadband office must establish additional secondary selection criteria, including, but not limited to, criteria that give weight to projects that:

(a) Provide open-access wholesale last-mile broadband service for the useful life of the subsidized networks on fair, equal, and neutral terms to all potential retail providers; and

(b) Demonstrate support from the local government or any tribal government with oversight over the location or locations to be served.

(3) To the extent permitted by federal law, up to \$300,000 of the federal broadband account—federal appropriation provided in this section is for a staff position dedicated to advising the statewide broadband office on the availability

and feasibility of deploying new and emerging technologies in broadband internet service.

Appropriation:

State Building Construction Account—State	\$114,034,000
Federal Broadband Account—Federal	\$1,227,743,000
Subtotal Appropriation	\$1,341,777,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,341,777,000

Sec. 7034. 2023 c 474 s 6087 (uncodified) is amended to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT

Firecrest School Land Use Assessment (92000035)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1100, chapter 332, Laws of 2021.

Reappropriation:

State Building Construction Account—State	(\$165,000))
	<u>\$3,000</u>
Prior Biennia (Expenditures)	\$335,000
Future Biennia (Projected Costs)	\$0
TOTAL	(\$500,000))
	<u>\$338,000</u>

Sec. 7035. 2023 c 474 s 1044 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Elevator Modernization (30000786)

The appropriations in this section are subject to the following conditions and limitations:

(1) The reappropriations are subject to the provisions of section 1075, chapter 413, Laws of 2019.

(2) The appropriation in this section is provided solely for the following list of projects:

Plaza Garage, Elevator #4	(\$1,417,000))
Insurance - Elevator No. 1	(\$932,000))
Leg - Elevator No. 5	(\$2,229,000))
Leg - Elevator No. 6	(\$2,229,000))
TOJ - Elevator No. 1	(\$886,000))

Reappropriation:

State Building Construction Account—State	\$1,316,000
Thurston County Capital Facilities Account—State	\$1,229,000
Subtotal Reappropriation	\$2,545,000

Appropriation:

Capitol Building Construction Account—State	\$7,693,000
Prior Biennia (Expenditures)	\$1,846,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$12,084,000

Sec. 7036. 2024 c 375 s 1042 (uncodified) is amended to read as follows:
FOR THE DEPARTMENT OF ENTERPRISE SERVICES
Washington Building (40000331)

The appropriation in this section is subject to the following conditions and limitations:

(1)\$150,000 of the appropriation in this section is provided solely for the development of a plan and necessary steps to vacate and dispose of the Washington building and property. No later than September 15, 2024, the department must submit to the governor and the capital committees of the legislature a timeline and proposed budget for each item below that includes:

(a) A plan to relocate the current tenants of the building on or near the capitol campus. In identifying space, the department must also look to space that may be currently leased but is being underutilized. The plan must include a statement of the revenue for each of the current tenants;

(b) Improvements and maintenance necessary for the comfort and safety of the current tenants until the building can be vacated;

(c) Preservation of the building pending disposal of either the building or property, or both; and

(d) Recommendations for the most efficient use of the building and property that minimizes the cost to the state.

(2) The department must work with legislative support services to identify space that meets the long-term needs of the tenants.

(3)(a) Once the Washington building has been vacated, the department, in consultation with the office of financial management, must sell the Washington building and the Union avenue building along with its associated property for no less than fair market value. The price must cover appraisal costs, all debt service, all closing costs, and the cost of outstanding liabilities necessary to keep the department whole.

(b) Any sale proceeds remaining after the department has satisfied all of the obligations must be deposited into the Thurston county capital facilities account.

Appropriation:

State Building Construction Account—State	(\$1,001,000)
	\$501,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	(\$1,001,000)
	\$501,000

Sec. 7037. 2024 c 375 s 1044 (uncodified) is amended to read as follows:
FOR THE DEPARTMENT OF ENTERPRISE SERVICES
Legislative Campus Modernization (92000020)

The appropriations in this section are subject to the following conditions and limitations:

(1) The reappropriations are subject to the provisions of section ~~((1059, chapter 296, Laws of 2022))~~ 1044, chapter 375, Laws of 2024.

(2) The department must consult with the senate facilities and operations committee or its designees and the house of representatives' executive rules committee or its designees at least every other month.

(3) All appropriations must be coded and tracked as separate discrete subprojects in the agency financial reporting system.

(4) If the department receives information, after value engineering has been performed, that projected costs for any of the subprojects in subsections (5), (6), or (7) of this section will exceed the amount provided in the respective subsections, including projected costs in future biennia, the department must timely notify and provide that information in writing to the project executive team. Prior to proceeding with design or construction, the department must:

(a) Provide at least three options that do not include square footage reduction to reduce the subproject costs to stay within the amount provided for that subproject and the project schedule;

(b) Consult with the project executive team on the options offered, prior to proceeding with a reduced cost option; and

(c) Receive majority consensus from the project executive team to either adopt and move forward with reduced cost options that bring the subproject costs within amounts appropriated or adopt a tentative modified budget for the subproject. If a tentative modified budget is adopted, the department must seek additional funding in the next agency budget submittal.

(5) \$25,651,000 of the state building construction account—state appropriation in this section is provided solely for the Irv Newhouse building replacement design and construction subproject on opportunity site six west. The department must:

(a) Start Newhouse building construction by July 1, 2023;

(b) Complete Newhouse building construction by October 31, 2024; and

(c) Consult with the leadership of the senate, or their designees, at least every month, beginning July 1, 2023.

(6) (~~(\$84,593,000))~~ \$85,542,000 of the state building construction account—state appropriation in this section is provided solely for the rehabilitation, design, and construction of the Pritchard building and the renovation of the John L. O'Brien building subproject. The legislature intends to provide funding in the amount of (~~(\$134,097,000))~~ \$135,043,000 over the course of the 2023-2025 and the 2025-2027 fiscal biennia for design and construction of this project. Pursuant to RCW 43.88.130, the department may enter into a multibiennium contract for the construction of the subproject. Nothing in this section authorizes the agency to make an expenditure without an appropriation.

(7) (~~(\$11,872,000))~~ \$10,923,000 of the state building construction account—state appropriation and \$1,000,000 of the climate commitment act—state appropriation in this section is provided solely for the legislative campus modernization global subproject that includes, but is not limited to, the (~~(visitor))~~ capitol lot (opportunity site six east), 15th avenue southwest, the John A. Cherberg parking lot on 15th avenue southwest, the John L. O'Brien parking lot on 15th avenue southwest, Columbia street site work, the legislative modular building, and Water street site work.

(8) \$1,000,000 of the model toxics control capital account—state appropriation in this section is provided solely for Newhouse parcel soil decontamination.

Reappropriation:

State Building Construction Account—State	\$72,346,000
Thurston County Capital Facilities Account—State	\$2,665,000

Subtotal Reappropriation	\$75,011,000
Appropriation:	
Climate Commitment Account—State	\$1,000,000
State Building Construction Account—State	\$122,116,000
Model Toxics Control Capital Account—State	\$1,000,000
Subtotal Appropriation	\$124,116,000
Prior Biennia (Expenditures)	\$14,925,000
Future Biennia (Projected Costs)	(\$49,504,000)
	<u>\$49,504,000</u>
TOTAL	(\$263,556,000)
	<u>\$263,556,000</u>

NEW SECTION. Sec. 7038. A new section is added to 2023 c 474 (uncodified) to read as follows:

FOR THE DEPARTMENT OF ENTERPRISE SERVICES

LSS - Dolliver Building Relocation (91000474)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for relocation costs, including design, permitting, and renovation costs, associated with moving Legislative Support Services to the Dolliver building.

Appropriation:	
State Building Construction Account—State	\$500,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$340,000
TOTAL	\$840,000

Sec. 7039. 2024 c 375 s 1047 (uncodified) is amended to read as follows:

FOR THE MILITARY DEPARTMENT

Tri-Cities Readiness Center (30000808)

Reappropriation:	
General Fund—Federal	\$1,421,000
State Building Construction Account—State	\$265,000
Subtotal Reappropriation	\$1,686,000
Appropriation:	
((General Fund—Federal	\$2,000,000))
State Building Construction Account—State	(\$944,000)
	<u>\$244,000</u>
((Subtotal Appropriation	\$2,944,000))
Prior Biennia (Expenditures)	\$16,010,000
Future Biennia (Projected Costs)	\$0
TOTAL	(\$20,640,000)
	<u>\$17,940,000</u>

Sec. 7040. 2023 c 474 s 1066 (uncodified) is amended to read as follows:
FOR THE MILITARY DEPARTMENT

Snohomish Readiness Center (30000930)

Reappropriation:	
General Fund—Federal	\$3,872,000

State Building Construction Account—State	\$1,406,000
Subtotal Reappropriation	\$5,278,000
Appropriation:	
General Fund—Federal .....	..((\$2,196,000))
	<u>\$4,196,000</u>
State Building Construction Account—State .....	..((\$1,707,000))
	<u>\$2,407,000</u>
Subtotal Appropriation .....	..((\$3,903,000))
	<u>\$6,603,000</u>
Prior Biennia (Expenditures)	\$637,000
Future Biennia (Projected Costs)	\$0
TOTAL .....	..((\$9,818,000))
	<u>\$12,518,000</u>

NEW SECTION. Sec. 7041. A new section is added to 2023 c 474 (uncodified) to read as follows:

FOR THE MILITARY DEPARTMENT

Tumwater Field Maintenance Shop (40000367)

Appropriation:

General Fund—Federal	\$3,900,000
State Building Construction Account—State	\$480,000
Subtotal Appropriation	\$4,380,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$45,597,000
TOTAL	\$49,977,000

NEW SECTION. Sec. 7042. A new section is added to 2023 c 474 (uncodified) to read as follows:

FOR THE WASHINGTON STATE CRIMINAL JUSTICE TRAINING COMMISSION

Northwest Region Training Facility Renovation and Upgrades (40000042)

Appropriation:

State Building Construction Account—State	\$1,082,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,082,000

NEW SECTION. Sec. 7043. A new section is added to 2023 c 474 (uncodified) to read as follows:

FOR THE WASHINGTON STATE CRIMINAL JUSTICE TRAINING COMMISSION

Cafeteria Water Damage Repairs (40000043)

Appropriation:

State Building Construction Account—State	\$200,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$200,000

Sec. 7044. 2023 c 474 s 2016 (uncodified) is amended to read as follows:
FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES
 Minor Works Programmatic 2023-25 (40000953)

Appropriation:

Charitable, Educational, Penal, and Reformatory	
Institutions Account—State	\$2,377,000
State Building Construction Account—State	(\$3,618,000)
	<u>\$3,482,000</u>
Subtotal Appropriation	(\$5,995,000)
	<u>\$5,859,000</u>
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$18,920,000
TOTAL	(\$24,915,000)
	<u>\$24,779,000</u>

Sec. 7045. 2023 c 474 s 2017 (uncodified) is amended to read as follows:
FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES
Minor Works Preservation 2023-25 (40000954)

Appropriation:

Charitable, Educational, Penal, and Reformatory	
Institutions Account—State	\$3,482,000
State Building Construction Account—State	(\$7,666,000)
	<u>\$6,687,000</u>
Subtotal Appropriation	(\$11,148,000)
	<u>\$10,169,000</u>
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$91,976,000
TOTAL	(\$103,124,000)
	<u>\$102,145,000</u>

NEW SECTION. Sec. 7046. A new section is added to 2023 c 474 (uncodified) to read as follows:
FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Eastern State Hospital-Activity Therapy Building (92000057)

Appropriation:

State Building Construction Account—State	\$8,035,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$8,035,000

Sec. 7047. 2023 c 474 s 2032 (uncodified) is amended to read as follows:
FOR THE DEPARTMENT OF HEALTH
Public Health Lab South Laboratory Addition (30000379)

Reappropriation:

State Building Construction Account—State	\$4,131,000
---	-------------

Appropriation:

State Building Construction Account—State	(\$53,452,000)
	<u>\$53,498,000</u>
Prior Biennia (Expenditures)	\$998,000
Future Biennia (Projected Costs)	\$0
TOTAL	(\$58,581,000)
	<u>\$58,627,000</u>

NEW SECTION. Sec. 7048. A new section is added to 2023 c 474 (uncodified) to read as follows:

FOR THE DEPARTMENT OF HEALTH

Improve Critical Water Infrastructure (40000058)

Appropriation:

Drinking Water Assistance Account—State	\$50,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$50,000,000

Sec. 7049. 2023 c 474 s 2036 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF HEALTH

2023-25 DWSRF State Match (40000066)

The appropriation in this section is subject to the following conditions and limitations:

(1) For projects involving repair, replacement, or improvement of a clean water infrastructure facility or other public works facility for which an investment grade efficiency audit is reasonably obtainable, the department shall require as a contract condition that the project sponsor undertake an investment grade efficiency audit. The project sponsor may finance the costs of the audit as part of its drinking water state revolving fund program loan.

(2) The department must encourage local government use of federally funded drinking water infrastructure programs operated by the United States department of agriculture rural development agency.

Appropriation:

Drinking Water Assistance Account—State	(\$3,500,000)
	<u>\$1,468,000</u>
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$69,000,000
TOTAL	(\$72,500,000)
	<u>\$70,468,000</u>

Sec. 7050. 2024 c 375 s 6023 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF VETERANS AFFAIRS

WVH HVAC Retrofit (40000006)

Reappropriation:

State Building Construction Account—State	\$424,000
---	-----------

Appropriation:

<u>State Building Construction Account—State</u>	<u>\$3,800,000</u>
Prior Biennia (Expenditures)	\$326,000
Future Biennia (Projected Costs)	\$0
TOTAL	(\$750,000)
	<u>\$4,550,000</u>

Sec. 7051. 2023 c 474 s 6244 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

Remedial Action Grant Program (30000216)

Reappropriation:

Model Toxics Control Capital Account—State	(\$15,255,000)
	<u>\$14,865,000</u>
Prior Biennia (Expenditures)	\$47,404,000

Future Biennia (Projected Costs).....	\$0
TOTAL	(\$62,659,000)
	<u>\$62,269,000</u>

Sec. 7052. 2023 c 474 s 6251 (uncodified) is amended to read as follows:
FOR THE DEPARTMENT OF ECOLOGY

Eastern Washington Clean Sites Initiative (30000432)

Reappropriation:

Model Toxics Control Capital Account—State	(\$4,684,000)
	<u>\$4,649,000</u>
Prior Biennia (Expenditures).....	\$3,124,000
Future Biennia (Projected Costs).....	\$0
TOTAL	(\$7,808,000)
	<u>\$7,773,000</u>

Sec. 7053. 2023 c 474 s 6252 (uncodified) is amended to read as follows:
FOR THE DEPARTMENT OF ECOLOGY

Remedial Action Grants (30000458)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section ~~((3011, chapter 35, Laws of 2016 sp. sess.))~~ 3010, chapter 356, Laws of 2020.

Reappropriation:

State Building Construction Account—State	(\$9,421,000)
	<u>\$9,404,000</u>
Prior Biennia (Expenditures).....	\$34,584,000
Future Biennia (Projected Costs).....	\$0
TOTAL	(\$44,005,000)
	<u>\$43,988,000</u>

Sec. 7054. 2023 c 474 s 6310 (uncodified) is amended to read as follows:
FOR THE DEPARTMENT OF ECOLOGY

2021-23 Healthy Housing Remediation Program (40000378)

~~((The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 7050 of this act.))~~

Reappropriation:

Model Toxics Control Capital Account—State	(\$10,273,000)
	<u>\$10,251,000</u>
Prior Biennia (Expenditures).....	\$299,000
Future Biennia (Projected Costs).....	\$0
TOTAL	(\$10,572,000)
	<u>\$10,550,000</u>

Sec. 7055. 2023 c 474 s 3007 (uncodified) is amended to read as follows:
FOR THE DEPARTMENT OF ECOLOGY

2023-25 Affordable Housing Cleanup Grant Program (40000480)

The appropriation in this section is subject to the following conditions and limitations:

(1) \$3,985,000 of the appropriation in this section is provided solely for the 35th Street Landfill project. If funding provided for this project is not under contract by June 30, 2025, the funds provided in this subsection (1) shall lapse.

(2) \$1,805,000 of the appropriation in this section is provided solely for the SEED Murakami Project. Funding in this subsection is contingent upon the lapse of funding for the 35th Street Landfill project in subsection (1) of this section.

Appropriation:

Model Toxics Control Capital Account—State	(\$12,259,000))
	<u>\$9,205,000</u>
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	(\$49,036,000))
	<u>\$36,820,000</u>
TOTAL	(\$61,295,000))
	<u>\$46,025,000</u>

Sec. 7056. 2023 c 474 s 3032 (uncodified) is amended to read as follows:
FOR THE DEPARTMENT OF ECOLOGY

Landfill Methane Capture (40000611)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for the department to administer a grant program for landfills to comply with methane emission requirements established in chapter 70A.540 RCW.

Appropriation:

Climate Commitment Account—State	(\$15,000,000))
	<u>\$10,100,000</u>
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$60,000,000
TOTAL	(\$75,000,000))
	<u>\$70,100,000</u>

Sec. 7057. 2024 c 375 s 3004 (uncodified) is amended to read as follows:
FOR THE DEPARTMENT OF ECOLOGY

~~((Eastside Fire and Rescue Pilot))~~ Lower Issaquah Valley PFAS Cleanup (40000618)

Appropriation:

Model Toxics Control Capital Account—State	\$2,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,000,000

NEW SECTION. **Sec. 7058.** A new section is added to 2023 c 474 (uncodified) to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

State Parks Relocation to Ecology Headquarters Building (40000718)

Appropriation:

State Building Construction Account—State	\$1,618,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,618,000

Sec. 7059. 2023 c 474 s 3036 (uncodified) is amended to read as follows:
FOR THE DEPARTMENT OF ECOLOGY
North Shore Levee (92000200)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely as state grant assistance to the cities of Aberdeen and Hoquiam (~~(to match federal funding)~~) for the Aberdeen-Hoquiam flood protection project, north shore levee and north shore levee-west segments. The legislature intends to provide funds in the amount of \$35,500,000 over the course of the 2023-2025 and 2025-2027 fiscal biennia in grant funds for construction of the north shore levee project.

Appropriation:

State Building Construction Account—State	\$18,500,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$17,000,000
TOTAL	\$35,500,000

Sec. 7060. 2023 c 474 s 3041 (uncodified) is amended to read as follows:
FOR THE STATE PARKS AND RECREATION COMMISSION
Lake Chelan State Park Moorage Dock Pile Replacement (30000416)

Reappropriation:

State Building Construction Account—State	\$72,000
---	----------

Appropriation:

State Building Construction Account—State	(\$574,000)
	\$523,000
Prior Biennia (Expenditures)	\$1,772,000
Future Biennia (Projected Costs)	\$0
TOTAL	(\$2,418,000)
	\$2,367,000

Sec. 7061. 2023 c 474 s 6344 (uncodified) is amended to read as follows:
FOR THE STATE PARKS AND RECREATION COMMISSION
Field Spring Replace Failed Sewage Syst & Non-ADA Comfort Station (30000951)

Reappropriation:

State Building Construction Account—State	(\$538,000)
	\$420,000
Prior Biennia (Expenditures)	\$1,210,000
Future Biennia (Projected Costs)	\$0
TOTAL	(\$1,748,000)
	\$1,630,000

Sec. 7062. 2023 c 474 s 6345 (uncodified) is amended to read as follows:
FOR THE STATE PARKS AND RECREATION COMMISSION
Mount Spokane - Maintenance Facility Relocation from Harms Way (30000959)

Reappropriation:

State Building Construction Account—State	(\$1,750,000)
	\$1,732,000

Appropriation:

State Building Construction Account—State	\$339,000
---	-----------

Prior Biennia (Expenditures)	(\$691,000))
	<u>\$710,000</u>
Future Biennia (Projected Costs)	\$0
TOTAL	(\$2,441,000))
	<u>\$2,781,000</u>

Sec. 7063. 2024 c 375 s 3011 (uncodified) is amended to read as follows:

FOR THE STATE PARKS AND RECREATION COMMISSION

Fort Worden ((Energy Efficiency Update)) Geothermal Heating (40000457)

Appropriation:

Climate Commitment Account—State	\$1,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$7,000,000
TOTAL	\$8,000,000

Sec. 7064. 2023 c 474 s 6359 (uncodified) is amended to read as follows:

FOR THE STATE PARKS AND RECREATION COMMISSION

2021-23 State Parks Capital Preservation Pool (92000017)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3025, chapter 296, Laws of 2022.

Reappropriation:

State Building Construction Account—State	(\$31,583,000))
	<u>\$31,412,000</u>
Prior Biennia (Expenditures)	\$8,667,000
Future Biennia (Projected Costs)	\$0
TOTAL	(\$40,250,000))
	<u>\$40,079,000</u>

Sec. 7065. 2024 c 375 s 3019 (uncodified) is amended to read as follows:

FOR THE STATE CONSERVATION COMMISSION

2023-25 Conservation Reserve Enhancement Program (CREP) (40000023)

The appropriation((s)) in this section ((are)) is subject to the following conditions and limitations: The state conservation commission may expend the state building construction account—state appropriation ((and natural climate solutions account—state appropriation)) in this section as grants to private land owners who were enrolled in the conservation reserve enhancement program, and whose acreage meets state program goals of providing riparian habitat or hydrologically connected wetland enhancements in salmon-bearing streams as determined by the Washington state department of fish and wildlife, but are now disenrolled due to a contract termination by the United States department of agriculture (USDA) farm service agency, or who voluntary terminated their enrollment as a result of the USDA farm service agency audit.

Appropriation:

((Natural Climate Solutions Account—State	\$11,000,000))
State Building Construction Account—State	\$4,000,000
((Subtotal Appropriation	\$15,000,000))
Prior Biennia (Expenditures)	\$0

Future Biennia (Projected Costs).....	\$60,000,000
TOTAL	(\$75,000,000)
	<u>\$64,000,000</u>

NEW SECTION. Sec. 7066. A new section is added to 2023 c 474 (uncodified) to read as follows:

FOR THE STATE CONSERVATION COMMISSION

2023-25 Alternative Manure Management (40000052)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for the commission to provide financial and technical assistance for alternative manure management project development and implementation.

Appropriation:

Climate Commitment Account—State	\$2,900,000
Prior Biennia (Expenditures).....	\$0
Future Biennia (Projected Costs).....	\$0
TOTAL	\$2,900,000

Sec. 7067. 2023 c 474 s 3134 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF NATURAL RESOURCES

Land Appraisals (92000057)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for the department to conduct land appraisals of parcel number 55161.9025 located in the City of Liberty Lake in Spokane county and the Geiger field property operated by the national guard and located at the Spokane international airport. The department shall complete the land appraisals and provide the legislature with findings by December 1, 2023.

Appropriation:

State Building Construction Account—State	(\$40,000)
	<u>\$25,000</u>
Prior Biennia (Expenditures).....	\$0
Future Biennia (Projected Costs).....	\$0
TOTAL	(\$40,000)
	<u>\$25,000</u>

Sec. 7068. 2024 c 375 s 3039 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF AGRICULTURE

State Lands Assessment (91000011)

The appropriations in this section are subject to the following conditions and limitations:

(1) \$200,000 of the state taxable building construction account—state appropriation is provided solely for the department, in consultation with the department of natural resources, to perform an assessment of unused and underutilized state-owned, unimproved lands to determine the suitability of such lands for agricultural purposes, including grazing. For the purposes of this section, "underutilized state-owned lands" means lands that do not assist in meeting the goals of the state agency that owns or manages the land and that are

already being considered for sale or surplus. "Underutilized state-owned lands" does not include state-owned lands held under lease, held in trust, or that are otherwise intended for specific purposes.

~~(2) (((\$100,000 of the climate commitment account—state appropriation is provided solely for the department to incorporate into the assessment an examination of the use of such lands for agrivoltaics. For the purposes of this section, "agrivoltaics" means the use of land that intentionally integrates agriculture and solar photovoltaic energy generation.~~

~~(3))) The department must complete the assessment by June 1, 2025, and must submit it to the governor, the commissioner of public lands, the director of the Washington State University energy program, the director of the department of commerce, and the committees of the legislature with jurisdiction over agricultural matters.~~

~~((4(a) Subsection (2) of this section takes effect January 1, 2025.~~

~~(b) If the climate commitment account is repealed as of December 30, 2024, then subsection (2) of this section is null and void on December 31, 2024, and the amount appropriated in this section from the climate commitment account—state shall lapse.))~~

Appropriation:

((Climate Commitment Account—State	\$100,000))
State Taxable Building Construction Account—	
State	\$200,000
((Subtotal Appropriation	\$300,000))
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	(((\$300,000))
	<u>\$200,000</u>

NEW SECTION. Sec. 7069. A new section is added to 2024 c 375 (uncodified) to read as follows:

FOR THE WASHINGTON STATE PATROL

Vancouver Crime Lab Chiller Replacement (40000097)

Appropriation:

State Building Construction Account—State	\$988,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$988,000

Sec. 7070. 2024 c 375 s 5002 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

2023-25 School Construction Assistance Program (40000063)

The appropriations in this section are subject to the following conditions and limitations:

(1) ~~(((\$117,522,000))~~ \$44,145,000 of the state building construction account—state appropriation, ~~(((\$169,871,000))~~ \$171,287,000 of the common school construction account—state appropriation, and \$1,500,000 of the common school construction account—federal appropriation in this section are provided solely for school construction assistance grants for qualifying public school construction projects.

(2) \$4,757,000 of the common school construction account—state appropriation in this section is provided solely for study and survey grants and for completing inventory and building condition assessments for public school districts every six years, and for the acquisition of art pursuant to RCW 28A.335.210.

(3) The office of the superintendent of public instruction must consult with the department of enterprise services and the department of commerce to identify cost-effective steps for new buildings and building modernization projects to comply with the clean buildings act.

Appropriation:

Common School Construction Fund—State . . . . .	..((\$174,628,000))
	<u>\$176,044,000</u>
Common School Construction Fund—Federal	\$1,500,000
State Building Construction Account—State . . . . .	..((\$117,522,000))
	<u>\$44,145,000</u>
Subtotal Appropriation . . . . .	..((\$293,650,000))
	<u>\$221,689,000</u>
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$2,050,097,000
TOTAL . . . . .	..((\$2,343,747,000))
	<u>\$2,271,786,000</u>

Sec. 7071. 2023 c 474 s 6537 (uncodified) is amended to read as follows:
FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION
2021-23 School Seismic Safety Grant Program (5933) (92000923)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 5008, chapter 296, Laws of 2022.

Reappropriation:

State Building Construction Account—State . . . . .	..((\$100,000,000))
	<u>\$20,051,000</u>
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL . . . . .	..((\$100,000,000))
	<u>\$20,051,000</u>

***Sec. 7072.** 2024 c 375 s 5003 (uncodified) is amended to read as follows:
FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

2023-25 Small District & Tribal Compact Schools Modernization (40000065)

The appropriations in this section are subject to the following conditions and limitations:

(1) (~~(\$191,646,000)~~) \$173,543,000 of the common school construction account—state appropriation in this section is provided solely for modernization grants for small school districts authorized under RCW 28A.525.159. Of this amount, (~~(\$86,000,000)~~) \$74,000,000 is provided solely for small district modernization grants, not to exceed \$6,000,000 per grant, to school districts that were awarded a planning grant during the 2023-2025 fiscal biennium pursuant to LEAP capital document No. OSPI-1.1-2023, developed (~~(\$April 10, 2023)~~)

March 31, 2025. Small districts awarded a planning grant pursuant to this list that do not receive a modernization grant in the 2023-2025 fiscal biennium are eligible for the maximum state funding level of \$12,000,000 established under subsection (5)(a) of this section. The office of the superintendent of public instruction shall report the status and award amounts of all grants awarded pursuant to this section to the governor and appropriate fiscal committees of the legislature no later than October 15, 2024.

(2) \$2,307,000 of the common school construction account—state appropriation in this section is provided solely for planning grants for small school districts authorized under RCW 28A.525.159. Planning grants may not exceed \$50,000 per district. Planning grants may only be awarded to school districts with estimated total project costs of \$6,000,000 or less or \$12,000,000 or less, as applicable under this section.

(3) \$12,145,000 of the state building construction account—state appropriation in this section is provided solely for planning grants and modernization grants to state-tribal compact schools. The superintendent of public instruction may prioritize planning grants for state-tribal compact schools with the most serious building deficiencies and the most limited financial capacity.

(4) (~~(\$6,800,000)~~) **\$3,000,000** of the climate commitment account—state appropriation in this section is provided solely for energy assessment grants for small school districts eligible under RCW 28A.525.159. Grant funding awarded may be used to perform facility energy assessments of instructional buildings.

(5)(a) The superintendent of public instruction shall submit a list of small school district modernization projects, as prioritized by the advisory committee under RCW 28A.525.159, to the legislature and the governor by October 15, 2024. The list must include: (i) A description of the project; (ii) the proposed state funding level, not to exceed \$12,000,000 per project; (iii) estimated total project costs; and (iv) local funding resources.

(b) In addition to the standard list required in (a) of this subsection, the superintendent of public instruction shall also submit an alternative list with the agency's request for capital appropriations for the 2025-2027 fiscal biennium that includes small school districts with 3,000 students or less, with a state funding level not to exceed \$12,000,000 per project. This list must include the following information: (i) A description of the project; (ii) the proposed state funding level; (iii) estimated total project costs; and (iv) local funding resources.

(6)(a) Subject to (b) of this subsection (6), the appropriations in this section may be awarded only to projects approved by the legislature, as identified in LEAP capital document No. OSPI-1-~~2023~~, developed (~~(April 10, 2023)~~) **March 31, 2025**, and in LEAP capital document No. OSPI-1-2024, developed March 2, 2024.

(b) To the extent that the amounts appropriated for small districts and state-tribal compact schools specified in the LEAP capital documents in (a) of this subsection exceed the actual costs of funding these projects, the department may reallocate excess funding to eligible projects pursuant to RCW 28A.525.159. However, the total funding appropriated to eligible small district projects must remain allocated to eligible small district projects, and the total funding appropriated to eligible state-tribal compact school projects must remain allocated to eligible state-tribal compact school projects.

(7)(a) Except as provided under (b) of this subsection, \$1,982,000 of the common school construction account—state appropriation in this section is provided solely for preconstruction grants and administrative implementation pursuant to Substitute House Bill No. 1044.

(b) If Substitute House Bill No. 1044 (capital assistance/schools) is not enacted by June 30, 2024, the amount provided in this subsection is instead provided solely for small district modernization grants, not to exceed \$6,000,000 per grant, to school districts that were awarded a planning grant during the 2023-2025 fiscal biennium pursuant to LEAP capital document No. OSPI-1-~~1~~-2023, developed ((~~April 10, 2023~~)) March 31, 2025.

(8) In the 2023-2025 fiscal biennium, school districts receiving a small district modernization grant under this section may not combine this grant funding with a school construction assistance program grant or combine other grants awarded under this section to fund a single project.

Appropriation:

Climate Commitment Account—State	(((\$6,800,000))
	<u>\$3,800,000</u>
Common School Construction Account—State	(((\$195,935,000))
	<u>\$177,832,000</u>
State Building Construction Account—State	\$12,145,000
Subtotal Appropriation	(((\$214,880,000))
	<u>\$193,777,000</u>
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	(((\$2,727,220,000))
	<u>\$2,642,808,000</u>
TOTAL	(((\$2,942,100,000))
	<u>\$2,836,585,000</u>

**Sec. 7072 was partially vetoed. See message at end of chapter.*

Sec. 7073. 2023 c 474 s 6492 (uncodified) is amended to read as follows:
FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
Wenatchee Valley: Wells Hall Replacement (30000985)

Reappropriation:

State Building Construction Account—State	(((\$2,974,000))
	<u>\$1,258,000</u>
Prior Biennia (Expenditures)	\$29,397,000
Future Biennia (Projected Costs)	\$0
TOTAL	(((\$32,371,000))
	<u>\$30,655,000</u>

Sec. 7074. 2023 c 474 s 6505 (uncodified) is amended to read as follows:
FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
Bellevue: Center for Transdisciplinary Learning and Innovation (40000168)

Reappropriation:

State Building Construction Account—State	\$41,749,000
---	--------------

Appropriation:

<u>Capital Community Assistance Account—State</u>	<u>\$2,000,000</u>
Prior Biennia (Expenditures)	\$1,032,000
Future Biennia (Projected Costs)	\$0
TOTAL	(((\$42,781,000))
	<u>\$44,781,000</u>

Sec. 7075. 2023 c 474 s 5080 (uncodified) is amended to read as follows:
FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Wenatchee: Center for Technical Education and Innovation (40000198)

Reappropriation:

State Building Construction Account—State \$1,949,000

Appropriation:

State Building Construction Account—State ~~(\$46,471,000)~~
\$48,187,000
 Prior Biennia (Expenditures) \$1,317,000
 Future Biennia (Projected Costs) \$0
 TOTAL ~~(\$49,737,000)~~
\$51,453,000

Sec. 7076. 2023 c 474 s 5083 (uncodified) is amended to read as follows:
FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Minor Works - Preservation (23-25) (40000630)

Appropriation:

Model Toxics Control Capital Account—State \$2,000,000
Community and Technical College Capital
Projects Account—State \$1,200,000
 State Building Construction Account—State \$26,724,000
 Subtotal Appropriation ~~(\$28,724,000)~~
\$29,924,000
 Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$114,896,000
 TOTAL ~~(\$143,620,000)~~
\$144,820,000

Sec. 7077. 2023 c 474 s 8019 (uncodified) is amended to read as follows:
FOR THE STATE TREASURER—TRANSFERS

(1) Public Works Assistance Account: For transfer to the water pollution control revolving account—state, up to \$17,500,000 for fiscal year 2024 and up to \$17,500,000 for fiscal year 2025 \$35,000,000

(2) Public Works Assistance Account: For transfer to the drinking water assistance account—state, up to ~~(\$1,750,000)~~ \$1,468,000 for fiscal year 2024 ~~((and up to \$1,750,000 for fiscal year 2025))~~ ~~(\$3,500,000)~~
\$1,468,000

NEW SECTION. **Sec. 7078.** The following acts or parts of acts are each repealed:

- (1) 2024 c 375 s 1004 (uncodified);
- (2) 2024 c 375 s 1038 (uncodified);
- (3) 2024 c 375 s 3020 (uncodified);
- (4) 2023 c 474 s 1013 (uncodified);
- (5) 2023 c 474 s 1033 (uncodified);
- (6) 2023 c 474 s 2010 (uncodified);
- (7) 2023 c 474 s 2024 (uncodified);
- (8) 2023 c 474 s 2030 (uncodified);
- (9) 2023 c 474 s 6061 (uncodified);

(10) 2023 c 474 s 6071 (uncodified); and

(11) 2023 c 474 s 6088 (uncodified).

PART 8

MISCELLANEOUS PROVISIONS

NEW SECTION. Sec. 8001. RCW 43.88.031 requires the disclosure of the estimated debt service costs associated with new capital bond appropriations. The estimated debt service costs for the appropriations contained in this act are \$73,258,483 for the 2025-2027 biennium, \$410,061,655 for the 2027-2029 biennium, and \$631,176,449 for the 2029-2031 biennium.

NEW SECTION. Sec. 8002. ACQUISITION OF PROPERTIES AND FACILITIES THROUGH FINANCIAL CONTRACTS. (1) The following agencies may enter into financial contracts, paid from any funds of an agency, appropriated or nonappropriated, for the purposes indicated and in not more than the principal amounts indicated, plus financing expenses and required reserves pursuant to chapter 39.94 RCW. When securing properties under this section, agencies shall use the most economical financial contract option available, including long-term leases, lease-purchase agreements, lease-development with option to purchase agreements or financial contracts using certificates of participation. Expenditures made by an agency for one of the indicated purposes before the issue date of the authorized financial contract and any certificates of participation therein are intended to be reimbursed from proceeds of the financial contract and any certificates of participation therein to the extent provided in the agency's financing plan approved by the state finance committee.

(2) Those noninstructional facilities of higher education institutions authorized in this section to enter into financial contracts are not eligible for state funded maintenance and operations. Instructional space that is available for regularly scheduled classes for academic transfer, basic skills, and workforce training programs may be eligible for state funded maintenance and operations.

(3) Western Washington University: Enter into a financing contract for up to \$3,000,000 plus financing expenses, required reserves, and capitalized interest pursuant to chapter 39.94 RCW to construct a parking lot replacement.

(4) Community and technical colleges:

(a) Enter into a financing contract on behalf of Columbia Basin College for up to \$18,000,000 plus financing expenses, required reserves, and capitalized interest pursuant to chapter 39.94 RCW to construct student housing.

(b) Enter into a financing contract on behalf of Edmonds College for up to \$9,000,000 plus financing expenses, required reserves, and capitalized interest pursuant to chapter 39.94 RCW to acquire student housing.

(c) Enter into a financing contract on behalf of Clover Park Technical College for up to \$15,000,000 plus financing expenses, required reserves, and capitalized interest pursuant to chapter 39.94 RCW to acquire and renovate an eastside training facility.

(d) Enter into a financing contract on behalf of Renton Technical College for up to \$8,000,000 plus financing expenses, required reserves, and capitalized interest pursuant to chapter 39.94 RCW to continue renovations in Building J.

(e) Enter into a financing contract on behalf of South Puget Sound Community College for up to \$5,000,000 plus financing expenses, required

reserves, and capitalized interest pursuant to chapter 39.94 RCW to construct an athletic field and related support amenities.

NEW SECTION. Sec. 8003. (1) To ensure that major construction projects are carried out in accordance with legislative and executive intent, agencies must complete a predesign for state construction projects with a total anticipated cost in excess of \$10,000,000. For purposes of this section, "total anticipated cost" means the sum of the anticipated cost of the predesign, design, and construction phases of the project.

(2) Appropriations for design may not be expended or encumbered until the office of financial management has reviewed and approved the agency's predesign.

(3) The predesign must explore at least three project alternatives. These alternatives must be both distinctly different and viable solutions to the issue being addressed. The chosen alternative should be the most reasonable and cost-effective solution. The predesign document must include, but not be limited to, program, site, and cost analysis, and an analysis of the life-cycle costs of the alternatives explored, in accordance with the predesign manual adopted by the office of financial management.

(4) For projects exceeding the \$10,000,000 predesign threshold established in this section, the office of financial management may make an exception to some or all of the predesign requirements in this section. The office of financial management shall report any exception to the fiscal committees of the legislature:

(a) A description of the major capital project for which the predesign waiver is made;

(b) An explanation of the reason for the waiver; and

(c) A rough order of magnitude cost estimate for the project's design and construction.

(5) In deliberations related to submitting an exception under this section, the office of financial management shall consider the following factors:

(a) Whether there is any determination to be made regarding the site of the project;

(b) Whether there is any determination to be made regarding whether the project will involve renovation, new construction, or both;

(c) Whether, within six years of submitting the request for funding, the agency has completed, or initiated the construction of, a substantially similar project;

(d) Whether there is any anticipated change to the project's program or the services to be delivered at the facility;

(e) Whether the requesting agency indicates that the project may not require some or all of the predesign requirements in this section due to a lack of complexity; and

(f) Whether any other factors related to project complexity or risk, as determined by the office of financial management, could reduce the need for, or scope of, a predesign.

(6) If under this section, some or all predesign requirements are waived, the office of financial management may instead propose a professional project cost estimate instead of a request for predesign funding.

NEW SECTION. Sec. 8004. (1) The legislature finds that use of life-cycle cost analysis will aid public entities, architects, engineers, and contractors in making design and construction decisions that positively impact both the initial construction cost and the ongoing operating and maintenance cost of a project. To ensure that the total cost of a project is accounted for and the most reasonable and cost efficient design is used, agencies shall develop life-cycle costs for any construction project over \$10,000,000. The life-cycle costs must represent the present value sum of capital costs, installation costs, operating costs, and maintenance costs over the life expectancy of the project. The legislature further finds the most effective approach to the life-cycle cost analysis is to integrate it into the early part of the design process.

(2) Agencies must develop a minimum of three project alternatives for use in the life-cycle cost analysis. These alternatives must be both distinctly different and viable solutions to the issue being addressed. Agencies must choose the most reasonable and cost-effective solution, as supported by the life-cycle cost analysis. A brief description of each project alternative and why it was chosen must be included in the life-cycle cost analysis section of the predesign.

(3) The office of financial management shall: (a) Make available a life-cycle cost model to be used for analysis; (b) in consultation with the department of enterprise services, provide assistance in using the life-cycle cost model; and (c) update the life-cycle cost model annually including assumptions for inflation rates, discount rates, and energy rates.

(4) Agencies shall consider architectural and engineering firms' and general contractors' experience using life-cycle costs, operating costs, and energy efficiency measures when selecting an architectural and engineering firm, or when selecting contractors using alternative contracting methods.

NEW SECTION. Sec. 8005. Agencies administering construction projects with a total anticipated cost in excess of \$10,000,000 must submit progress reports to the office of financial management and to the fiscal committees of the house of representatives and senate. "Total anticipated cost" means the sum of the anticipated cost of the predesign, design, and construction phases of the project. Reports must be submitted on July 1st and December 31st of each year in a format determined by the office of financial management. After the project is completed, agencies must also submit a closeout report that identifies the total project cost and any unspent appropriations.

NEW SECTION. Sec. 8006. (1) Allotments for appropriations in this act shall be provided in accordance with the capital project review requirements adopted by the office of financial management and in compliance with RCW 43.88.110. Projects that will be employing alternative public works construction procedures under chapter 39.10 RCW are subject to the allotment procedures defined in this section and RCW 43.88.110.

(2) Each project is defined as proposed in the legislative budget notes or in the governor's budget document.

NEW SECTION. Sec. 8007. (1) The office of financial management may authorize a transfer of appropriation authority provided for a capital project that is in excess of the amount required for the completion of such project to another capital project for which the appropriation is insufficient. No such transfer may be used to expand the capacity of any facility beyond that intended in making the

appropriation. Such transfers may be effected only between capital appropriations to a specific department, commission, agency, or institution of higher education and only between capital projects that are funded from the same fund or account. No transfers may occur between projects to local government agencies except where the grants are provided within a single omnibus appropriation and where such transfers are specifically authorized by the implementing statutes that govern the grants.

(2) The office of financial management may find that an amount is in excess of the amount required for the completion of a project only if: (a) The project as defined in the notes to the budget document is substantially complete and there are funds remaining; or (b) bids have been let on a project and it appears to a substantial certainty that the project as defined in the notes to the budget document can be completed within the biennium for less than the amount appropriated in this act.

(3) For the purposes of this section, the intent is that each project be defined as proposed to the legislature in the governor's budget document, unless it clearly appears from the legislative history that the legislature intended to define the scope of a project in a different way.

(4) A report of any transfer effected under this section, except emergency projects or any transfer under \$250,000, shall be filed with the fiscal committees of the legislature by the office of financial management at least 30 days before the date the transfer is effected. The office of financial management shall report all emergency or smaller transfers within 30 days from the date of transfer.

NEW SECTION. Sec. 8008. Any building project that receives over \$10,000,000 in funding from the capital budget must be built to sustainable standards. "Sustainable building" means a building that integrates and optimizes all major high-performance building attributes, including energy efficiency, durability, life-cycle performance, and occupant productivity, and minimizes greenhouse gas emissions. The following design and construction attributes must be integrated into the building project:

(1) Employ integrated design principles: Use a collaborative, integrated planning and design process that initiates and maintains an integrated project team in all stages of a project's planning and delivery. Establish performance goals for siting, energy, water, materials, and indoor environmental quality along with other comprehensive design goals and ensures incorporation of these goals throughout the design and life-cycle of the building. Consider all stages of the building's life-cycle, including deconstruction.

(2) Commissioning: Employ commissioning practices tailored to the size and complexity of the building and its system components in order to verify performance of building components and systems and help ensure that design requirements are met. This should include an experienced commissioning provider, inclusion of commissioning requirements in construction documents, a commissioning plan, verification of the installation and performance of systems to be commissioned, and a commissioning report.

(3) Optimize energy performance: Establish a whole building performance target that takes into account the intended use, occupancy, operations, plug loads, other energy demands, and design to earn the ENERGY STAR targets for new construction and major renovation where applicable. For new construction

target low energy use index. For major renovations, target reducing energy use by 50 percent below prerenovation baseline.

(4) On-site renewable energy: Implement renewable energy generation projects on agency property for agency use, when life-cycle cost effective.

(5) High-efficiency electric equipment: Use only high-efficiency electric equipment for water and space heating needs not met through on-site renewable energy, when life-cycle cost effective.

(6) Measurement and verification: For buildings over 50,000 square feet, install building level electricity meters in new major construction and renovation projects to track and continuously optimize performance. Include equivalent meters for natural gas and steam, where natural gas and steam are used. Where appropriate, install dashboards inside buildings to display and incentivize occupants on energy use.

(7) Benchmarking: Compare performance data from the first year of operation with the energy design target. Verify that the building performance meets or exceeds the design target. For other building and space types, use an equivalent benchmarking tool.

NEW SECTION. Sec. 8009. State agencies, including institutions of higher education, shall allot and report full-time equivalent staff for capital projects in a manner comparable to staff reporting for operating expenditures.

NEW SECTION. Sec. 8010. Executive Order No. 21-02, archaeological and cultural resources, was issued effective April 7, 2021. Agencies shall comply with the requirements set forth in this executive order and must consult with the department of archaeology and historic preservation and affected tribes on the potential effects of projects on cultural resources and historic properties proposed in state-funded construction or acquisition projects, including grant or pass-through funding that culminates in construction or land acquisitions. Consultation with the department of archaeology and historic preservation and affected tribes must be initiated early in the project planning process, prior to construction or taking title.

NEW SECTION. Sec. 8011. FOR THE ARTS COMMISSION—ART WORK ALLOWANCE. (1) One-half of one percent of the moneys appropriated in this act for original construction of school plant facilities is provided solely for the purposes of RCW 28A.335.210.

(2) One-half of one percent of the moneys appropriated in this act for original construction, or any major renovation or remodel work exceeding \$200,000 by colleges or universities is provided solely for the purposes of RCW 28B.10.027.

(3) One-half of one percent of the moneys appropriated in this act for original construction of any public building by a state agency identified in RCW 43.17.200 is provided solely for the purposes of RCW 43.17.200.

(4) At least 75 percent of the moneys spent by the Washington state arts commission during the 2025-2027 fiscal biennium for the purposes of RCW 28A.335.210, 28B.10.027, and 43.17.200 must be expended solely for direct acquisition of works of art; no more than 20 percent may be expended for program administration; and no more than five percent may be expended to conserve or maintain existing pieces in the state art collection.

(5) Beginning with new appropriations made in the 2025-2027 fiscal biennium, art allocations not expended by the end of the second full fiscal biennium from the issuance of a certificate of occupancy shall lapse, except for art allocations made under K-3 class size reduction grants under section 6303 of this act.

NEW SECTION. Sec. 8012. To carry out the provisions of this act, the governor may assign responsibility for predesign, design, construction, and other related activities to any appropriate agency.

NEW SECTION. Sec. 8013. If any federal moneys appropriated by this act for capital projects are not received by the state, the department or agency to which the moneys were appropriated may replace the federal moneys with funds available from private or local sources. No replacement may occur under this section without the prior approval of the director of financial management in consultation with the senate ways and means committee and the house of representatives capital budget committee.

NEW SECTION. Sec. 8014. (1) Unless otherwise stated, for all appropriations under this act that require a match of nonstate money or in-kind contributions, the following requirement, consistent with RCW 43.88.150, shall apply: Expenditures of state money shall be timed so that the state share of project expenditures never exceeds the intended state share of total project costs.

(2) Provision of the full amount of required matching funds is not required to permit the expenditure of capital budget appropriations for phased projects if a proportional amount of the required matching funds is provided for each distinct, identifiable phase of the project.

NEW SECTION. Sec. 8015. NONTAXABLE AND TAXABLE BOND PROCEEDS. Portions of the appropriation authority granted by this act from the state building construction account, or any other account receiving bond proceeds, may be transferred to the state taxable building construction account as deemed necessary by the state treasurer, on behalf of the state finance committee, to comply with the federal internal revenue service rules and regulations pertaining to the use of nontaxable bond proceeds. Portions of the general obligation bond proceeds authorized by chapter . . . , Laws of 2025 ((H-2390.1/25) state general obligation bonds and related accounts) for deposit into the state taxable building construction account that are in excess of amounts required to comply with the federal internal revenue service rules and regulations shall be deposited into the state building construction account. The state treasurer shall submit written notification to the director of financial management and the legislative evaluation and accountability program committee if it is determined that a shift of appropriation authority between the state building construction account, or any other account receiving bond proceeds, and the state taxable building construction account is necessary, or that a shift of appropriation authority from the state taxable building construction account, or any other account receiving taxable bond proceeds, to the state building construction account may be made.

NEW SECTION. Sec. 8016. (1) For the 2025-2027 fiscal biennium, unless otherwise specified for a single purpose, agencies are appropriated one lump sum for minor works projects. It is the intent of the legislature that appropriated funds be spent in the biennium for which they are appropriated.

(2) Minor works projects may not exceed \$4,000,000 for institutions of higher education and \$2,000,000 for all other agencies. Administrative fees may not exceed four percent for each project.

(3) Except as provided by the legislature, agencies are encouraged to prioritize minor works projects based on:

- (a) Health and safety of employees or clients served;
- (b) The amount of use of a given facility or system;
- (c) The avoidance of future increased costs of repair or maintenance; and
- (d) The avoidance of increased operating costs.

(4) Minor works appropriations may not be used for:

(a) Projects that are a phase of a larger project, and that if combined over a continuous period of time, would exceed the amounts provided in subsection (2) of this section;

(b) Studies, planning, or design, except for technical or engineering reviews or designs that lead directly to and support a minor works project;

(c) Movable, temporary, and traditionally funded operating equipment not in compliance with the equipment criteria established by the office of financial management, including rolling stock and computers;

(d) Software not dedicated to control of a specialized system;

(e) Moving expenses;

(f) Land or facility acquisition; or

(g) Funding for projects with funding shortfalls unless expressly authorized by the office of financial management for exigent circumstances with notice to the legislative fiscal committees.

(5) If a minor works appropriation does not specify it is to be used for preservation or program improvements, up to 25 percent of the appropriation may be used for program improvements. Improvements for accessibility in compliance with the Americans with disabilities act qualify as preservation improvements.

(6) Agencies must use reappropriations before newly appropriated amounts without regard to lists or projects that were submitted at the time the funds were appropriated.

(7) No later than December 15th of each even numbered year, agencies must submit to the governor, house capital budget committee, and senate ways and means committee, a list of minor works projects completed or in progress for the current biennium including: Project status, project cost, amount expended, and amount encumbered for projects not yet complete.

(8) Requests for minor works appropriations for the next biennium must take into account minor works amounts to be reappropriated and the amount of minor works projects that can reasonably be completed in the next biennium.

NEW SECTION. Sec. 8017. To the extent that any appropriation authorizes expenditures of state funds from the state building construction account, or from any other capital project account in the state treasury, for a capital project or program that is specified to be funded with proceeds from the sale of bonds, the legislature declares that any such expenditures for that project or program made prior to the issue date of the applicable bonds are intended to be reimbursed from proceeds of those bonds in a maximum amount equal to the amount of such appropriation.

***NEW SECTION.** Sec. 8018. *(1) The legislature intends that appropriations for grant programs and community projects be spent in a timely manner in order to accomplish the goal for which they were appropriated. In furtherance of this goal, the legislature does not intend to reappropriate moneys for projects for which a contract has not been executed within four years from the date of appropriation or for which appropriations have not been spent within six years of appropriation. Nothing in this section operates as a guarantee of reappropriation.*

(2)(a) Grant appropriations that are not awarded and under contract by June 30th of the fourth year following initial appropriation shall lapse. By January 31st of each odd-numbered year, the contracting agency must provide to the governor and the legislative fiscal committees a report of lapsed appropriations from the previous fiscal biennium.

(b) Grant appropriations that are unspent on June 30th of the sixth year following initial appropriation shall lapse.

(3) As used in this section, grant appropriations means grant programs and local and community projects funded in the 2025-2027 budget cycle and which contain a reference to this section.

**Sec. 8018 was partially vetoed. See message at end of chapter.*

NEW SECTION. Sec. 8019. **FOR THE STATE TREASURER—TRANSFERS**

(1) Public Works Assistance Account: For transfer to the water pollution control revolving account—state, up to \$20,500,000 for fiscal year 2026 and up to \$20,500,000 for fiscal year 2027 \$41,000,000

(2) Public Works Assistance Account: For transfer to the drinking water assistance account—state, up to \$12,500,000 for fiscal year 2026 and up to \$12,500,000 for fiscal year 2027 \$25,000,000

(3) Model Toxics Control Stormwater Account—State: For transfer to the model toxics control capital account—state, up to \$15,000,000 for fiscal year 2026 and up to \$15,000,000 for fiscal year 2027 \$30,000,000

NEW SECTION. Sec. 8020. On July 1, 2025, the state treasurer shall transfer \$21,307,000 of federal funding, or as much thereof as is remaining, from the appropriation in section 7017, chapter 474, Laws of 2023 to the federal broadband account created in RCW 43.330.400 (section 8036 of this act).

NEW SECTION. Sec. 8021. The department of natural resources must coordinate with the department of social and health services on any long-term, revenue-generating opportunities it pursues on the Fircrest campus to have the least impact on the clients served by the residential habilitation center and on the center's daily operations to the greatest extent possible.

NEW SECTION. Sec. 8022. In the 2025-2027 fiscal biennium, in order to accelerate the reduction of embodied carbon and improve the environmental performance of construction materials, agencies shall, whenever possible, consistent with the recommendations of the workgroup established pursuant to RCW 39.116.050, review and consider embodied carbon by employing performance requirements at the building scale through one or more of the following options: (1) The use of whole building life cycle assessments; (2) the use of environmental product declarations when evaluating proposed structural

materials for construction projects; or (3) the reuse of existing buildings' primary structural elements and building envelope.

NEW SECTION. Sec. 8023. Any agency receiving appropriations in this act from climate commitment act accounts created in RCW 70A.65.240 through 70A.65.280 must report to and coordinate with the department of ecology to track expenditures as described in RCW 70A.65.300 and chapter 173-446B WAC.

Sec. 8024. RCW 79A.25.210 and 2024 c 375 s 8007 are each amended to read as follows:

The firearms range account is hereby created in the state general fund. Moneys in the account shall be subject to legislative appropriation and shall be used for purchase and development of land, construction or improvement of range facilities, including fixed structure construction or remodeling, equipment purchase, safety or environmental improvements, noise abatement, and liability protection for public and nonprofit firearm range training and practice facilities.

Grant funds shall not be used for expendable shooting supplies, or normal operating expenses. In making grants, the board shall give priority to projects for noise abatement or safety improvement. Grant funds shall not supplant funds for other organization programs.

The funds will be available to nonprofit shooting organizations, school districts, and state, county, or local governments on a match basis. All entities receiving matching funds must be open on a regular basis and usable by law enforcement personnel or the general public who possess Washington concealed pistol licenses or Washington hunting licenses or who are enrolled in a firearm safety class.

Applicants for a grant from the firearms range account shall provide matching funds in either cash or in-kind contributions. The match must represent one dollar in value for each one dollar of the grant except that in the case of a grant for noise abatement or safety improvements the match must represent one dollar in value for each two dollars of the grant. In-kind contributions include but are not limited to labor, materials, and new property. Existing assets and existing development may not apply to the match.

Applicants other than school districts or local or state government must be registered as a nonprofit or not-for-profit organization with the Washington secretary of state. The organization's articles of incorporation must contain provisions for the organization's structure, officers, legal address, and registered agent.

Organizations requesting grants must provide the hours of range availability for public and law enforcement use. The fee structure will be submitted with the grant application.

Any nonprofit organization or agency accepting a grant under this program will be required to pay back the entire grant amount to the firearms range account if the use of the range facility is discontinued less than ten years after the grant is accepted.

Entities receiving grants must make the facilities for which grant funding is received open for hunter safety education classes and firearm safety classes on a regular basis for no fee.

Government units or school districts applying for grants must open their range facility on a regular basis for hunter safety education classes and firearm safety classes.

The board shall adopt rules to implement chapter 195, Laws of 1990, pursuant to chapter 34.05 RCW. During the 2017-2019 and 2019-2021 fiscal biennia, expenditures from the firearms range account may be used to implement chapter 74, Laws of 2017 (SHB 1100) (concealed pistol licenses) and chapter 282, Laws of 2017 (SB 5268) (concealed pistol license notices). During the 2021-2023 and 2023-2025 fiscal biennia, expenditures from the firearms range account may be used to implement chapter 74, Laws of 2017 (SHB 1100) (concealed pistol licenses).

During the 2023-2025 and 2025-2027 fiscal ((~~biennium~~)) biennia, the legislature may also appropriate moneys in the firearms range account to the department of natural resources for recreational target shooting pilot sites as provided in section 3032, chapter 375, Laws of 2024.

During the 2023-2025 and 2025-2027 fiscal ((~~biennium~~)) biennia, the application and matching funds requirements of this section do not apply to the recreational target shooting pilot sites in section 3032, chapter 375, Laws of 2024.

Sec. 8025. RCW 28B.20.725 and 2023 c 474 s 8023 are each amended to read as follows:

The board is hereby empowered:

(1) To reserve the right to issue bonds later on a parity with any bonds being issued;

(2) To authorize the investing of moneys in the bond retirement fund and any reserve account therein;

(3) To authorize the transfer of money from the University of Washington building account to the bond retirement fund when necessary to prevent a default in the payments required to be made out of such fund;

(4) To create a reserve account or accounts in the bond retirement fund to secure the payment of the principal of and interest on any bonds;

(5) To authorize the transfer to the University of Washington building account of any money on deposit in the bond retirement fund in excess of debt service for a period of three years from the date of such transfer on all outstanding bonds payable out of such fund. (~~((However, during the 2021-2023 fiscal biennium, the legislature may transfer to the University of Washington building account moneys that are in excess of the debt service due within the 2021-2023 fiscal biennium from the date of such transfer on all outstanding bonds payable out of the bond retirement fund.))~~) However, during the 2023-2025 and 2025-2027 fiscal ((~~biennium~~)) biennia, the legislature may transfer to the University of Washington building account moneys that are in excess of the debt service due within the ((~~2023-2025~~)) respective fiscal biennium from the date of such transfer on all outstanding bonds payable out of the bond retirement fund.

Sec. 8026. RCW 28B.15.210 and 2023 c 474 s 8024 are each amended to read as follows:

Within 35 days from the date of collection thereof, all building fees at the University of Washington, including building fees to be charged students

registering in the schools of medicine and dentistry, shall be paid into the state treasury and credited as follows:

One-half or such larger portion as may be necessary to prevent a default in the payments required to be made out of the bond retirement fund to the "University of Washington bond retirement fund" and the remainder thereof to the "University of Washington building account." The sum so credited to the University of Washington building account shall be used exclusively for the purpose of erecting, altering, maintaining, equipping, or furnishing buildings, and for certificates of participation under chapter 39.94 RCW, except for any sums transferred as authorized in RCW 28B.20.725(3). The sum so credited to the University of Washington bond retirement fund shall be used for the payment of principal of and interest on bonds outstanding as provided by chapter 28B.20 RCW except for any sums transferred as authorized in RCW 28B.20.725(5). ~~((During the 2021-2023 biennium, sums credited to the University of Washington building account may also be used for routine facility maintenance, utility costs, and facility condition assessments.))~~ During the 2023-2025 ~~((biennium))~~ and 2025-2027 fiscal biennia, sums credited to the University of Washington building account may also be used for routine facility maintenance, utility costs, and facility condition assessments.

Sec. 8027. RCW 28B.15.310 and 2023 c 474 s 8025 are each amended to read as follows:

Within 35 days from the date of collection thereof, all building fees shall be paid and credited as follows: To the Washington State University bond retirement fund, one-half or such larger portion as may be necessary to prevent a default in the payments required to be made out of such bond retirement fund; and the remainder thereof to the Washington State University building account.

The sum so credited to the Washington State University building account shall be expended by the board of regents for buildings, equipment, or maintenance on the campus of Washington State University as may be deemed most advisable and for the best interests of the university, and for certificates of participation under chapter 39.94 RCW, except for any sums transferred as authorized by law. ~~((During the 2021-2023 biennium, sums credited to the Washington State University building account may also be used for routine facility maintenance, utility costs, and facility condition assessments.))~~ During the 2023-2025 ~~((biennium))~~ and 2025-2027 fiscal biennia, sums credited to the Washington State University building account may also be used for routine facility maintenance, utility costs, and facility condition assessments. Expenditures so made shall be accounted for in accordance with existing law and shall not be expended until appropriated by the legislature.

The sum so credited to the Washington State University bond retirement fund shall be used to pay and secure the payment of the principal of and interest on building bonds issued by the university, except for any sums which may be transferred out of such fund as authorized by law.

Sec. 8028. RCW 28B.30.750 and 2023 c 474 s 8026 are each amended to read as follows:

The board is hereby empowered:

(1) To reserve the right to issue bonds later on a parity with any bonds being issued;

(2) To authorize the investing of moneys in the bond retirement fund and any reserve account therein;

(3) To authorize the transfer of money from the Washington State University building account to the bond retirement fund when necessary to prevent a default in the payments required to be made out of such fund;

(4) To create a reserve account or accounts in the bond retirement fund to secure the payment of the principal of and interest on any bonds;

(5) To authorize the transfer to the Washington State University building account of any money on deposit in the bond retirement fund in excess of debt service for a period of three years from the date of such transfer on all outstanding bonds payable out of such fund. ~~((However, during the 2021-2023 fiscal biennium, the legislature may transfer to the Washington State University building account moneys that are in excess of the debt service due within the 2021-2023 fiscal biennium from the date of such transfer on all outstanding bonds payable out of the bond retirement fund.))~~ However, during the 2023-2025 and 2025-2027 fiscal ~~((biennium))~~ biennia, the legislature may transfer to the Washington State University building account moneys that are in excess of the debt service due within the ~~((2023-2025))~~ respective fiscal biennium from the date of such transfer on all outstanding bonds payable out of the bond retirement fund.

Sec. 8029. RCW 28B.35.370 and 2023 c 474 s 8027 are each amended to read as follows:

Within 35 days from the date of collection thereof all building fees of each regional university and The Evergreen State College shall be paid into the state treasury and these together with such normal school fund revenues as provided in RCW 28B.35.751 as are received by the state treasury shall be credited as follows:

(1) On or before June 30th of each year the board of trustees of each regional university and The Evergreen State College, if issuing bonds payable out of its building fees and above described normal school fund revenues, shall certify to the state treasurer the amounts required in the ensuing 12 months to pay and secure the payment of the principal of and interest on such bonds. The amounts so certified by each regional university and The Evergreen State College shall be a prior lien and charge against all building fees and above described normal school fund revenues of such institution. The state treasurer shall thereupon deposit the amounts so certified in the Eastern Washington University capital projects account, the Central Washington University capital projects account, the Western Washington University capital projects account, or The Evergreen State College capital projects account respectively, which accounts are hereby created in the state treasury. The amounts deposited in the respective capital projects accounts shall be used to pay and secure the payment of the principal of and interest on the building bonds issued by such regional universities and The Evergreen State College as authorized by law. If in any 12-month period it shall appear that the amount certified by any such board of trustees is insufficient to pay and secure the payment of the principal of and interest on the outstanding building and above described normal school fund revenue bonds of its institution, the state treasurer shall notify the board of trustees and such board shall adjust its certificate so that all requirements of

moneys to pay and secure the payment of the principal of and interest on all such bonds then outstanding shall be fully met at all times.

(2) All normal school fund revenue pursuant to RCW 28B.35.751 shall be deposited in the Eastern Washington University capital projects account, the Central Washington University capital projects account, the Western Washington University capital projects account, or The Evergreen State College capital projects account respectively, which accounts are hereby created in the state treasury. The sums deposited in the respective capital projects accounts shall be appropriated and expended to pay and secure the payment of the principal of and interest on bonds payable out of the building fees and normal school revenue and for the construction, reconstruction, erection, equipping, maintenance, demolition and major alteration of buildings and other capital assets, and the acquisition of sites, rights-of-way, easements, improvements or appurtenances in relation thereto except for any sums transferred therefrom as authorized by law. ~~((During the 2021-2023 biennium, sums in the respective capital accounts may also be used for routine facility maintenance, utility costs, and facility condition assessments.))~~ During the 2023-2025 ~~((biennium))~~ and 2025-2027 fiscal biennia, sums in the respective capital accounts may also be used for routine facility maintenance, utility costs, and facility condition assessments.

(3) Funds available in the respective capital projects accounts may also be used for certificates of participation under chapter 39.94 RCW.

Sec. 8030. RCW 28B.50.360 and 2023 c 474 s 8028 are each amended to read as follows:

Within 35 days from the date of start of each quarter all collected building fees of each such community and technical college shall be paid into the state treasury, and shall be credited as follows:

(1) On or before June 30th of each year the college board, if issuing bonds payable out of building fees, shall certify to the state treasurer the amounts required in the ensuing 12-month period to pay and secure the payment of the principal of and interest on such bonds. The state treasurer shall thereupon deposit the amounts so certified in the community and technical college capital projects account. Such amounts of the funds deposited in the community and technical college capital projects account as are necessary to pay and secure the payment of the principal of and interest on the building bonds issued by the college board as authorized by this chapter shall be devoted to that purpose. If in any 12-month period it shall appear that the amount certified by the college board is insufficient to pay and secure the payment of the principal of and interest on the outstanding building bonds, the state treasurer shall notify the college board and such board shall adjust its certificate so that all requirements of moneys to pay and secure the payment of the principal and interest on all such bonds then outstanding shall be fully met at all times.

(2) The community and technical college capital projects account is hereby created in the state treasury. The sums deposited in the capital projects account shall be appropriated and expended to pay and secure the payment of the principal of and interest on bonds payable out of the building fees and for the construction, reconstruction, erection, equipping, maintenance, demolition and major alteration of buildings and other capital assets owned by the state board for community and technical colleges in the name of the state of Washington, and the acquisition of sites, rights-of-way, easements, improvements or

appurtenances in relation thereto, engineering and architectural services provided by the department of enterprise services, and for the payment of principal of and interest on any bonds issued for such purposes. (~~During the 2021-2023 biennium, sums in the capital projects account may also be used for routine facility maintenance and utility costs.~~) During the 2023-2025 ((biennium)) and 2025-2027 fiscal biennia, sums in the capital projects account may also be used for routine facility maintenance and utility costs.

(3) Funds available in the community and technical college capital projects account may also be used for certificates of participation under chapter 39.94 RCW.

Sec. 8031. RCW 39.35D.030 and 2023 c 474 s 8029 are each amended to read as follows:

(1) All major facility projects of public agencies receiving any funding in a state capital budget, or projects financed through a financing contract as defined in RCW 39.94.020, must be designed, constructed, and certified to at least the LEED silver standard. This subsection applies to major facility projects that have not entered the design phase prior to July 24, 2005, and to the extent appropriate LEED silver standards exist for that type of building or facility.

(2) All major facility projects of any entity other than a public agency or public school district receiving any funding in a state capital budget must be designed, constructed, and certified to at least the LEED silver standard. This subsection applies to major facility projects that have not entered the grant application process prior to July 24, 2005, and to the extent appropriate LEED silver standards exist for that type of building or facility.

(3)(a) Public agencies, under this section, shall monitor and document ongoing operating savings resulting from major facility projects designed, constructed, and certified as required under this section.

(b) Public agencies, under this section, shall report annually to the department on major facility projects and operating savings.

(4) The department shall consolidate the reports required in subsection (3) of this section into one report and report to the governor and legislature by September 1st of each even-numbered year beginning in 2006 and ending in 2016. In its report, the department shall also report on the implementation of this chapter, including reasons why the LEED standard was not used as required by RCW 39.35D.020(5)(b). The department shall make recommendations regarding the ongoing implementation of this chapter, including a discussion of incentives and disincentives related to implementing this chapter.

(5) For the purposes of determining compliance with the requirement for a project to be designed, constructed, and certified to at least the LEED silver standard, the department must credit one additional point for a project that uses wood products with a credible third-party sustainable forest certification or from forests regulated under chapter 76.09 RCW, the Washington forest practices act. For projects that qualify for this additional point, and for which an additional point would have resulted in formal certification under the LEED silver standard, the project must be deemed to meet the standard under this section.

(6) During the (~~2021-2023 and~~) 2023-2025 and 2025-2027 fiscal biennia, an alternative high-performance building certification, as determined by the legislature, may be used instead of the LEED silver building design, construction, and certification standard required by this section.

Sec. 8032. RCW 43.19.125 and 2024 c 375 s 8010 are each amended to read as follows:

(1) The director of enterprise services shall have custody and control of the capitol buildings and grounds, supervise and direct proper care, heating, lighting and repairing thereof, and designate rooms in the capitol buildings to be occupied by various state officials.

(2) During the 2023-2025 and 2025-2027 fiscal (~~(biennium)~~) biennia, the director must give legislative members reasonable access to reserve and utilize the reception room in the state legislative building when not otherwise booked.

(3) During the 2025-2027 fiscal biennium, the director must provide an annual guided tour to the top of the legislative dome for legislative members. The tour may not include more than 10 people and may require touring individuals to sign a release of liability form as a condition of participating in the tour.

Sec. 8033. RCW 43.88D.010 and 2023 c 474 s 8034 are each amended to read as follows:

(1) By October 1st of each even-numbered year, the office of financial management shall complete an objective analysis and scoring of all capital budget projects proposed by the public four-year institutions of higher education and submit the results of the scoring process to the legislative fiscal committees and the four-year institutions. Each project must be reviewed and scored within one of the following categories, according to the project's principal purpose. Each project may be scored in only one category. The categories are:

(a) Access-related projects to accommodate enrollment growth at all campuses, at existing or new university centers, or through distance learning. Growth projects should provide significant additional student capacity. Proposed projects must demonstrate that they are based on solid enrollment demand projections, more cost-effectively provide enrollment access than alternatives such as university centers and distance learning, and make cost-effective use of existing and proposed new space;

(b) Projects that replace failing permanent buildings. Facilities that cannot be economically renovated are considered replacement projects. New space may be programmed for the same or a different use than the space being replaced and may include additions to improve access and enhance the relationship of program or support space;

(c) Projects that renovate facilities to restore building life and upgrade space to meet current program requirements. Renovation projects should represent a complete renovation of a total facility or an isolated wing of a facility. A reasonable renovation project should cost between sixty to eighty percent of current replacement value and restore the renovated area to at least twenty-five years of useful life. New space may be programmed for the same or a different use than the space being renovated and may include additions to improve access and enhance the relationship of program or support space;

(d) Major stand-alone campus infrastructure projects;

(e) Projects that promote economic growth and innovation through expanded research activity. The acquisition and installation of specialized equipment is authorized under this category; and

(f) Other project categories as determined by the office of financial management in consultation with the legislative fiscal committees.

(2) The office of financial management, in consultation with the legislative fiscal committees, shall establish a scoring system and process for each four-year project category that is based on the framework used in the community and technical college system of prioritization. Staff from the state board for community and technical colleges and the four-year institutions shall provide technical assistance on the development of a scoring system and process.

(3) The office of financial management shall consult with the legislative fiscal committees in the scoring of four-year institution project proposals, and may also solicit participation by independent experts.

(a) For each four-year project category, the scoring system must, at a minimum, include an evaluation of enrollment trends, reasonableness of cost, the ability of the project to enhance specific strategic master plan goals, age and condition of the facility if applicable, and impact on space utilization.

(b) Each four-year project category may include projects at the predesign, design, or construction funding phase.

(c) To the extent possible, the objective analysis and scoring system of all capital budget projects shall occur within the context of any and all performance agreements between the office of financial management and the governing board of a public, four-year institution of higher education that aligns goals, priorities, desired outcomes, flexibility, institutional mission, accountability, and levels of resources.

(4) In evaluating and scoring four-year institution projects, the office of financial management shall take into consideration project schedules that result in realistic, balanced, and predictable expenditure patterns over the ensuing three biennia.

(5) The office of financial management shall distribute common definitions, the scoring system, and other information required for the project proposal and scoring process as part of its biennial budget instructions. The office of financial management, in consultation with the legislative fiscal committees, shall develop common definitions that four-year institutions must use in developing their project proposals and lists under this section.

(6) In developing any scoring system for capital projects proposed by the four-year institutions, the office of financial management:

(a) Shall be provided with all required information by the four-year institutions as deemed necessary by the office of financial management;

(b) May utilize independent services to verify, sample, or evaluate information provided to the office of financial management by the four-year institutions; and

(c) Shall have full access to all data maintained by the joint legislative audit and review committee concerning the condition of higher education facilities.

(7) By August 1st of each even-numbered year each public four-year higher education institution shall prepare and submit prioritized lists of the individual projects proposed by the institution for the ensuing six-year period in each category. The lists must be submitted to the office of financial management and the legislative fiscal committees. The four-year institutions may aggregate minor works project proposals by primary purpose for ranking purposes. Proposed minor works projects must be prioritized within the aggregated proposal, and supporting documentation, including project descriptions and cost estimates,

must be provided to the office of financial management and the legislative fiscal committees.

(8) For the 2021-2023 fiscal biennium, pursuant to subsection (1) of this section, by November 1, 2022, the office of financial management must score higher education capital project criteria with a rating scale that assesses how well a particular project satisfies those criteria. The office of financial management may not use a rating scale that weighs the importance of those criteria.

(9) For the 2021-2023 fiscal biennium, pursuant to subsection (6)(a) of this section and in lieu of the requirements of subsection (7) of this section, by August 15, 2022, the institutions of higher education shall prepare and submit or resubmit to the office of financial management and the legislative fiscal committees:

(a) Individual project proposals developed pursuant to subsection (1) of this section;

(b) Individual project proposals scored in prior biennia pursuant to subsection (1) of this section; and

(c) A prioritized list of up to five project proposals submitted pursuant to (a) and (b) of this subsection.

(10) The requirements of this section are suspended during the 2023-2025 ~~and 2025-2027~~ fiscal ~~((biennium)) biennia. ((However, instead of these requirements, the public four-year institutions of higher education must submit additional supporting information for major project funding requests for the 2025-2027 fiscal biennium that is equivalent to the information produced for the 2022 higher education scoring process under subsection (9) of this section. Examples of the information required under this subsection include, but are not limited to, measures of: (a) Space efficiency, (b) reasonableness of project cost, (c) facility condition, and (d) anticipated impacts of the requested major projects on projected degree totals. The public four-year institutions of higher education shall consult with the office of financial management and legislative fiscal staff regarding the implementation of this requirement and the content of the additional information.))~~

Sec. 8034. RCW 43.88.030 and 2023 c 474 s 8035 are each amended to read as follows:

(1) The director of financial management shall provide all agencies with a complete set of instructions for submitting biennial budget requests to the director at least three months before agency budget documents are due into the office of financial management. The budget document or documents shall consist of the governor's budget message which shall be explanatory of the budget and shall contain an outline of the proposed financial policies of the state for the ensuing fiscal period, as well as an outline of the proposed six-year financial policies where applicable, and shall describe in connection therewith the important features of the budget. The biennial budget document or documents shall also describe performance indicators that demonstrate measurable progress towards priority results. The message shall set forth the reasons for salient changes from the previous fiscal period in expenditure and revenue items and shall explain any major changes in financial policy. Attached to the budget message shall be such supporting schedules, exhibits and other explanatory material in respect to both current operations and capital

improvements as the governor shall deem to be useful to the legislature. The budget document or documents shall set forth a proposal for expenditures in the ensuing fiscal period, or six-year period where applicable, based upon the estimated revenues and caseloads as approved by the economic and revenue forecast council and caseload forecast council or upon the estimated revenues and caseloads of the office of financial management for those funds, accounts, sources, and programs for which the forecast councils do not prepare an official forecast. Revenues shall be estimated for such fiscal period from the source and at the rates existing by law at the time of submission of the budget document, including the supplemental budgets submitted in the even-numbered years of a biennium. However, the estimated revenues and caseloads for use in the governor's budget document may be adjusted to reflect budgetary revenue transfers and revenue and caseload estimates dependent upon budgetary assumptions of enrollments, workloads, and caseloads. All adjustments to the approved estimated revenues and caseloads must be set forth in the budget document. The governor may additionally submit, as an appendix to each supplemental, biennial, or six-year agency budget or to the budget document or documents, a proposal for expenditures in the ensuing fiscal period from revenue sources derived from proposed changes in existing statutes.

The budget document or documents shall also contain:

(a) Revenues classified by fund and source for the immediately past fiscal period, those received or anticipated for the current fiscal period, and those anticipated for the ensuing biennium;

(b) The undesignated fund balance or deficit, by fund;

(c) Such additional information dealing with expenditures, revenues, workload, performance, and personnel as the legislature may direct by law or concurrent resolution;

(d) Such additional information dealing with revenues and expenditures as the governor shall deem pertinent and useful to the legislature;

(e) Tabulations showing expenditures classified by fund, function, and agency;

(f) The expenditures that include nonbudgeted, nonappropriated accounts outside the state treasury;

(g) Identification of all proposed direct expenditures to implement the Puget Sound water quality plan under chapter 90.71 RCW, shown by agency and in total; and

(h) Tabulations showing each postretirement adjustment by retirement system established after fiscal year 1991, to include, but not be limited to, estimated total payments made to the end of the previous biennial period, estimated payments for the present biennium, and estimated payments for the ensuing biennium.

(2) The budget document or documents shall include detailed estimates of all anticipated revenues applicable to proposed operating or capital expenditures and shall also include all proposed operating or capital expenditures. The total of beginning undesignated fund balance and estimated revenues less working capital and other reserves shall equal or exceed the total of proposed applicable expenditures. The budget document or documents shall further include:

(a) Interest, amortization and redemption charges on the state debt;

(b) Payments of all reliefs, judgments, and claims;

- (c) Other statutory expenditures;
- (d) Expenditures incident to the operation for each agency;
- (e) Revenues derived from agency operations;

(f) Expenditures and revenues shall be given in comparative form showing those incurred or received for the immediately past fiscal period and those anticipated for the current biennium and next ensuing biennium;

(g) A showing and explanation of amounts of general fund and other funds obligations for debt service and any transfers of moneys that otherwise would have been available for appropriation;

- (h) Common school expenditures on a fiscal-year basis;

(i) A showing, by agency, of the value and purpose of financing contracts for the lease/purchase or acquisition of personal or real property for the current and ensuing fiscal periods; and

(j) A showing and explanation of anticipated amounts of general fund and other funds required to amortize the unfunded actuarial accrued liability of the retirement system specified under chapter 41.45 RCW, and the contributions to meet such amortization, stated in total dollars and as a level percentage of total compensation.

(3) The governor's operating budget document or documents shall reflect the statewide priorities as required by RCW 43.88.090.

(4) The governor's operating budget document or documents shall identify activities that are not addressing the statewide priorities.

(5)(a) Beginning in the 2021-2023 fiscal biennium, the governor's operating budget document or documents submitted to the legislature must leave, in total, a positive ending fund balance in the general fund and related funds.

(b) Beginning in the 2021-2023 fiscal biennium, the projected maintenance level of the governor's operating budget document or documents submitted to the legislature must not exceed the available fiscal resources for the next ensuing fiscal biennium.

- (c) For purposes of this subsection:

(i) "Available fiscal resources" means the beginning general fund and related funds balances and any fiscal resources estimated for the general fund and related funds, adjusted for proposed revenue legislation, and with forecasted revenues adjusted to the greater of (A) the official general fund and related funds revenue forecast for the ensuing biennium, or (B) the official general fund and related funds forecast for the second fiscal year of the current fiscal biennium, increased by 4.5 percent for each fiscal year of the ensuing biennium.

(ii) "Projected maintenance level" means estimated appropriations necessary to maintain the continuing costs of program and service levels either funded in the governor's budget document or documents submitted to the legislature or mandated by other state or federal law, adjusted by the estimated cost of proposed executive branch legislation, and the amount of any general fund moneys projected to be transferred to the budget stabilization account pursuant to Article VII, section 12 of the state Constitution. Proposed executive branch legislation does not include proposals by institutions of higher education, other separately elected officials, or other boards, commissions, and offices not under the authority of the governor that are not funded or assumed in the governor's budget document or documents submitted to the legislature.

- (iii) "Related funds" has the meaning defined in RCW 43.88.055.

(d) (b) of this subsection (5) does not apply:

(i) To any governor-proposed legislation submitted to the legislature that makes net reductions in general fund and related funds appropriations to prevent the governor from making across-the-board reductions in allotments for these particular funds as provided in RCW 43.88.110(10); or

(ii) In a fiscal biennium for which the governor proposes appropriations from the budget stabilization account pursuant to Article VII, section 12(d)(ii) of the state Constitution.

(6) A separate capital budget document or schedule shall be submitted that will contain the following:

(a) A statement setting forth a long-range facilities plan for the state that identifies and includes the highest priority needs within affordable spending levels;

(b) A capital program consisting of proposed capital projects for the next biennium and the two biennia succeeding the next biennium consistent with the long-range facilities plan. Inasmuch as is practical, and recognizing emergent needs, the capital program shall reflect the priorities, projects, and spending levels proposed in previously submitted capital budget documents in order to provide a reliable long-range planning tool for the legislature and state agencies;

(c) A capital plan consisting of proposed capital spending for at least four biennia succeeding the next biennium;

(d) A strategic plan for reducing backlogs of maintenance and repair projects. The plan shall include a prioritized list of specific facility deficiencies and capital projects to address the deficiencies for each agency, cost estimates for each project, a schedule for completing projects over a reasonable period of time, and identification of normal maintenance activities to reduce future backlogs;

(e) A statement of the reason or purpose for a project;

(f) Verification that a project is consistent with the provisions set forth in chapter 36.70A RCW;

(g) A statement about the proposed site, size, and estimated life of the project, if applicable;

(h) Estimated total project cost;

(i) For major projects valued over five million dollars, estimated costs for the following project components: Acquisition, consultant services, construction, equipment, project management, and other costs included as part of the project. Project component costs shall be displayed in a standard format defined by the office of financial management to allow comparisons between projects;

(j) Estimated total project cost for each phase of the project as defined by the office of financial management;

(k) Estimated ensuing biennium costs;

(l) Estimated costs beyond the ensuing biennium;

(m) Estimated construction start and completion dates;

(n) Source and type of funds proposed;

(o) Estimated ongoing operating budget costs or savings resulting from the project, including staffing and maintenance costs;

(p) For any capital appropriation requested for a state agency for the acquisition of land or the capital improvement of land in which the primary

purpose of the acquisition or improvement is recreation or wildlife habitat conservation, the capital budget document, or an omnibus list of recreation and habitat acquisitions provided with the governor's budget document, shall identify the projected costs of operation and maintenance for at least the two biennia succeeding the next biennium. Omnibus lists of habitat and recreation land acquisitions shall include individual project cost estimates for operation and maintenance as well as a total for all state projects included in the list. The document shall identify the source of funds from which the operation and maintenance costs are proposed to be funded;

(q) For any capital budget request for funding in the ~~((2023-2025 or))~~ 2025-2027 ~~or 2027-2029~~ fiscal biennia ~~((by an institution of higher education to address a cost increase for any major project, a statement describing the unexpected project costs, ways the agency has mitigated or will mitigate the estimated project costs, and identification of other funding that may be applied to the project))~~ for which the project cost is substantially increased, a statement detailing the amount and reason for the additional cost. If the increased cost is the result of a change in design, the agency must also submit a construction cost estimate for the design as originally submitted. For purposes of this subsection (6)(q)((~~+~~

(i) ~~"Cost increases"))~~, "substantially increased" means total estimated project costs ~~((estimated))~~ are more than 15 percent above those listed in the prior agency budget request and for which the legislature relied in making a funding decision for design or construction, adjusted for C-100 inflation factors; ~~((and~~

(ii) ~~"Institution of higher education" has the meaning provided in RCW 28B.10.016;))~~

(r) Such other information bearing upon capital projects as the governor deems to be useful;

(s) Standard terms, including a standard and uniform definition of normal maintenance, for all capital projects; and

(t) Such other information as the legislature may direct by law or concurrent resolution.

For purposes of this subsection (6), the term "capital project" shall be defined subsequent to the analysis, findings, and recommendations of a joint committee comprised of representatives from the house capital appropriations committee, senate ways and means committee, legislative evaluation and accountability program committee, and office of financial management.

(7) No change affecting the comparability of agency or program information relating to expenditures, revenues, workload, performance and personnel shall be made in the format of any budget document or report presented to the legislature under this section or RCW 43.88.160(1) relative to the format of the budget document or report which was presented to the previous regular session of the legislature during an odd-numbered year without prior legislative concurrence. Prior legislative concurrence shall consist of (a) a favorable majority vote on the proposal by the standing committees on ways and means of both houses if the legislature is in session or (b) a favorable majority vote on the proposal by members of the legislative evaluation and accountability program committee if the legislature is not in session.

Sec. 8035. RCW 43.155.070 and 2021 c 65 s 49 are each amended to read as follows:

(1) To qualify for financial assistance under this chapter the board must determine that a local government meets all of the following conditions:

(a) The city or county must be imposing a tax under chapter 82.46 RCW at a rate of at least one-quarter of one percent;

(b) The local government must have developed a capital facility plan; and

(c) The local government must be using all local revenue sources which are reasonably available for funding public works, taking into consideration local employment and economic factors.

(2) Except where necessary to address a public health need or substantial environmental degradation, a county, city, or town planning under RCW 36.70A.040 may not receive financial assistance under this chapter unless it has adopted a comprehensive plan, including a capital facilities plan element, and development regulations as required by RCW 36.70A.040. This subsection does not require any county, city, or town planning under RCW 36.70A.040 to adopt a comprehensive plan or development regulations before requesting or receiving financial assistance under this chapter if such request is made before the expiration of the time periods specified in RCW 36.70A.040. A county, city, or town planning under RCW 36.70A.040 that has not adopted a comprehensive plan and development regulations within the time periods specified in RCW 36.70A.040 may apply for and receive financial assistance under this chapter if the comprehensive plan and development regulations are adopted as required by RCW 36.70A.040 before executing a contractual agreement for financial assistance with the board.

(3) In considering awarding financial assistance for public facilities to special districts requesting funding for a proposed facility located in a county, city, or town planning under RCW 36.70A.040, the board must consider whether the county, city, or town planning under RCW 36.70A.040 in whose planning jurisdiction the proposed facility is located has adopted a comprehensive plan and development regulations as required by RCW 36.70A.040.

(4)(a) The board must develop a process to prioritize applications and funding of loans and grants for public works projects submitted by local governments. The board must consider, at a minimum and in any order, the following factors in prioritizing projects:

(i) Whether the project is critical in nature and would affect the health and safety of many people;

(ii) The extent to which the project leverages other funds;

(iii) The extent to which the project is ready to proceed to construction;

(iv) Whether the project is located in an area of high unemployment, compared to the average state unemployment;

(v) Whether the project promotes the sustainable use of resources and environmental quality, as applicable;

(vi) Whether the project consolidates or regionalizes systems;

(vii) Whether the project encourages economic development through mixed-use and mixed income development consistent with chapter 36.70A RCW;

(viii) Whether the system is being well-managed in the present and for long-term sustainability;

(ix) Achieving equitable distribution of funds by geography and population;
(x) The extent to which the project meets the following state policy objectives:

- (A) Efficient use of state resources;
 - (B) Preservation and enhancement of health and safety;
 - (C) Abatement of pollution and protection of the environment;
 - (D) Creation of new, family-wage jobs, and avoidance of shifting existing jobs from one Washington state community to another;
 - (E) Fostering economic development consistent with chapter 36.70A RCW;
 - (F) Efficiency in delivery of goods and services and transportation; and
 - (G) Reduction of the overall cost of public infrastructure;
- (xi) Whether the applicant sought or is seeking funding for the project from other sources; and

(xii) Other criteria that the board considers necessary to achieve the purposes of this chapter.

(b) Before September 1, 2018, and each year thereafter, the board must develop and submit a report regarding the construction loans and grants to the office of financial management and appropriate fiscal committees of the senate and house of representatives. The report must include:

(i) The total number of applications and amount of funding requested for public works projects;

(ii) A list and description of projects approved in the preceding fiscal year with project scores against the board's prioritization criteria;

(iii) The total amount of loan and grants disbursements made from the public works assistance account in the preceding fiscal year;

(iv) The total amount of loan repayments in the preceding fiscal year for outstanding loans from the public works assistance account;

(v) The total amount of loan repayments due for outstanding loans for each fiscal year over the following ten-year period; and

(vi) The total amount of funds obligated and timing of when the funds were obligated in the preceding fiscal year.

(c) The maximum amount of funding that the board may provide for any jurisdiction is ten million dollars per biennium, except that during the 2025-2027 fiscal biennium the maximum amount per jurisdiction may be exceeded by up to \$2,000,000 for emergency public works projects awarded pursuant to RCW 43.155.065.

(5) Existing debt or financial obligations of local governments may not be refinanced under this chapter. Each local government applicant must provide documentation of attempts to secure additional local or other sources of funding for each public works project for which financial assistance is sought under this chapter.

(6) Before September 1st of each year, the board must develop and submit to the appropriate fiscal committees of the senate and house of representatives a description of the loans and grants made under RCW 43.155.065 and 43.155.068.

(7) The board may not sign contracts or otherwise financially obligate funds from the public works assistance account before the legislature has appropriated funds to the board for the purpose of funding public works projects under this chapter.

(8) To qualify for loans, grants, or pledges for solid waste or recycling facilities under this chapter, a city or county must demonstrate that the solid waste or recycling facility is consistent with and necessary to implement the comprehensive solid waste management plan adopted by the city or county under chapter 70A.205 RCW.

(9) After January 1, 2010, any project designed to address the effects of stormwater or wastewater on Puget Sound may be funded under this section only if the project is not in conflict with the action agenda developed by the Puget Sound partnership under RCW 90.71.310.

(10) For projects involving repair, replacement, or improvement of a wastewater treatment plant or other public works facility for which an investment grade efficiency audit is reasonably obtainable, the public works board must require as a contract condition that the project sponsor undertake an investment grade efficiency audit. The project sponsor may finance the costs of the audit as part of its public works assistance account program loan or grant.

(11) The board must implement policies and procedures designed to maximize local government consideration of other funds to finance local infrastructure.

**Sec. 8036. RCW 43.330.400 and 2011 1st sp.s. c 43 s 603 are each amended to read as follows:*

(1) The federal broadband (~~(mapping)~~) account is (~~(established)~~) created in (~~(the custody of)~~) the state (~~(treasurer. The department shall deposit into the account such)~~) treasury. All receipts from funds received from legislative appropriation or transfer, federal funding, and (~~(donated funds from private and public sources)~~) moneys directed to the account from any other lawful source, must be deposited in the account. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only for (~~(the purposes of RCW 43.330.403 through 43.330.409. Only the director of the department or the director's designee may authorize expenditures from the account. The account is subject to the allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures)~~) broadband activities authorized under federal law and for nonfederal match requirements.

(2) (~~The department is the single eligible entity in the state for purposes of the federal broadband mapping activities.~~)

(3)) Federal funding received by the department from the broadband equity, access, and deployment state grants program in section 60102 of P.L. 117-58 (infrastructure investment and jobs act) or a substantially similar successor federal program, must be deposited into the account for broadband (~~(mapping)~~) activities and must be used in accordance with any federal requirements and, subject to those requirements, may be distributed by the department on a competitive basis to other entities in the state.

(4) The department shall consult with the office of financial management and the utilities and transportation commission in coordinating broadband mapping activities. In carrying out any broadband mapping activities, the provisions of P.L. 110-385, Title I, regarding trade secrets, commercial or financial information, and privileged or confidential information submitted by the federal communications commission or a broadband provider are deemed to encompass the consulted agencies.)

**Sec. 8036 was vetoed. See message at end of chapter.*

Sec. 8037. RCW 77.12.037 and 2000 c 107 s 4 are each amended to read as follows:

The commission may acquire by gift, easement, purchase, lease, or condemnation lands, buildings, water rights, rights-of-way, or other necessary property, and construct and maintain necessary facilities for purposes consistent with this title. The commission may authorize the director to acquire property under this section, but the power of condemnation may only be exercised by the director when an appropriation has been made by the legislature for the acquisition of a specific property, except to clear title and acquire access rights-of-way.

The commission may sell, lease, convey, or grant concessions upon real or personal property under the control of the department.

During the 2025-2027 fiscal biennium, this section does not apply to the sale of land pursuant to section 3102, chapter . . . , Laws of 2025 (section 3102 of this act).

Sec. 8038. RCW 77.12.210 and 2020 c 148 s 9 are each amended to read as follows:

The director shall maintain and manage real or personal property owned, leased, or held by the department and shall control the construction of buildings, structures, and improvements in or on the property. The director may adopt rules for the operation and maintenance of the property.

The commission may authorize the director to sell, lease, convey, or grant concessions upon real or personal property under the control of the department. This includes the authority to sell timber, gravel, sand, and other materials or products from real property held by the department, and to sell or lease the department's real or personal property or grant concessions or rights-of-way for roads or utilities in the property. Oil and gas resources owned by the state which lie below lands owned, leased, or held by the department shall be offered for lease by the commissioner of public lands pursuant to chapter 79.14 RCW with the proceeds being deposited in the fish, wildlife, and conservation account created in RCW 77.12.170(3): PROVIDED, That the commissioner of public lands shall condition such leases at the request of the department to protect wildlife and its habitat.

If the commission determines that real or personal property held by the department cannot be used advantageously by the department, the director may dispose of that property if it is in the public interest.

If the state acquired real property with use limited to specific purposes, the director may negotiate terms for the return of the property to the donor or grantor. Other real property shall be sold to the highest bidder at public auction. After appraisal, notice of the auction shall be published at least once a week for two successive weeks in a newspaper of general circulation within the county where the property is located at least ((twenty)) 20 days prior to sale.

Proceeds from the sales shall be deposited in the fish, wildlife, and conservation account created in RCW 77.12.170(3).

During the 2025-2027 fiscal biennium, this section does not apply to the sale of land pursuant to section 3102, chapter . . . , Laws of 2025 (section 3102 of this act).

Sec. 8039. RCW 77.12.220 and 2000 c 107 s 219 are each amended to read as follows:

For purposes of this title, the commission may make agreements to obtain real or personal property or to transfer or convey property held by the state to the United States or its agencies or instrumentalities, units of local government of this state, public service companies, or other persons, if in the judgment of the commission and the attorney general the transfer and conveyance is consistent with public interest. For purposes of this section, "local government" means any city, town, county, special district, municipal corporation, or quasi-municipal corporation.

If the commission agrees to a transfer or conveyance under this section or to a sale or return of real property under RCW 77.12.210, the director shall certify, with the attorney general, to the governor that the agreement has been made. The certification shall describe the real property. The governor then may execute and the secretary of state attest and deliver to the appropriate entity or person the instrument necessary to fulfill the agreement.

During the 2025-2027 fiscal biennium, this section does not apply to the sale of land pursuant to section 3102, chapter . . . , Laws of 2025 (section 3102 of this act).

Sec. 8040. RCW 79.70.100 and 2024 c 375 s 8012 are each amended to read as follows:

The department shall hold a public hearing in the county where the majority of the land in a proposed natural area preserve is located prior to establishing the boundary. During the 2023-2025 fiscal biennium, this section does not apply to section 3034, chapter 375, Laws of 2024. During the 2025-2027 fiscal biennium, this section does not apply to section 3121, chapter . . . , Laws of 2025 (section 3121 of this act).

Sec. 8041. RCW 79.71.060 and 2024 c 375 s 8013 are each amended to read as follows:

The department shall hold a public hearing in the county where the majority of the land in the proposed natural resources conservation area is located prior to establishing the boundary. An area proposed for designation must contain resources consistent with characteristics identified in RCW 79.71.020. During the 2023-2025 fiscal biennium, this section does not apply to section 3034, chapter 375, Laws of 2024. During the 2025-2027 fiscal biennium, this section does not apply to section 3121, chapter . . . , Laws of 2025 (section 3121 of this act).

Sec. 8042. RCW 28A.525.159 and 2020 c 299 s 1 are each amended to read as follows:

(1) School construction assistance program grants for small school districts and state-tribal education compact schools must be determined in accordance with this section.

(2) Eligibility. School districts and state-tribal education compact schools with enrollments that are less than or equal to ~~((one thousand))~~ 1,000 students are eligible for small school district modernization grants. The advisory committee specified in subsection (4)(a) of this section may recommend amendments to the eligibility threshold as they learn more about the characteristics of school districts and state-tribal education compact schools that

are unable to modernize their aging school facilities. Districts with incomplete information in the inventory and condition of schools data system are not eligible to apply for construction grants but may apply for planning grants.

(3) The office of the superintendent of public instruction must assist eligible school districts and state-tribal education compact schools that are interested in applying for a small school district modernization grant under this section by providing technical assistance and planning grants within appropriations for this purpose. Districts and state-tribal education compact schools seeking planning grants must provide a brief statement of the school condition, its deficiencies, student enrollment, student achievement measures, and financial limitations of the district or state-tribal education compact school. If applications for planning grants exceed funds available, the office of the superintendent of public instruction may prioritize the recipients of planning grants in order to help districts and state-tribal education compact schools with the most serious apparent building deficiencies, and the most limited financial capacity.

(4) Prioritized construction grants and advisory committee.

(a) The superintendent of public instruction must propose a list of prioritized grants to the governor by September 1st of even-numbered years. The superintendent of public instruction must appoint an advisory committee to prioritize applications from small school districts and state-tribal education compact schools. Committee members must have experience in financing, managing, repairing, and improving school facilities in small school districts or state-tribal education compact schools but must not be involved in a small school district modernization program grant request for the biennium under consideration. The office of the superintendent of public instruction must provide administrative and staff support to the ~~((advisory))~~ advisory committee. The office of the superintendent of public instruction in consultation with the advisory committee must design a grant application process with specific criteria for prioritizing grant requests.

(b) The advisory committee created in (a) of this subsection must evaluate final applications from eligible school districts and state-tribal education compact schools. The advisory committee must submit a prioritized list of grants to the superintendent of public instruction. The list must prioritize applications to achieve the greatest improvement of school facilities, in the districts and state-tribal education compact schools with the most limited financial capacity, for projects that are likely to improve student health, safety, and academic performance for the largest number of students for the amount of state grant support. The advisory committee must develop specific criteria to achieve the prioritization. The submitted prioritized list must describe the project, the proposed state funding level, and the estimated total project cost including other funding and in-kind resources. The list must also indicate student achievement measures that will be used to evaluate the benefits of the project. The superintendent of public instruction and the governor may determine the level of funding in their omnibus capital appropriations act requests to support small school district modernization grants, but their funding requests must follow the prioritized list prepared by the advisory committee unless new information determines that a specific project is no longer viable as proposed.

(5) Coordination with the school construction assistance program.

(a) The full administrative and procedural process of school construction assistance program funding under RCW 28A.525.162 through 28A.525.180 may be streamlined by the office of the superintendent of public instruction in order to coordinate eligible school construction assistance program funding with the small school district modernization grants. Such coordination must ensure that total state funding from both grants does not exceed total project costs minus available local resources.

(b) Projects seeking small school district modernization grants must meet the requirements for a school construction assistance program grant except for the following: (i) The estimated cost of the project may be less than ~~((forty))~~ 40 percent of the estimated replacement value of the facility, and (ii) local funding assistance percentage requirements of the school construction assistance program do not apply. However, available district and state-tribal education compact school resources are considered in prioritizing small school district modernization grants.

(6) Disbursement of grant funds and reporting requirements. The office of the superintendent of public instruction must award grants to school districts and state-tribal education compact schools. The grant must not be awarded until the district or state-tribal education compact school has identified available local and other resources sufficient to complete the approved project considering the amount of the state grant. The grant must specify reporting requirements from the district or state-tribal education compact school, which must include updating all pertinent information in the inventory and condition of schools data system and submitting a final project report as specified by the office of the superintendent of public instruction in consultation with the school facilities citizen~~((s-citizen))~~ advisory panel specified in RCW 28A.525.025.

(7) From the effective date of this section through June 30, 2027, school districts receiving a small district modernization grant under this section may not combine this grant funding either with a school construction assistance program grant or with other grants awarded under this section to fund a single project.

NEW SECTION. Sec. 8043. (1)(a) The Joel Pritchard State Library, which is located on the state capitol grounds at 415 15th Avenue Southwest in Olympia, Washington, and which is currently undergoing a substantial renovation, is renamed the Joel Pritchard Building, consistent with the recommendations from the state capitol committee and the department of enterprise services, and with the advice of the capitol campus design advisory committee.

(b) The department of enterprise services shall affix the name "Joel Pritchard Building" to the building at or near the completion of the renovation project.

(2) The Irving R. Newhouse Building, which is located on the state capitol grounds at 215 Sid Snyder Avenue Southwest in Olympia, Washington, was recently replaced with a new office building and the name "Irving R. Newhouse Building" was affixed by the department of enterprise services to the new building.

(3) Consistent with the recommendations from the state capitol committee and the department of enterprise services, and with the advice of the capitol campus design advisory committee, the legislature approves the name of the building as the Irving R. Newhouse Building.

Sec. 8044. RCW 79.24.720 and 2015 c 225 s 124 are each amended to read as follows:

The department of enterprise services is responsible for the stewardship, preservation, operation, and maintenance of the public and historic facilities of the state capitol, subject to the policy direction of the state capitol committee and the guidance of the capitol campus design advisory committee. In administering this responsibility, the department shall:

(1) Apply the United States secretary of the interior's standards for the treatment of historic properties;

(2) Seek to balance the functional requirements of state government operations with public access and the long-term preservation needs of the properties themselves; ~~((and))~~

(3) Consult with the capitol furnishings preservation committee, the state historic preservation officer, the state arts commission, and the state facilities accessibility advisory committee in fulfilling the responsibilities provided for in this section; and

(4) During the 2025-2027 fiscal biennium, cooperate with the department of ecology in fulfilling its obligations under section 3031 of this act.

Sec. 8045. RCW 43.31.574 and 2024 c 230 s 2 are each amended to read as follows:

For early learning facilities collocated with affordable or supportive housing developments, the department may remit state funding on a reimbursement basis for 90 percent of eligible project costs, regardless of the project's match amount, once the nonstate share of project costs have been either expended or firmly committed in an amount sufficient to complete the entire project or a distinct phase of the project that is useable to the public as an early learning facility. During the 2025-2027 fiscal biennium, the department may remit state funding on a reimbursement basis for 100 percent of eligible project costs. Eligible housing developments are projects that have received public funding and have secured enough funding to complete construction of the project that will result in a certificate of occupancy to open the affordable housing development, including the early learning facility.

Sec. 8046. RCW 43.63A.750 and 2024 c 375 s 8014 are each amended to read as follows:

(1) A competitive grant program to assist nonprofit organizations in acquiring, constructing, or rehabilitating performing arts, art museums, and cultural facilities is created.

(2)(a) The department shall submit a list of recommended performing arts, art museum projects, and cultural organization projects eligible for funding to the governor and the legislature in the department's biennial capital budget request beginning with the 2001-2003 biennium and thereafter. The list, in priority order, shall include a description of each project, the amount of recommended state funding, and documentation of nonstate funds to be used for the project. The total amount of recommended state funding for projects on a biennial project list shall not exceed \$18,000,000.

(b) The department shall establish a competitive process to prioritize applications for state assistance as follows:

(i) The department shall conduct a statewide solicitation of project applications from nonprofit organizations, local governments, and other entities, as determined by the department. For applications submitted during the 2023-2025 and 2025-2027 fiscal (~~biennium~~) biennia, nonprofit organizations that are certified by the association of zoos and aquariums and that have long-term operating or management agreements are eligible to apply. The department shall evaluate and rank applications in consultation with a citizen advisory committee, including a representative from the state arts commission, using objective criteria. The evaluation and ranking process shall also consider local community support for projects and an examination of existing assets that applicants may apply to projects.

(ii) The department may establish the amount of state grant assistance for individual project applications but the amount shall not exceed (~~thirty-three and one-third~~) 33.33 percent of the estimated total capital cost or actual cost of a project, whichever is less. The remaining portions of the project capital cost shall be a match from nonstate sources. The nonstate match may include cash, the value of real property when acquired solely for the purpose of the project, and in-kind contributions. The department is authorized to set matching requirements for individual projects. State assistance may be used to fund separate definable phases of a project if the project demonstrates adequate progress and has secured the necessary match funding.

(iii) The department shall not sign contracts or otherwise financially obligate funds under this section until the legislature has approved a specific list of projects. In contracts for grants authorized under this section, the department shall include provisions requiring that capital improvements be held by the grantee for a specified period of time appropriate to the amount of the grant and that facilities be used for the express purpose of the grant. If the grantee is found to be out of compliance with provisions of the contract, the grantee shall repay to the state general fund the principal amount of the grant plus interest calculated at the rate of interest on state of Washington general obligation bonds issued most closely to the date of authorization of the grant.

Sec. 8047. RCW 43.83B.430 and 2023 c 474 s 8033 and 2023 c 287 s 2 are each reenacted and amended to read as follows:

The state drought preparedness account is created in the state treasury. All receipts from appropriated funds designated for the account and all cost recovery revenues collected under RCW 43.83B.410(5) must be deposited into the account. Expenditures from the account may be used for drought planning and preparedness activities under this chapter, including grants issued under RCW 43.83B.415. Moneys in the account may be spent only after appropriation. During the (~~2021-2023 and~~) 2023-2025 and 2025-2027 fiscal biennia, the legislature may appropriate moneys from the account for activities related to water banking.

Sec. 8048. RCW 43.99N.060 and 2023 c 474 s 8036 are each amended to read as follows:

(1) The stadium and exhibition center account is created in the custody of the state treasurer. All receipts from the taxes imposed under RCW 82.14.0494 and distributions under RCW 67.70.240(1)(d) shall be deposited into the account. Only the director of the office of financial management or the director's

designee may authorize expenditures from the account. The account is subject to allotment procedures under chapter 43.88 RCW. An appropriation is not required for expenditures from this account.

(2) Until bonds are issued under RCW 43.99N.020, up to \$5,000,000 per year beginning January 1, 1999, shall be used for the purposes of subsection (3)(b) of this section, all remaining moneys in the account shall be transferred to the public stadium authority, created under RCW 36.102.020, to be used for public stadium authority operations and development of the stadium and exhibition center.

(3) After bonds are issued under RCW 43.99N.020, all moneys in the stadium and exhibition center account shall be used exclusively for the following purposes in the following priority:

(a) On or before June 30th of each year, the office of financial management shall accumulate in the stadium and exhibition center account an amount at least equal to the amount required in the next succeeding twelve months for the payment of principal of and interest on the bonds issued under RCW 43.99N.020;

(b) An additional reserve amount not in excess of the expected average annual principal and interest requirements of bonds issued under RCW 43.99N.020 shall be accumulated and maintained in the account, subject to withdrawal by the state treasurer at any time if necessary to meet the requirements of (a) of this subsection, and, following any withdrawal, reaccumulated from the first tax revenues and other amounts deposited in the account after meeting the requirements of (a) of this subsection; and

(c) The balance, if any, shall be transferred to the youth athletic facility account under subsection (4) of this section.

Any revenues derived from the taxes authorized by RCW 36.38.010(5) and 36.38.040 or other amounts that if used as provided under (a) and (b) of this subsection would cause the loss of any tax exemption under federal law for interest on bonds issued under RCW 43.99N.020 shall be deposited in and used exclusively for the purposes of the youth athletic facility account and shall not be used, directly or indirectly, as a source of payment of principal of or interest on bonds issued under RCW 43.99N.020, or to replace or reimburse other funds used for that purpose.

(4) Any moneys in the stadium and exhibition center account not required or permitted to be used for the purposes described in subsection (3)(a) and (b) of this section shall be deposited in the youth athletic facility account hereby created in the state treasury. Expenditures from the account may be used only for purposes of grants or loans to cities, counties, and qualified nonprofit organizations for community outdoor athletic facilities. Only the director of the recreation and conservation office or the director's designee may authorize expenditures from the account. The account is subject to allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures. The athletic facility grants or loans may be used for acquiring, developing, equipping, maintaining, and improving community outdoor athletic facilities. Funds shall be divided equally between the development of new community outdoor athletic facilities, the improvement of existing community outdoor athletic facilities, and the maintenance of existing community outdoor athletic facilities. Cities, counties, and qualified nonprofit organizations must submit

proposals for grants or loans from the account. To the extent that funds are available, cities, counties, and qualified nonprofit organizations must meet eligibility criteria as established by the director of the recreation and conservation office. The grants and loans shall be awarded on a competitive application process and the amount of the grant or loan shall be in proportion to the population of the city or county for where the community outdoor athletic facility is located. Grants or loans awarded in any one year need not be distributed in that year. The director of the recreation and conservation office may expend up to one and one-half percent of the moneys deposited in the account created in this subsection for administrative purposes. During the 2021-2023 fiscal biennium, the legislature may appropriate moneys from the youth athletic facility account to support a task force to consider ways to improve equitable access to K-12 schools' fields and athletic facilities and local parks agency facilities with the goal of increasing physical activity for youth and families. A portion of the appropriation must be used to inventory K-12 school fields and athletic facilities and park agency facilities.

(5) During the 2023-2025 and 2025-2027 fiscal ((~~biennium~~)) biennia, subsection (4) of this section applies to expenditures from the youth athletic facility account except as provided in this subsection.

(a) During the 2023-2025 and 2025-2027 fiscal ((~~biennium~~)) biennia, the recreation and conservation office may spend appropriations made from the youth athletic facility account for grants and loans to political subdivisions of the state other than cities and counties as well as federally recognized Indian tribes for community outdoor athletic facilities. The office is not required to divide the expenditures equally between development, improvement, and maintenance of facilities. The office's authority to retain 1.5 percent of amounts deposited in the account for administration is suspended, and the office's administrative overhead is instead specified in the appropriations for this purpose.

(b) During the 2023-2025 fiscal biennium, the legislature may also appropriate moneys in the youth athletic facility account for the following:

(i) To the department of commerce for the public facility improvement fund as provided in section 1038, chapter 474, Laws of 2023; and

(ii) To the recreation and conservation office for the purpose of the youth athletic facilities program as provided in section 3060, chapter 474, Laws of 2023.

Sec. 8049. RCW 70A.305.190 and 2024 c 375 s 8009 are each amended to read as follows:

(1) The model toxics control capital account is hereby created in the state treasury.

(2) In addition to the funds deposited into the model toxics control capital account required under RCW 82.21.030, the following moneys must be deposited into the model toxics control capital account:

(a) The costs of remedial actions recovered under this chapter, except as provided under RCW 70A.305.170(7);

(b) Penalties collected or recovered under this chapter; and

(c) Any other money appropriated or transferred to the account by the legislature.

(3) Moneys in the model toxics control capital account must be used for the improvement, rehabilitation, remediation, and cleanup of toxic sites and other

capital-related expenditures for programs and activities identified in subsection (4) of this section.

(4) Moneys in the model toxics control capital account may be used only for capital projects and activities that carry out the purposes of this chapter and for financial assistance to local governments or other persons to carry out those projects or activities, including but not limited to the following, generally in descending order of priority:

(a) Remedial actions, including the following generally in descending order of priority:

(i) Extended grant agreements entered into under subsection (5)(a) of this section;

(ii) Grants or loans to local governments for remedial actions, including planning for adaptive reuse of properties as provided for under subsection (5)(d) of this section. The department must prioritize funding of remedial actions at:

(A) Facilities on the department's hazardous sites list with a high hazard ranking for which there is an approved remedial action work plan or an equivalent document under federal cleanup law;

(B) Brownfield properties within a redevelopment opportunity zone if the local government is a prospective purchaser of the property and there is a department-approved remedial action work plan or equivalent document under the federal cleanup law;

(iii) Department-conducted remedial actions;

(iv) Grants to persons intending to remediate contaminated real property for development of affordable housing;

(v) Public funding to assist potentially liable persons to pay for the costs of remedial action in compliance with clean-up standards under RCW 70A.305.030(2)(e) if:

(A) The amount and terms of the funding are established under a settlement agreement under RCW 70A.305.040(4); and

(B) The director has found that the funding will achieve both a substantially more expeditious or enhanced cleanup than would otherwise occur, and the prevention or mitigation of unfair economic hardship;

(vi) Public funding to assist prospective purchasers to pay for the costs of remedial action in compliance with clean-up standards under RCW 70A.305.030(2)(e) if:

(A) The facility is located within a redevelopment opportunity zone designated under RCW 70A.305.150;

(B) The amount and terms of the funding are established under a settlement agreement under RCW 70A.305.040(5); and

(C) The director has found the funding will achieve a substantially more expeditious or enhanced cleanup than would otherwise occur, provide a public benefit in addition to cleanup commensurate with the scope of the public funding; and meet any additional criteria established in rule by the department; and

(vii) To expedite multiparty clean-up efforts, purchase of remedial action cost-cap insurance;

(b) Grants, or loans, or contracts to local governments for solid waste plans and programs under chapters 70A.205, 70A.214, 70A.224, 70A.222, 70A.230,

and 70A.300 RCW. Funds must be allocated consistent with priorities and matching requirements in the respective chapters;

(c) Toxic air pollutant reduction programs, including grants or loans to local governments for woodstoves and diesel;

(d) Grants, loans, or contracts to local governments for hazardous waste plans and programs under chapters 70A.405 and 70A.300 RCW, including chemical action plan implementation. Funds must be allocated consistent with priorities and matching requirements in the respective chapters; and

(e) Petroleum-based plastic or expanded polystyrene foam debris clean-up activities in fresh or marine waters.

(5) The department may establish and administer a program to provide grants and loans to local governments for remedial actions, including planning for adaptive reuse of contaminated properties. To expedite cleanups throughout the state, the department may use the following strategies when providing grants to local governments under this subsection:

(a) Enter into an extended grant agreement with a local government conducting remedial actions at a facility where those actions extend over multiple biennia and the total eligible cost of those actions exceeds \$20,000,000. The agreement is subject to the following limitations:

(i) The initial duration of such an agreement may not exceed 10 years. The department may extend the duration of such an agreement upon finding substantial progress has been made on remedial actions at the facility;

(ii) Extended grant agreements may not exceed 50 percent of the total eligible remedial action costs at the facility; and

(iii) The department may not allocate future funding to an extended grant agreement unless the local government has demonstrated to the department that funds awarded under the agreement during the previous biennium have been substantially expended or contracts have been entered into to substantially expend the funds;

(b) Enter into a grant agreement with a local government conducting a remedial action that provides for periodic reimbursement of remedial action costs as they are incurred as established in the agreement;

(c) Enter into a grant agreement with a local government prior to it acquiring a property or obtaining necessary access to conduct remedial actions, provided the agreement is conditioned upon the local government acquiring the property or obtaining the access in accordance with a schedule specified in the agreement;

(d) Provide integrated planning grants to local governments to fund studies necessary to facilitate remedial actions at brownfield properties and adaptive reuse of properties following remediation. Eligible activities include, but are not limited to: Environmental site assessments; remedial investigations; health assessments; feasibility studies; site planning; community involvement; land use and regulatory analyses; building and infrastructure assessments; economic and fiscal analyses; and any environmental analyses under chapter 43.21C RCW;

(e) Provide grants to local governments for remedial actions related to area-wide groundwater contamination. To receive the funding, the local government does not need to be a potentially liable person or be required to seek reimbursement of grant funds from a potentially liable person;

(f) The director may alter grant matching requirements to create incentives for local governments to expedite cleanups when one of the following conditions exists:

(i) Funding would prevent or mitigate unfair economic hardship imposed by the clean-up liability;

(ii) Funding would create new substantial economic development, public recreational opportunities, or habitat restoration opportunities that would not otherwise occur; or

(iii) Funding would create an opportunity for acquisition and redevelopment of brownfield property under RCW 70A.305.040(5) that would not otherwise occur; and

(g) When pending grant applications under subsection (4)(d) and (e) of this section exceed the amount of funds available, designated redevelopment opportunity zones must receive priority for distribution of available funds.

(6) Except for unanticipated receipts under RCW 43.79.260 through 43.79.282, moneys in model toxics control capital account may be spent only after appropriation by statute.

(7) The legislature finds that, in 2023, wildfires in Spokane and Pend Oreille counties resulted in a loss of approximately 366 homes as well as secondary buildings. The burning of these structures has resulted in a large toxic debris field containing asbestos, heavy metals, plastics, and fuel which are at risk of leaching into the soil and groundwater. During the 2023-2025 and 2025-2027 fiscal (~~(biennium)~~) biennia, moneys in the model toxics control capital account may be used for financial assistance to local governments for the testing of hazardous materials, removal of debris, and remediation of soil necessary to support the rebuilding of communities impacted by these wildfires.

NEW SECTION. Sec. 8050. 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.

NEW SECTION. Sec. 8051. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately.

Passed by the Senate April 27, 2025.

Passed by the House April 27, 2025.

Approved by the Governor May 20, 2025, with the exception of certain items that were vetoed.

Filed in Office of Secretary of State May 20, 2025.

Note: Governor's explanation of partial veto is as follows:

"I am returning herewith, without my approval as to Sections 1049, 2038(4), 3031(3), 3031(4), 3031(5), 3054, 6010(2), 6010(3), 6011(2), 6011(3), 6012(2), 6012(3), 6018(2), 6018(3), 6019(2), 6019(3), 7072(1), 7072(4), 7072(6), 7072(7), 8018(2), 8018(3), and 8036, Substitute Senate Bill No. 5195 entitled:

"AN ACT Relating to the capital budget."

Section 1049, pages 64-65, Office of Financial Management, Capital Budget Cost Study

This section directs the Office of Financial Management (OFM) to conduct a capital budget cost study. As indicated in OFM's April 11, 2025, concerns memorandum to the Legislature regarding the

initial legislative capital budget proposals, the scope, timeline and amount provided for the study are not implementable. For this reason, I am vetoing Section 1049.

Section 2038(4), page 93, Department of Children, Youth, and Families, Additional Juvenile Rehabilitation Capacity

Section 2038(4) requires the Department of Children, Youth, and Families to provide a cost estimate for additional juvenile rehabilitation capacity as part of its decision package for the 2026 supplemental budget. It is not reasonable for the agency to meet this timeline. For this reason, I am vetoing Section 2038(4). However, I am directing the department to submit a predesign to the Office of Financial Management and the appropriate committees of the Legislature no later than March 31, 2026, and to include a full plan of construction, including costs and schedule, as part of its decision package for consideration in the 2027-29 biennial budget.

Sections 3031(3), page 110; 3031(4), pages 110-111; and 3031(5), page 111, Department of Ecology, Capitol Lake-Deschutes Estuary Project

Sections 3031(3), 3031(4), and 3031(5) set forth several requirements for the Department of Ecology that are not necessary due to the availability of past reports and studies that contain elements of a lake management plan. For this reason, I am vetoing Sections 3031(3), 3031(4), and 3031(5). However, in light of future uncertainty with federal funding, I am directing the Department of Ecology to continue with a fresh look at cost effective options for the estuary restoration and to identify any other short-term actions needed, including improving the water quality of Capitol Lake.

Section 3054, pages 117-118, State Parks and Recreation Commission, Cama Beach State Park Study

This section requires an engineering study of certain structures at Cama Beach State Park. This requires Tribal consultation because it is a culturally sensitive area. A veto of this study will allow time for State Parks to engage meaningfully with the affected Tribes on this issue. For these reasons, I am vetoing Section 3054.

Sections 6010(2), page 180; and 6010(3), page 180, Department of Commerce, 2019-21 Building Communities Fund Program

Sections 6010(2) and 6010(3) require the Department of Commerce to reissue contracts for unexpended grants that would otherwise expire, and also direct that the funds will lapse if they are not spent by the end of the 2025-27 biennium. These sections conflict with the Department of Commerce's grant program policy and existing contract provisions. For this reason, I am vetoing Sections 6010(2) and 6010(3).

Sections 6011(2), page 180; and 6011(3), page 180, Department of Commerce, 2019-21 Early Learning Facilities

Sections 6011(2) and 6011(3) require the Department of Commerce to reissue contracts for unexpended grants that would otherwise expire, and also direct that the funds will lapse if they are not spent by the end of the 2025-27 biennium. These sections conflict with the Department of Commerce's grant program policy and existing contract provisions. For this reason, I am vetoing Sections 6011(2) and 6011(3).

Sections 6012(2), page 181; and 6012(3), page 181, Department of Commerce, 2019-21 Behavioral Health Capacity Grants

Sections 6012(2) and 6012(3) require the Department of Commerce to reissue contracts for unexpended grants that would otherwise expire, and also direct that the funds will lapse if they are not spent by the end of the 2025-27 biennium. These sections conflict with the Department of Commerce's grant program policy and existing contract provisions. For this reason, I am vetoing Sections 6012(2) and 6012(3).

Sections 6018(2), page 183; and 6018(3), page 183, Department of Commerce, 2021-23 Building Communities Fund Grant Program

Sections 6018(2) and 6018(3) require the Department of Commerce to reissue contracts for unexpended grants that would otherwise expire, and also direct that the funds will lapse if they are not spent by the end of the 2025-27 biennium. These sections conflict with the Department of

Commerce's grant program policy and existing contract provisions. For this reason, I am vetoing Sections 6018(2) and 6018(3).

Sections 6019(2), page 184; and 6019(3), page 184, Department of Commerce, 2021-23 Building for the Arts Grant Program

Sections 6019(2) and 6019(3) require the Department of Commerce to reissue contracts for unexpended grants that would otherwise expire, and also direct that the funds will lapse if they are not spent by the end of the 2025-27 biennium. These sections conflict with the Department of Commerce's grant program policy and existing contract provisions. For this reason, I am vetoing Sections 6019(2) and 6019(3).

Sections 7072(1), pages 474-475; 7072(4), page 475; 7072(6), page 476; and 7072(7), page 476, Superintendent of Public Instruction, 2023-25 Small District and Tribal Compact Schools Modernization

Sections 7072(1), 7072(4), 7072(6), and 7072(7) reduce appropriations for the Small District and Tribal Compact Schools Modernization grant program through the Office of the Superintendent of Public Instruction (OSPI) and amend the lists of grantees. These funding reductions and project list changes would disallow spending that needs to occur for ongoing projects in fiscal year 2025. For this reason, I am vetoing Sections 7072(1), 7072(4), 7072(6), and 7072(7). However, I am directing the Office of Financial Management, in consultation with OSPI, to move the overlapping amounts between Sections 5014 and 7072, as well as the corrected Climate Commitment Act amount, into unallotted status. In addition, the 2025-27 funding amounts will be adjusted in my proposed 2026 supplemental budget.

Sections 8018(2), page 490; and 8018(3), page 490, Lapsing Language for Selected Capital Budget Grant Programs

Sections 8018(2) and 8018(3) direct that funding for projects that is not contracted or expended within a certain period of time will lapse. I agree with the intent expressed in Section 8018(1) that funding for the state's capital projects must be spent in a timely manner, including an expectation that projects are contracted within four years of appropriation and completed within six years. However, Sections 8018(2) and 8018(3) are constructed in a way that would be extremely difficult to implement. I also encourage the Legislature to consider the timelines of the Governor's budget when determining agency due dates. For these reasons, I am vetoing Sections 8018(2) and 8018(3).

Section 8036, pages 513-514, Amendments to Broadband Account, RCW 43.330.400

Section 8036 is duplicative of Section 6 in Engrossed Substitute House Bill 1468, both of which create the same federal broadband account. For this reason, I am vetoing Section 8036.

For these reasons I have vetoed Sections 1049, 2038(4), 3031(3), 3031(4), 3031(5), 3054, 6010(2), 6010(3), 6011(2), 6011(3), 6012(2), 6012(3), 6018(2), 6018(3), 6019(2), 6019(3), 7072(1), 7072(4), 7072(6), 7072(7), 8018(2), 8018(3), and 8036 of Substitute Senate Bill No. 5195.

With the exception of Sections 1049, 2038(4), 3031(3), 3031(4), 3031(5), 3054, 6010(2), 6010(3), 6011(2), 6011(3), 6012(2), 6012(3), 6018(2), 6018(3), 6019(2), 6019(3), 7072(1), 7072(4), 7072(6), 7072(7), 8018(2), 8018(3), and 8036, Substitute Senate Bill No. 5195 is approved."

CHAPTER 415

[Substitute Senate Bill 5194]

CAPITAL BUDGET—BONDS

AN ACT Relating to state general obligation bonds and related accounts; adding new sections to chapter 43.100A RCW; and declaring an emergency.

Be it enacted by the Legislature of the State of Washington:

PART I

2023-2025 AND 2025-2027 BIENNIAL BOND AUTHORIZATION

NEW SECTION. Sec. 101. For the purpose of providing funds to finance the projects described and authorized by the legislature in the omnibus capital and operating appropriations acts for the 2023-2025 and 2025-2027 fiscal biennia and future biennia, and all costs incidental thereto, the state finance committee is authorized to issue general obligation bonds of the state of Washington in the sum of \$4,686,979,000, or as much thereof as may be required, to finance these projects and all costs incidental thereto. Bonds authorized in this section may be sold at such price as the state finance committee shall determine. No bonds authorized in this section may be offered for sale without prior legislative appropriation of the net proceeds of the sale of the bonds.

NEW SECTION. Sec. 102. (1) The proceeds from the sale of bonds authorized in section 101 of this act shall be deposited in the state building construction account created by RCW 43.83.020. The proceeds shall be transferred as follows:

(a) \$4,123,420,000 to remain in the state building construction account created by RCW 43.83.020;

(b) \$563,559,000 to the state taxable building construction account. All receipts from taxable bonds issued are to be deposited into the account. If the state treasurer, on behalf of the state finance committee, deems it necessary or advantageous to issue more than the amount specified in this subsection (1)(b) as taxable bonds in order to comply with federal internal revenue service rules and regulations pertaining to the use of nontaxable bond proceeds or in order to reduce the total financing costs for bonds issued, the proceeds of such additional taxable bonds shall be transferred to the state taxable building construction account or any other taxable bond accounts in lieu of any transfer otherwise provided by this section. If the state treasurer, on behalf of the state finance committee, determines that a portion of the amount specified in this subsection (1)(b) as taxable bonds may be issued as nontaxable bonds in compliance with federal internal revenue service rules and regulations pertaining to the use of nontaxable bond proceeds, then such bond proceeds shall be transferred to the state building construction account or any other nontaxable bond accounts in lieu of the transfer to the state taxable building construction account otherwise provided by this subsection (1)(b). The state treasurer, on behalf of the state finance committee, shall submit written notice to the director of the office of financial management if it is determined that any such additional transfer to the state taxable building construction account or any other taxable bond accounts is necessary or that a transfer from the state taxable building construction account to the state building construction account or any other nontaxable bond accounts may be made. Moneys in the account may be spent only after appropriation.

(2)(a) The state treasurer shall transfer bond proceeds deposited in the state building construction account into the outdoor recreation account created by RCW 79A.25.060, the habitat conservation account created by RCW 79A.15.020, the farm and forest account created by RCW 79A.15.130, and the Ruth LeCocq Kagi early learning facilities development account created by

RCW 43.31.569, at various times and in various amounts necessary to support authorized expenditures from those accounts.

(b) The state treasurer shall transfer bond proceeds deposited in the state taxable building construction account into the Ruth LeCocq Kagi early learning facilities revolving account created by RCW 43.31.569 at various times and in various amounts necessary to support authorized expenditures from that account.

(3) These proceeds shall be used exclusively for the purposes specified in section 101 of this act and for the payment of expenses incurred in the issuance and sale of the bonds issued for the purposes of section 101 of this act, and shall be administered by the office of financial management subject to legislative appropriation.

NEW SECTION. Sec. 103. (1) The debt-limit general fund bond retirement account shall be used for the payment of the principal of and interest on the bonds authorized in section 101 of this act.

(2) The state finance committee shall, on or before June 30th of each year, certify to the state treasurer the amount needed in the ensuing 12 months to meet the bond retirement and interest requirements on the bonds authorized in section 101 of this act.

(3) On each date on which any interest or principal and interest payment is due on bonds issued for the purposes of section 102 (1) and (2) of this act the state treasurer shall withdraw from any general state revenues received in the state treasury and deposit in the debt-limit general fund bond retirement account an amount equal to the amount certified by the state finance committee to be due on the payment date.

NEW SECTION. Sec. 104. (1) Bonds issued under section 101 of this act shall state that they are a general obligation of the state of Washington, shall pledge the full faith and credit of the state to the payment of the principal thereof and the interest thereon, and shall contain an unconditional promise to pay the principal and interest as the same shall become due.

(2) The owner and holder of each of the bonds or the trustee for the owner and holder of any of the bonds may by mandamus or other appropriate proceeding require the transfer and payment of funds as directed in this section.

NEW SECTION. Sec. 105. The legislature may provide additional means for raising moneys for the payment of the principal of and interest on the bonds authorized in section 101 of this act, and sections 102 and 103 of this act shall not be deemed to provide an exclusive method for the payment.

PART II MISCELLANEOUS

NEW SECTION. Sec. 201. Sections 101 through 105 of this act are each added to chapter 43.100A RCW.

NEW SECTION. Sec. 202. 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.

NEW SECTION. Sec. 203. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately.

Passed by the Senate April 27, 2025.

Passed by the House April 27, 2025.

Approved by the Governor May 20, 2025.

Filed in Office of Secretary of State May 21, 2025.

CHAPTER 416

[Engrossed Substitute Senate Bill 5161]

TRANSPORTATION BUDGET

AN ACT Relating to transportation fiscal matters; amending RCW 36.79.020, 46.09.540, 46.20.745, 46.68.063, 46.68.090, 46.68.280, 46.68.290, 46.68.300, 46.68.320, 46.68.370, 46.68.395, 46.68.510, 47.56.876, 47.60.315, 47.60.530, 47.66.120, 82.44.200, 47.28.030, 88.16.061, 47.66.070, 14.40.020, and 46.20.---; amending 2024 c 310 ss 103, 105, 106, 110, 201, 202, 204, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 301, 303, 304, 305, 306, 307, 308, 309, 403, 404, 405, 401, 407, 402, 406, 502, and 503 (uncodified); amending 2023 c 472 s 303 (uncodified); adding a new section to 2024 c 310 (uncodified); creating new sections; repealing 2023 c 472 s 601 (uncodified), 2024 c 310 s 108 (uncodified), and 2024 c 310 s 501 (uncodified); making appropriations and authorizing expenditures for capital improvements; and declaring an emergency.

Be it enacted by the Legislature of the State of Washington:

2025-2027 FISCAL BIENNIUM

NEW SECTION. Sec. 1. (1) This budget reflects the valuable contributions of Senator Bill Ramos, who served as a member of the Transportation Budget Cabinet in both the Senate and the House of Representatives during his tenure in the legislature. Senator Ramos committed his life to public service and the improvement of the state of Washington and its transportation system. The legislature dedicates this transportation budget in loving memory of our friend and colleague Senator Bill Ramos (1956-2025).

(2) The transportation budget of the state is hereby adopted and, subject to the provisions set forth, the several amounts specified, or as much thereof as may be necessary to accomplish the purposes designated, are hereby appropriated from the several accounts and funds named to the designated state agencies and offices for employee compensation and other expenses, for capital projects, and for other specified purposes, including the payment of any final judgments arising out of such activities, for the period ending June 30, 2027.

(3) Unless the context clearly requires otherwise, the definitions in this subsection apply throughout this act.

(a) "Fiscal year 2026" or "FY 2026" means the fiscal year ending June 30, 2026.

(b) "Fiscal year 2027" or "FY 2027" means the fiscal year ending June 30, 2027.

(c) "FTE" means full-time equivalent.

(d) "Lapse" or "revert" means the amount shall return to an unappropriated status.

(e) "Provided solely" means the specified amount may be spent only for the specified purpose. Unless otherwise specifically authorized in this act, any portion of an amount provided solely for a specified purpose that is not expended subject to the specified conditions and limitations to fulfill the specified purpose shall lapse.

(f) "Reappropriation" means appropriation and, unless the context clearly provides otherwise, is subject to the relevant conditions and limitations applicable to appropriations.

(g) "LEAP" means the legislative evaluation and accountability program committee.

GENERAL GOVERNMENT AGENCIES—OPERATING

NEW SECTION. **Sec. 101. FOR THE DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION**

Motor Vehicle Account—State Appropriation \$588,000

NEW SECTION. **Sec. 102. FOR THE UTILITIES AND TRANSPORTATION COMMISSION**

Grade Crossing Protective Account—State

Appropriation. \$504,000

Pilotage Account—State Appropriation \$150,000

TOTAL APPROPRIATION \$654,000

NEW SECTION. **Sec. 103. FOR THE OFFICE OF FINANCIAL MANAGEMENT**

Motor Vehicle Account—State Appropriation \$216,000

Puget Sound Ferry Operations Account—State

Appropriation. \$132,000

TOTAL APPROPRIATION \$348,000

NEW SECTION. **Sec. 104. FOR THE STATE PARKS AND RECREATION COMMISSION**

Motor Vehicle Account—State Appropriation \$1,186,000

The appropriation in this section is subject to the following conditions and limitations: The entire motor vehicle account—state appropriation is provided solely for road maintenance purposes.

NEW SECTION. **Sec. 105. FOR THE DEPARTMENT OF AGRICULTURE**

Motor Vehicle Account—State Appropriation \$1,530,000

NEW SECTION. **Sec. 106. FOR THE LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM COMMITTEE**

Motor Vehicle Account—State Appropriation \$759,000

NEW SECTION. **Sec. 107. FOR THE OFFICE OF MINORITY AND WOMEN'S BUSINESS ENTERPRISES**

Move Ahead WA Flexible Account—State Appropriation \$3,020,000

The appropriation in this section is subject to the following conditions and limitations:

(1) The entire move ahead WA flexible account—state appropriation in this section is provided solely for increasing the number of certified women and minority-owned contractors in the transportation sector statewide, with priority given to areas outside of the Puget Sound area and supporting these contractors to successfully compete and earn more transportation contracting opportunities. This purpose must be accomplished through various programs including, but not limited to: (a) Outreach to women and minority-owned business communities and individuals; (b) technical assistance, mentorship, and consultation as needed

in areas such as financing, accounting, contracting, procurement, and resolution of disputes and grievances; (c) language access programs for those with limited English proficiency; (d) developing a truck rotation program to allow smaller minority and women-owned trucking companies to pool their resources and compete with larger scale trucking operations; and (e) other programs that aim to increase the number of women and minority contractors that are successful in obtaining contracts in the transportation sector directly with state agencies such as the department, with local jurisdictions, or as subcontractors for prime contractors. The office may revise program standards, as needed, with legislative consultation.

(2) The office of minority and women's business enterprises and the department of transportation's office of equity and civil rights must develop two new business-size thresholds within the office's certification program. The two new thresholds must include emerging small businesses and rising small businesses with gross receipts of no more than (a) \$3,000,000 and (b) \$10,000,000. This work must evaluate all state-funded contracts over \$50,000,000 for emerging small business goals, rising small business goals, small business goals, or any combination thereof. The office of equity and civil rights and the office of minority and women's business enterprises must submit a report to the office of financial management and the transportation committees of the legislature by November 1, 2025, on this work and any recommendations on next steps.

***NEW SECTION. Sec. 108. FOR THE DEPARTMENT OF COMMERCE**

Carbon Emissions Reduction Account—State

Appropriation.	\$4,920,000
Aeronautics Account—State Appropriation.	\$6,850,000
Multimodal Transportation Account—State	
Appropriation.	\$2,000,000
TOTAL APPROPRIATION	\$13,770,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$4,920,000 of the carbon emissions reduction account—state appropriation is reappropriated and provided solely for a tribal electric boat grant program. Federally recognized tribes, tribal enterprises, and tribal members are eligible to apply for grant funds for the purchase of or conversion to electric motors and engines for fishing vessels.

(2) \$6,850,000 of the aeronautics account—state appropriation is provided solely for a Cascadia sustainable aviation fuel institute or accelerator to advance sustainable aviation fuel ecosystem build out, develop regional partnerships, and promote market adoption of sustainable aviation fuel within Washington state and the entire Cascadia region.

(3) \$2,000,000 of the multimodal transportation account—state appropriation is provided solely to Snohomish county for preconstruction and site readiness activities related to the sustainable aviation fuel research and development center at Paine Field.

(4)(a) The interagency electric vehicle coordinating council created under RCW 43.392.030, through its industry electric vehicle advisory committee or

another appropriate ad hoc committee, must address electric vehicle charger infrastructure property crime. For purposes of this subsection, the committee may include the following additional members:

- (i) One representative of the Washington state attorney general's office;
- (ii) One representative of a law enforcement agency or association whereby electric vehicle charger property crime is impacting the agency's or association's jurisdiction specializing in theft prevention or property crimes;
- (iii) One representative of a recycled materials association or trade organization operating in the state of Washington with experience in nonferrous metals recycling;
- (iv) Two representatives from the electric vehicle services equipment industry whereby both level 2 and level 3 charging providers are included;
- (v) One representative from a local governmental agency or association representing a city whereby electric vehicle charger property crime is impacting the agency's or association's community;
- (vi) One representative from a power utility whereby electric vehicle charger property crime is impacting the utility's service territory;
- (vii) One representative from a county whereby electric vehicle charger property crime is impacting the county;
- (viii) Two representatives of a neighborhood or community advocacy group from communities heavily impacted by metal theft or illegal recycling activities;
- (ix) One representative with technical expertise in the electric vehicle charging industry;
- (x) One representative of the workforce performing electric vehicle charger installations;
- (xi) One representative of electric vehicle charging station site hosts;
- (xii) One representative of electric vehicle drivers; and
- (xiii) Any other representative deemed necessary by the council, including representatives from organizations or industries with technical expertise or representing communities with lived experience.

(b) Based on the advice of the committee, the interagency electric vehicle coordinating council shall:

- (i) Provide guidance and recommendations on actions to reduce instances of electric vehicle charger property crime in the state of Washington;
 - (ii) Be available to respond to Washington legislator questions or requests related to electric vehicle charger property crime;
 - (iii) Submit its findings, recommendations, and activities as part of the interagency electric vehicle coordinating council's annual report to the appropriate committees of the legislature.
- (c) The interagency electric vehicle coordinating council shall ensure the committee meets and reports at council meetings regularly.

(d) Proprietary information identified by private sector entities and provided to any member agency of the interagency electric vehicle coordinating council to inform the implementation of this subsection is exempt from disclosure under chapter 42.56 RCW.

(5) The department shall provide information related to emission reductions resulting from fuel conversion activities funded with appropriations from the carbon emissions reduction account to the joint transportation committee in

accordance with section 814, chapter . . . , Laws of 2025 (Engrossed Substitute Senate Bill No. 5801) (transportation resources).

(6) The department of commerce is required to convene a work group that includes representatives from cities, counties, ports, fire protection districts, regional fire protection service authorities, public hospital districts, library districts, the office of the state treasurer, the Washington economic development association, county assessors, and other impacted stakeholders to develop a common understanding of tax increment financing and make recommendations to the legislature on improvements and reforms to tax increment financing. In performing its duties, the work group may invite the participation of third-party professionals, such as bond counsel, economists, and project finance experts. A report, with any findings and recommendations, shall be made to the appropriate committees of the legislature by December 15, 2025.

**Sec. 108 was partially vetoed. See message at end of chapter.*

NEW SECTION. Sec. 109. FOR THE BOARD OF PILOTAGE COMMISSIONERS

Pilotage Account—State Appropriation \$3,335,000

NEW SECTION. Sec. 110. FOR THE ECONOMIC AND REVENUE FORECAST COUNCIL

Motor Vehicle Account—State Appropriation \$987,000

NEW SECTION. Sec. 111. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Carbon Emissions Reduction Account—State
Appropriation. \$12,000,000

The appropriation in this section is subject to the following conditions and limitations:

(1)(a) \$12,000,000 of the carbon emissions reduction account—state appropriation is provided solely for zero emission electric vehicle supply equipment infrastructure at facilities to accommodate charging station installations. The electric vehicle charging equipment must be coordinated with the state efficiency and environmental performance program. The department must prioritize locations based on state efficiency and environmental performance location priorities and where zero emission fleet vehicles are located or are scheduled to be purchased.

(b) The department shall report when and where the equipment was installed and the state agencies and facilities that benefit from the installation of the charging station to the fiscal committees of the legislature by January 2, 2027, with an interim report due January 2, 2026. The department shall collaborate with the interagency electric vehicle coordinating council to implement this section and must work to meet benchmarks established in chapter 182, Laws of 2022 (transportation resources).

(2) The department, with the assistance of designated staff in the Washington state department of transportation, must register for the clean fuels credit program and track revenue generation pursuant to chapter 70A.535 RCW for investments funded in an omnibus transportation appropriations act.

(3) The department must provide a report to the transportation committees of the legislature that estimates current biennial and future carbon reduction

impacts resulting from zero-emission electric vehicles and supply equipment infrastructure funded in this section by June 30, 2027.

(4) The department shall provide information related to emission reductions resulting from fuel conversion activities funded with appropriations from the carbon emissions reduction account to the joint transportation committee in accordance with section 814, chapter . . . , Laws of 2025 (Engrossed Substitute Senate Bill No. 5801) (transportation resources).

<u>NEW SECTION. Sec. 112. FOR THE DEPARTMENT OF ECOLOGY</u>	
Model Toxics Control Capital Account—State	
Appropriation.	\$15,715,000
Carbon Emissions Reduction Account—State	
Appropriation.	\$39,840,000
TOTAL APPROPRIATION	\$55,555,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$15,715,000 of the model toxics control capital account—state appropriation and \$38,340,000 of the carbon emissions reduction account—state appropriation are provided solely for the department to provide grants to transition from diesel school buses and other student transport vehicles to zero emission vehicles and for the necessary fueling infrastructure needed for zero emission student transportation. The department must prioritize school districts serving tribes and vulnerable populations in overburdened communities as defined under RCW 70A.02.010. Up to five percent of the appropriation in this section may be used for technical assistance and grant administration.

(2) \$1,500,000 of the carbon emissions reduction account—state appropriation is provided solely for the department to provide one or more nonproject environmental impact statements for alternative jet fuel production pathways, including blending and distribution infrastructure.

(3) The department shall provide information related to emission reductions resulting from fuel conversion activities funded with appropriations from the carbon emissions reduction account to the joint transportation committee in accordance with section 814, chapter . . . , Laws of 2025 (Engrossed Substitute Senate Bill No. 5801) (transportation resources).

<u>NEW SECTION. Sec. 113. FOR THE OFFICE OF THE GOVERNOR</u>	
State Patrol Highway Account—State Appropriation	\$718,000

The appropriation in this section is subject to the following conditions and limitations: The entire state patrol highway account—state appropriation is provided solely to the state office of equity to contract with an independent consultant to conduct the studies, evaluations, and reporting functions required in RCW 43.06D.060(2), and for the office to conduct the work specified in RCW 43.06D.060 (1) and (3).

<u>NEW SECTION. Sec. 114. FOR THE EVERGREEN STATE COLLEGE</u>	
Aeronautics Account—State Appropriation	\$94,000
Highway Safety Account—State Appropriation.	\$108,000
TOTAL APPROPRIATION	\$202,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The entire aeronautics account—state appropriation is provided solely for the Washington state institute for public policy to:

(a) Conduct an independent assessment of the passenger and air cargo forecasts cited in the Puget Sound regional council regional aviation baseline study, including an evaluation of the underlying data, assumptions, methodologies, and calculation of the level of uncertainty around the forecast;

(b) Conduct a comprehensive literature review to identify effective national and international strategies to reduce demand for air travel, including diverting such demand to other modes and whether such diversion avoids net environmental impacts to overburdened communities and vulnerable populations;

(c) Conduct a review of existing operational and technological enhancements to address environmental impacts from commercial aviation activities, including, but not limited to, climate friendly routing of aircraft, innovations intended to address the climate change effects of noncarbon dioxide emissions from aviation activities, simulation models applied to congested airports, and online tools to track, analyze, and improve carbon footprints related to aviation activities. The review should identify the feasibility of enhancements to be deployed in the state of Washington; and

(d) Provide a report to the office of the governor and the transportation committees of the legislature by December 31, 2025.

(2)(a) \$108,000 of highway safety account—state appropriation is provided solely for the Washington state institute for public policy, in consultation with the Washington traffic safety commission and other entities as it deems appropriate, to develop an inventory of evidence-based, research-based, policies and programs aimed at reducing impaired driving and the resulting traffic fatalities and serious injuries.

(b) The institute must create an inventory of the national and international research associated with the following impaired driving public policies and programs:

(i) Lowering the blood alcohol concentration for purposes of impaired driving from the current .08 level;

(ii) Sobriety checkpoints; and

(iii) Increased enforcement and penalties.

(c) By June 30, 2026, the institute shall publish a report with information identifying the projected costs and benefits of implementing the policies and programs identified in (b) of this subsection, including an assessment of the comparative benefits associated with each policy and program. The report may also include recommendations on future research in this area.

NEW SECTION. Sec. 115. FOR THE UNIVERSITY OF WASHINGTON

Multimodal Transportation Account—State

Appropriation.	\$2,500,000
Move Ahead WA Account—State Appropriation	\$540,000
Move Ahead WA Flexible Account—State Appropriation	\$5,000,000
TOTAL APPROPRIATION	\$8,040,000

The appropriation in this section is subject to the following conditions and limitations:

(1) \$5,000,000 of the move ahead WA flexible account—state appropriation and \$2,300,000 of the multimodal transportation account are provided solely for the University of Washington's sidewalk inventory and accessibility mapping project to develop a public dataset under an open license and develop the tools needed to publish that data according to an open data specification. The project must include, but is not limited to, utilization of existing data sources, imagery, detailed surveys, and manually collected, detailed data for city streets, county rural and urban local access roads and collectors/arterials, state roads of all types, and roads owned by other entities. The project may draw on partially developed sidewalk data for all state facilities. To the extent practicable, the final product must be suitable for use by the department of transportation, local and regional agencies, tribal governments, and the general public. A project status report is due to the transportation committees of the legislature on December 1st of each year until the work is completed.

(2) \$540,000 of the move ahead WA account—state appropriation is provided solely for the Washington state transportation center to continue the WSDOT-UW professional master's degree fellowship program, to continue department of transportation engineering internships, and to encourage more students to consider careers in transportation, engineering, and related fields.

(3) \$200,000 of the multimodal transportation account—state appropriation is provided solely for the University of Washington's mobility innovation center to conduct transportation-related research in partnership with the department of transportation, private sector, and local transportation agencies.

NEW SECTION. Sec. 116. FOR WASHINGTON STATE UNIVERSITY

Aeronautics Account—State Appropriation \$1,200,000

The appropriation in this section is subject to the following conditions and limitations: \$1,200,000 of the aeronautics account—state appropriation is provided solely to Washington State University for staff and support services for the temporary sustainable aviation fuel research and development center at Paine Field.

NEW SECTION. Sec. 117. FOR THE DEPARTMENT OF REVENUE

Motor Vehicle Account—State Appropriation \$2,460,000

The appropriation in this section is subject to the following conditions and limitations: \$2,460,000 of the motor vehicle account—state appropriation is provided solely for implementation of chapter . . . (Engrossed Substitute Senate Bill No. 5801), Laws of 2025 (transportation resources). If chapter . . . (Engrossed Substitute Senate Bill No. 5801), Laws of 2025 is not enacted by June 30, 2025, the amount provided in this section lapses.

TRANSPORTATION AGENCIES—OPERATING

NEW SECTION. Sec. 201. FOR THE WASHINGTON TRAFFIC SAFETY COMMISSION

Highway Safety Account—State Appropriation \$9,794,000
Highway Safety Account—Federal Appropriation \$39,998,000
Highway Safety Account—Private/Local Appropriation \$60,000

Cooper Jones Active Transportation Safety Account—

State Appropriation	\$400,000
School Zone Safety Account—State Appropriation	\$850,000
TOTAL APPROPRIATION	\$51,102,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$600,000 of the highway safety account—state appropriation is provided solely for the commission to purchase telematics data from a qualified vendor that provides anonymized information on vehicle speeds and driver behaviors, such as hard braking, on a statewide basis and in selected geographical areas based upon demographic characteristics and crash history. The commission must provide an annual report summarizing findings from the telematics data to the transportation committees of the legislature beginning by June 30, 2025, and until June 30, 2027.

(2) \$1,500,000 of the highway safety account—state appropriation is provided solely for a pilot program for dedicated probation or compliance officers at the local level to improve compliance with ignition interlock device installation requirements associated with impaired driving offenses. The commission must select locations based on an assessment of ignition interlock device compliance rates, and the willingness and ability to have staff dedicated to this activity. The commission must provide to the transportation committees of the legislature a preliminary status report on the specific locations selected and any outcome information by December 1, 2025, with a final report due by June 30, 2027.

(3) \$2,000,000 of the highway safety account—state appropriation is provided solely to implement a multifaceted approach to supplement existing funding targeted at impaired driving and other enforcement. The areas of emphasis expected to be funded include additional high visibility enforcement and indigenous knowledge-informed tribal traffic safety support. Funding is also provided for the commission to administer and provide oversight of these activities. The commission must provide a preliminary report to the transportation committees of the legislature and the office of financial management on these funded activities and any outcome information by December 1, 2025, with a final report due by December 1, 2026.

(4) \$350,000 of the highway safety account—state appropriation is provided solely to complete an annual report on impacts of the automated traffic safety cameras used in the state as required in RCW 46.63.220(6)(b)(ii), beginning July 1, 2026.

NEW SECTION. Sec. 202. FOR THE COUNTY ROAD ADMINISTRATION BOARD

Rural Arterial Trust Account—State Appropriation	\$4,059,000
Motor Vehicle Account—State Appropriation	\$3,532,000
County Arterial Preservation Account—State Appropriation	\$4,549,000
TOTAL APPROPRIATION	\$12,140,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Within appropriated funds, the county road administration board may opt in as provided under RCW 70A.02.030 to assume all of the substantive and procedural requirements of covered agencies under chapter 70A.02 RCW. The board shall include in its 2025 and 2026 annual reports to the legislature a progress report on opting into the healthy environment for all act and a status report on diversity, equity, and inclusion within the board's jurisdiction. The county road administration board may revise program standards, as needed, with legislative consultation.

(2) \$2,500,000 of the rural arterial trust account—state appropriation and \$2,500,000 of the county arterial preservation account—state appropriation are provided solely for a grant program to assist counties and cities with the costs associated with obtaining a new federal highway administration load rating for bridges to accommodate legal loads as authorized under RCW 46.44.041.

NEW SECTION. Sec. 203. FOR THE TRANSPORTATION IMPROVEMENT BOARD

Transportation Improvement Account—State	
Appropriation.	\$4,771,000

The appropriation in this section is subject to the following conditions and limitations: Within appropriated funds, the transportation improvement board may opt in as provided under RCW 70A.02.030 to assume all of the substantive and procedural requirements of covered agencies under chapter 70A.02 RCW. The board shall include in its 2025 and 2026 annual reports to the legislature a progress report on opting into the healthy environment for all act and a status report on diversity, equity, and inclusion within the board's jurisdiction. The transportation improvement board may revise program standards, as needed, with legislative consultation.

NEW SECTION. Sec. 204. FOR THE JOINT TRANSPORTATION COMMITTEE

Carbon Emissions Reduction Account—State	
Appropriation.	\$624,000
Motor Vehicle Account—State Appropriation	\$3,379,000
Multimodal Transportation Account—State	
Appropriation.	\$350,000
TOTAL APPROPRIATION	\$4,353,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$75,000 of the motor vehicle account—state appropriation is for the joint transportation committee, in collaboration with the facilities program within the department of transportation, to evaluate the cost and benefits associated with having the facilities program take on full responsibility for planning and support of some or all of the facilities currently operated by the Washington state ferries. The joint transportation committee must provide a preliminary assessment, including any recommendations, by December 1, 2025. The joint transportation committee must prepare a final report, including any recommendations, by October 1, 2026.

(2) \$390,000 of the motor vehicle account—state appropriation is for the joint transportation committee, from amounts set aside out of statewide fuel

taxes distributed to cities according to RCW 46.68.110(2), for the following activities:

(a) \$250,000 is to contract with the association of Washington cities for the contracting for a facilitator for the process of updating the memorandum of understanding reached by the association of Washington cities and the Washington state department of transportation in 2013 for the construction, operations, and maintenance responsibilities for city streets as part of state highways. With the help of the facilitator, a work group must be convened to collaborate on updating the agreement and developing recommendations for maintaining the agreement. Work group participants must consist of six members representing cities, appointed by the association of Washington cities, and six members of the Washington state department of transportation. The final work of the facilitated process must be completed by June 2027.

(b) \$140,000 is for the joint transportation committee to contract for an update to the 2019 assessment of city transportation funding needs to assess the current state of city transportation funding, identify emerging issues, and recommend funding sources to meet current and future needs. The association of Washington cities and the Washington department of transportation shall provide technical support to the study. The joint transportation committee must issue a report of its findings and recommendations to the transportation committees of the legislature by September 2026.

(3) \$75,000 of the motor vehicle account—state appropriation is for the joint transportation committee to continue the alternative project delivery methods and innovative practices study under section 204(9), chapter 310, Laws of 2024. The next phase of the study must provide additional consultation on collaborative procurement and contracting approaches that may be used by the Washington state department of transportation in public works contracting to increase contract competition and support containing costs and project delivery schedule. A supplemental report on findings and recommendations, including any changes in current practice and statutory requirements, is due to the transportation committees of the legislature by December 1, 2025.

(4) \$274,000 of the carbon emissions reduction account—state appropriation is reappropriated for the joint transportation committee for a study of the impacts of implementing California's emissions standards for ocean-going vessels at berth in Titles 13 and 17 of the California Code of Regulations in Washington. The joint transportation committee must report to the transportation committees of the legislature by December 31, 2025.

(5) \$250,000 of the motor vehicle account—state appropriation is for the joint transportation committee to contract with the Freight Policy Transportation Institute of Washington State University to serve as the independent review team to work in coordination with the Washington state department of transportation's analysis, funded in section 217(5) of this act, of highway, road, and freight rail transportation needs, options, and impacts from shifting the movement of freight and goods that currently move by barge through the lower Snake river dams to highways, other roads, and rail.

(a) The department shall include the independent review team in all phases of the analysis to enable the team to develop an independent assessment of the analysis, assumptions, stakeholder engagement, and cost and impact estimates. Summary findings from the independent assessment must be provided to the

department, the governor's office, and the transportation committees of the legislature on a quarterly basis, with an end of biennium report due to the governor and the transportation committees of the legislature by December 31, 2026.

(b) The independent review team must conduct an independent stakeholder engagement effort. The river transportation work group must be formed to provide data and guidance to the independent review team for the independent stakeholder engagement effort. The river transportation work group must be made up of stakeholders, including farming and agricultural production, fishing industry, tug and barge operators, shippers and receivers, public ports, railroad operators, cruise lines, the federal highway administration, and the army corps of engineers. Consultations with federally recognized tribes must also occur in coordination with the Washington state department of transportation.

(c) The independent review team shall make regular presentations to the joint transportation committee and, by request, to the transportation committees of the legislature.

(6) \$200,000 of the motor vehicle account—state appropriation is for the joint transportation committee to conduct a study and make recommendations on alternative new methods for local governments to fund sidewalk improvements, including but not limited to establishing a sidewalk utility. The study must review revenue options utilized in other states and make evaluations based on fairness, stability, adequacy, regressivity, simplicity, and the effect on economic vitality. The joint transportation committee must submit a preliminary report of findings and recommendations to the transportation committees of the legislature by December 15, 2025. A final report is due to the office of the governor and the transportation committees of the legislature by June 30, 2026.

(7) \$250,000 of the carbon emissions reduction account—state appropriation is for the joint transportation committee to review and evaluate administrative, performance, and delivery efficiencies for alternative fuel and zero emission vehicle and vessel and infrastructure programs and other transportation electrification programs funded under the climate commitment act. As part of its review, the committee must analyze previously and currently funded programs under the omnibus operating, capital, and transportation appropriations acts. By October 1, 2026, the committee must provide to the transportation committees of the legislature a report on evaluation findings and recommendations on improvements to program delivery, including the consolidation of any programs, and as to which agency or agencies are appropriate and optimal to administer such climate commitment act funded programs.

(8)(a) \$100,000 of the multimodal transportation account—state appropriation is for the joint transportation committee to continue its contract with a national expert on developing inclusive, mixed-income, mixed-use transit-oriented housing to complete a review of transit-oriented development conditions in cities in King, Pierce, Spokane, Clark, and Snohomish counties as described under section 204(13), chapter 310, Laws of 2024.

(b) The review must also analyze transit-oriented development housing supply and affordability strategies within chapter . . . (Engrossed Substitute House Bill No. 1491), Laws of 2025, and include any recommendations on how such legislation may be most effectively implemented by local governments.

The contracted party shall provide its review to the appropriate committees of the legislature by December 15, 2025.

(9) \$100,000 of the carbon emissions reduction account—state appropriation is for the joint transportation committee to oversee the development of tools and methodologies to assist in program delivery evaluation for fuel conversion activity programs that receive appropriations from the carbon emissions reduction account. Program delivery evaluation must include carbon emissions reduction estimates by program and by unit of time, program cost per unit of emission reduction, quantified benefits to vulnerable populations and overburdened communities by program cost, any additional appropriate qualitative and quantitative metrics, and actionable recommendations for improvements in program delivery. A report is due to the transportation committees of the legislature by October 1, 2025.

***NEW SECTION. Sec. 205. FOR THE TRANSPORTATION COMMISSION**

Motor Vehicle Account—State Appropriation	\$2,105,000
Interstate 405 and State Route Number 167 Express Toll Lanes Account—State Appropriation	\$150,000
State Route Number 520 Corridor Account—State Appropriation.	\$488,000
Tacoma Narrows Toll Bridge Account—State Appropriation.	\$178,000
Alaskan Way Viaduct Replacement Project Account— State Appropriation	\$368,000
TOTAL APPROPRIATION	\$3,289,000

The appropriations in this section are subject to the following conditions and limitations:

(1) To generate savings and efficiencies, the commission shall conduct its meetings either in Olympia or virtually.

(2) Within the parameters established under RCW 47.56.880, the commission shall review toll revenue performance on the Interstate 405 and state route number 167 corridor and adjust Interstate 405 tolls as appropriate to increase toll revenue to provide sufficient funds for payments of future debt pursuant to RCW 47.10.896 and to support improvements to the corridor. The commission shall consider adjusting maximum toll rates, minimum toll rates, day-of-week rates and time-of-day rates, and restricting direct access ramps to transit and HOV vehicles only, or any combination thereof, in setting tolls to increase toll revenue. The commission is encouraged to make any adjustments to toll rates in coordination with the planned expansion of express toll lanes between the cities of Renton and Bellevue.

(3) The commission must evaluate and consider temporary toll rate adjustments for the state route number 99 tunnel to support management of increased demand leading up to and during the 2026 World Cup.

(4)(a) \$200,000 of the state route number 520 corridor account—state appropriation and \$200,000 of the Alaskan Way viaduct replacement project account—state appropriation are provided solely for the commission, in coordination with the department of transportation, to conduct a pilot or pilots of advanced tolling technology provided by the private sector. The purpose of this

pilot or pilots will be to assess the viability and accuracy of advanced technologies that may reduce the implementation and long-term costs of the toll system or enable more flexible operations. The commission shall retain a separate independent third-party vendor or vendors who can provide expert oversight, guidance, and advisement on the work, including: The pilot design; the evaluation plan; data analysis; and reporting on findings.

(b) A final report of findings is due to the transportation committees of the legislature by July 1, 2026. The report must, at a minimum: Outline the technology tested; provide a comparison of system performance, operations, costs, and revenue collection efficiencies between the test system or test systems and the roadway toll system in use today; assess the requirements for achieving compatibility with the existing back-office system; provide a summary of how lessons learned from the pilot or pilots were incorporated into the planned procurement of new roadside toll systems; and provide recommendations on next steps.

(5) The commission shall partner with the department of transportation to design and implement a toll relief program based upon income qualification. Implementation must start with facilities where tolling begins in fiscal year 2026 or later. The commission shall work with the department of transportation to assess potential impacts of extending the toll relief program based upon income qualification to existing tolled facilities that opened prior to fiscal year 2026. The assessment, at a minimum, must determine potential impacts to meeting current financial and legal requirements in place for each facility. The commission, in partnership with the department of transportation, shall provide annual updates on the program to the transportation committees of the legislature.

(6) The commission shall provide regular updates on the status of ongoing coordination with the state of Oregon regarding toll rates and exemptions. Prior to finalizing tolling proposals, the commission shall advise on the status of any bistate agreements to the joint transportation committee beginning in September 2025 and quarterly thereafter until any agreements are finalized.

**Sec. 205 was partially vetoed. See message at end of chapter.*

NEW SECTION. Sec. 206. FOR THE FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD

Freight Mobility Investment Account—State

Appropriation. \$1,412,000

The appropriation in this section is subject to the following conditions and limitations: Within appropriated funds, the freight mobility strategic investment board may opt in as provided under RCW 70A.02.030 to assume all of the substantive and procedural requirements of covered agencies under chapter 70A.02 RCW. The board shall include in its 2025 and 2026 annual reports to the legislature a progress report on opting into the healthy environment for all act and a status report on diversity, equity, and inclusion within the board's jurisdiction. The freight mobility strategic investment board may revise program standards, as needed, with legislative consultation.

NEW SECTION. Sec. 207. FOR THE WASHINGTON STATE PATROL

Alaskan Way Viaduct Replacement Project Account—

State Appropriation \$42,000

State Patrol Highway Account—State Appropriation \$710,586,000

State Patrol Highway Account—Federal Appropriation \$24,001,000

State Patrol Highway Account—Private/Local

Appropriation. \$4,603,000

Highway Safety Account—State Appropriation \$10,276,000

Ignition Interlock Device Revolving Account—State

Appropriation. \$2,705,000

Multimodal Transportation Account—State

Appropriation. \$328,000

State Route Number 520 Corridor Account—State

Appropriation. \$90,000

Tacoma Narrows Toll Bridge Account—State

Appropriation. \$274,000

I-405 and SR 167 Express Toll Lanes Account—State

Appropriation. \$2,894,000

TOTAL APPROPRIATION \$755,799,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$580,000 of the state patrol highway account—state appropriation is provided solely for the operation of and administrative support to the license investigation unit to enforce vehicle registration laws in southwestern Washington. The Washington state patrol, in consultation with the department of revenue, shall maintain a running estimate of the additional vehicle registration fees, sales and use taxes, and local vehicle fees remitted to the state pursuant to activity conducted by the license investigation unit. Beginning October 1, 2025, and semiannually thereafter, the Washington state patrol shall submit a report detailing the additional revenue amounts generated since July 1, 2023, to the director of the office of financial management and the transportation committees of the legislature. At the end of the fiscal quarter in which it is estimated that more than \$625,000 in state sales and use taxes have been remitted to the state since July 1, 2023, the Washington state patrol shall notify the state treasurer and the state treasurer shall transfer funds pursuant to section 406 of this act.

(2)(a) \$250,000 of the state patrol highway account—state appropriation is provided solely for the activities of a vehicle registration pilot program in the Puget Sound region. The pilot program must emphasize compliance with annual vehicle registration requirements. By February 15, 2026, the Washington state patrol must provide a status report on pilot program implementation.

(b) The Washington state patrol must provide information on the funding needed and a preliminary plan for statewide implementation of activities related to ensuring compliance with annual vehicle registration in the report under (a) of this subsection.

(3) Washington state patrol officers engaged in off-duty uniformed employment providing traffic control services to the department of transportation or other state agencies may use state patrol vehicles for the

purpose of that employment, subject to guidelines adopted by the chief of the Washington state patrol. The Washington state patrol must be reimbursed for the use of the vehicle at the prevailing state employee rate for mileage and hours of usage, subject to guidelines developed by the chief of the Washington state patrol.

(4)(a) By December 1st of each year during the 2025-2027 fiscal biennium, the Washington state patrol must report to the transportation committees of the legislature on the status of recruitment and retention activities as follows:

- (i) A summary of recruitment and retention strategies;
- (ii) The number of transportation funded staff vacancies by major category;
- (iii) The number of applicants for each of the positions by these categories;
- (iv) The composition of workforce;
- (v) Other relevant outcome measures with comparative information with recent comparable months in prior years; and
- (vi) Activities related to the implementation of the agency's workforce diversity plan, including short-term and long-term, specific comprehensive outreach, and recruitment strategies to increase populations underrepresented within both commissioned and noncommissioned employee groups.

(b) During the 2025-2027 fiscal biennium, the office of financial management, with assistance of the Washington state patrol, must conduct two surveys regarding the competitiveness with law enforcement agencies within the boundaries of the state of Washington pursuant to RCW 43.43.380, with the first survey being informational regarding the change since the last survey was conducted and the second survey used as part of the collective bargaining process. Prior to the 2026 legislative session, the office of financial management, with assistance of the Washington state patrol, must also provide comparison information regarding recruitment bonus amounts currently being offered by local law enforcement agencies in the state.

(5)(a) \$8,504,000 of the state patrol highway account—state appropriation is provided solely for the land mobile radio system replacement, upgrade, and other related activities.

(b) Beginning January 1, 2026, the Washington state patrol must report semiannually to the office of the chief information officer on the progress related to the projects and activities associated with the land mobile radio system, including the governance structure, outcomes achieved in the prior six-month time period, and how the activities are being managed holistically as recommended by the office of the chief information officer. At the time of submittal to the office of the chief information officer, the report must be transmitted to the office of financial management and the transportation committees of the legislature.

(6)(a) \$2,610,000 of the state patrol highway account—state appropriation is provided solely for enhancing the state patrol's diversity, equity, and inclusion program, a community engagement program to improve relationships with historically underrepresented communities and to recruit and retain a diverse workforce, and contracting with an external psychologist to perform exams. The state patrol must work with the state office of equity and meet all reporting requirements and responsibilities pursuant to RCW 43.06D.060. Funds provided for the community engagement program must ensure engagement with communities throughout the state.

(b) The state patrol may revise program standards, as needed, with legislative consultation.

(7)(a) \$7,552,000 of the state patrol highway account—state appropriation is provided solely for costs associated with the work zone speed safety camera pilot program with the amounts for specific activities as follows:

(i) \$2,353,000 for the Washington state patrol's oversight, administrative, overtime, and other costs associated with the processing of work zone speed violations;

(ii) \$3,990,000 for interagency reimbursements to the office of administrative hearings for adjudication related expenses associated with work zone speed violations; and

(iii) \$1,209,000 for interagency reimbursements to the office of attorney general for legal guidance and adjudication related expenses associated with work zone speed violations.

(b) By December 1st of each year during the 2025-2027 fiscal biennium, the Washington state patrol, in conjunction with the other agencies involved in the work zone speed safety camera pilot program, must report on the number of deployments and locations, workload, violations issued, detailed expenses incurred by each agency in the pilot program, and efficiency measures each agency is taking in operating the pilot program in the most cost-effective manner possible.

(8) \$1,668,000 of the state patrol highway account—state appropriation is provided solely for three accelerated training programs for lateral hires. It is the intent of the legislature that the three accelerated training programs for lateral hires offered in the 2025-2027 fiscal biennium achieve at least 30 qualified graduates based on the Washington state patrol aggressively recruiting, advertising bonus policies, and taking other steps to achieve this outcome.

(9) By December 1, 2026, the Washington state patrol must provide a report to the governor and appropriate committees of the legislature on the status of *McClain v. Washington State Patrol* and an update on legal expenses associated with the case.

(10) \$7,572,000 of the state patrol highway account—state appropriation is provided solely for one additional trooper basic training class with troopers graduating in the 2025-2027 fiscal biennium and funding to initiate an additional trooper basic training class with troopers graduating in the 2027-2029 fiscal biennium.

(11) Within existing resources, the Washington state patrol must offer a minimum of 14 emergency vehicle operator courses per year at its Shelton driving track exclusively for basic law enforcement academies offered by the criminal justice training commission.

(12) It is the intent of the legislature to address any demographic disparities that might exist regarding traffic stops initiated by troopers, including traffic stops of indigenous motorists. Therefore, within the amounts provided in this section, the Washington state patrol must provide a report to the joint transportation committee by October 1, 2025, detailing the demographic breakout of traffic stops for each of the most recent three calendar years for which data is available. The report must include counts and per capita rates for each demographic group on: (a) Traffic stops; (b) verbal warnings; (c) written warnings; (d) citation issuance; (e) arrests; and (f) searches. The joint

transportation committee must hold a work session on the traffic stop report by December 15, 2025. If deemed warranted, the joint transportation committee shall make recommendations to the office of financial management and the transportation committees of the legislature on future funding adjustments or other actions necessary to address any demographic disparities identified in the report.

(13) \$800,000 of the highway safety account—state appropriation is provided solely for increased chain enforcement on Interstate 90 in the area around Snoqualmie Pass. The legislature intends that the Washington state patrol, pursuant to RCW 46.37.005, require commercial vehicles to carry chains statewide during winter months and, in coordination with the department of transportation, develop a process for monitoring compliance at weigh stations.

(14) \$3,500,000 of the state patrol highway account—state appropriation is provided solely to address emergent issues that may arise due to the high level of commissioned and noncommissioned vacancies. Potential uses of the funding include the following: Employee leave buyouts, increased contracting to maintain adequate service levels, unanticipated facility and equipment needs, increased overtime, travel, and other related costs.

(15) \$3,000,000 of the state patrol highway account—state appropriation is provided solely for hiring additional staff and purchasing equipment for the toxicology laboratory to reduce the DUI processing backlog, with the expectation that processing times will be reduced. Beginning December 1, 2025, and semiannually thereafter, the state patrol must report on the activities undertaken and planned with the funding provided in this subsection and current DUI processing times compared to those as of June 2025.

(16) \$4,500,000 of the state patrol highway account—state appropriation is provided solely for updates and improvements to the agency's wide area and local area network.

(17) \$5,000,000 of the state patrol highway account—state appropriation is provided solely to enhance the vehicle replacement cycle for higher mileage vehicles in the agency's fleet.

(18)(a) \$3,644,000 of the state patrol highway account—state appropriation is provided solely for administrative costs, advertising, outreach, and bonus payments associated with developing and implementing a state trooper expedited recruitment incentive program for the purpose of recruiting and filling vacant trooper positions in the 2025-2027 fiscal biennium. The legislature is committed to continuing the state trooper expedited recruitment incentive program until the vacancy levels are significantly reduced from current levels. The recruitment, advertising, and outreach associated with this program must continue efforts to create a more diverse workforce and must also provide an accelerated pathway for joining the state patrol for high quality individuals who have previously been employed as a general authority peace officer.

(b) The state trooper expedited recruitment incentive program must include:

(i) Thorough hiring procedures to ensure that only the highest quality candidates are selected as cadets and as lateral hires, including extensive review of past law enforcement employment history through extensive reference checks, Brady list identification, and any other issues that may impact the performance, credibility, and integrity of the individual;

(ii) An accelerated training program for lateral hires from other agencies that recognizes the knowledge and experience of candidates previously employed in law enforcement; and

(iii) A sign-on bonus for each trooper hired through the expedited recruitment incentive program as follows:

(A) \$5,000 for each cadet after completion of the Washington state patrol academy;

(B) \$5,000 for each successful graduating cadet after completion of a one-year probation period;

(C) \$8,000 for each lateral hire after completion of the accelerated training program for lateral hires;

(D) \$6,000 for each lateral hire after completion of a one-year probation period; and

(E) \$6,000 for each lateral hire after completion of two years of service.

(c) The expenditures on the state trooper expedited recruitment incentive program are contingent upon execution of an appropriate memorandum of understanding between the governor or the governor's designee and the exclusive bargaining representative, consistent with the terms of this section.

(d) For the purposes of this subsection:

(i) "Cadet" means a person employed for the express purpose of receiving the on-the-job training required for attendance at the Washington state patrol academy and for becoming a commissioned trooper.

(ii) "Lateral hire" means an eligible employee previously employed as a general authority peace officer.

(19) \$2,178,000 of the state patrol highway account—state appropriation is provided solely to continue the bonus policy for commissioned staff who reach 26 or more years of service in the Washington state retirement system pursuant to chapter 237, Laws of 2024.

(20) \$600,000 of the state patrol highway account—state appropriation is provided solely for staffing and security equipment for Washington state patrol to staff the international border crossing and provide support for the department of homeland security, during the months of June and July 2026 for the purposes of the World Cup, to facilitate border crossings and screening against human trafficking, narcotics trafficking, unlawful crossings, and other unlawful activity.

***NEW SECTION. Sec. 208. FOR THE DEPARTMENT OF LICENSING**

Driver Licensing Technology Support Account—State

Appropriation. \$1,765,000

Marine Fuel Tax Refund Account—State Appropriation. \$34,000

Motorcycle Safety Education Account—State

Appropriation. \$5,382,000

Limited Fish and Wildlife Account—State

Appropriation. \$495,000

Highway Safety Account—State Appropriation \$289,511,000

Highway Safety Account—Federal Appropriation \$1,311,000

Motor Vehicle Account—State Appropriation \$94,639,000

Motor Vehicle Account—Private/Local Appropriation \$1,336,000

Ignition Interlock Device Revolving Account—State

Appropriation. \$6,831,000

Department of Licensing Services Account—State	
Appropriation.	\$8,585,000
License Plate Technology Account—State Appropriation.	\$3,747,000
Abandoned Recreational Vehicle Account—State	
Appropriation.	\$3,109,000
Limousine Carriers Account—State Appropriation	\$128,000
Electric Vehicle Account—State Appropriation.	\$459,000
DOL Technology Improvement & Data Management	
Account—State Appropriation	\$968,000
Agency Financial Transaction Account—State	
Appropriation.	\$16,317,000
Move Ahead WA Flexible Account—State Appropriation	\$1,506,000
Driver's Education Safety Improvement Account—State	
Appropriation.	\$10,460,000
TOTAL APPROPRIATION	\$446,583,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,100,000 of the highway safety account—state appropriation and \$1,100,000 of the move ahead WA flexible account—state appropriation are provided solely for the department to provide an interagency transfer to the department of children, youth, and families for the purpose of providing driver's license support. In addition to support services required under RCW 74.13.338(2), support services may include reimbursement of:

- (a) The cost for a youth in foster care of any eligible age to complete a driver training education course, as outlined in chapter 46.82 or 28A.220 RCW;
- (b) The costs incurred by foster youth in foster care for a motor vehicle insurance policy;
- (c) The costs of roadside assistance, motor vehicle insurance deductibles, motor vehicle registration fees, towing services, vehicle maintenance, comprehensive motor vehicle insurance, and gas cards; and
- (d) Any other costs related to obtaining a driver's license and driving legally and safely.

(2)(a) \$2,200,000 of the highway safety account—state appropriation is provided solely for organizations providing driver's license assistance and support services.

(b) By December 1st of each year during the 2025-2027 fiscal biennium, the department must submit information on the contracted providers, including: The annual budget of the contracted providers in the preceding year; information regarding private and other governmental support for the activities of the providers; and a description of the number of people served, services delivered, and outcome measures.

(3) Within existing resources, the department must continue to issue nonemergency medical transportation vehicle decals under the high occupancy vehicle lane access pilot program in accordance with sections 217(2) and 208(20), chapter 310, Laws of 2024.

(4)(a) \$3,109,000 of the abandoned recreational vehicle disposal account—state appropriation is provided solely for providing reimbursements in accordance with the department's abandoned recreational vehicle disposal

reimbursement program. It is the intent of the legislature that the department prioritize this funding for allowable and approved reimbursements and not to build a reserve of funds within the account. During the 2025-2027 fiscal biennium, the department must report any amounts recovered to the office of financial management and appropriate committees of the legislature on a quarterly basis.

(b) Within the amounts appropriated under this subsection, the department, after consulting with abandoned recreational vehicle disposal reimbursement program participants, must assess current practices and reimbursement rates associated with the fiscal sustainability of the program. By December 1, 2025, the department must submit a financial plan demonstrating sustainability for a minimum of two subsequent fiscal biennia at current or proposed fee rates.

(5)(a) Within existing resources, the department, in collaboration with the Washington traffic safety commission, must evaluate and develop a proposal, including any statutory recommendations, to require a safe driving course for drivers who are repeat offenders of civil traffic violations but before a safe driving course would be required for driver's license reinstatement under RCW 46.20.2892.

(b) The department must submit the proposal to the transportation committees of the legislature by December 15, 2026.

(6) The department shall report on a quarterly basis on licensing service office operations, associated workload, and information with comparative information with recent comparable months in prior years. The report must include detailed statewide and by licensing service office information on staffing levels, average monthly wait times, the number of enhanced drivers' licenses and enhanced identicards issued and renewed, and the number of primary drivers' licenses and identicards issued and renewed. By November 1, 2025, the department must update a report with recommendations on the future of licensing service office operations based on the recent implementation of efficiency measures designed to reduce the time for licensing transactions and wait times, and the implementation of statutory and policy changes.

(7) \$6,000 of the motorcycle safety education account—state appropriation, \$1,000 of the limited fish and wildlife account—state appropriation, \$406,000 of the highway safety account—state appropriation, \$137,000 of the motor vehicle account—state appropriation, \$5,000 of the ignition interlock device revolving account—state appropriation, and \$6,000 of the department of licensing services account—state appropriation are provided solely for the department of licensing for additional finance and budget staff. By December 1, 2025, the department shall submit a report to the governor and appropriate committees of the legislature on the specific steps the department has taken to address the findings of the State Auditor's Office FY2022 Accountability Audit Report No. 1032793.

(8) \$50,000 of the motor vehicle account—state appropriation is provided solely for the department to conduct a study on the feasibility of implementing and administering a per mile fee program. The study must identify the staffing and resources needed to implement and administer the program, including possible technical investments, leveraging existing technology platforms. The legislature intends to require a final report that includes potential third-party costs and options to the governor and the transportation committees of the legislature by December 31, 2025.

(9)(a) \$300,000 of the highway safety account—state appropriation is provided solely for the department to enter into an interagency agreement with the commission on Asian Pacific American affairs to contract with one or more private nonprofit organizations with appropriate expertise and experience to provide REAL ID compliance support to residents of the state who are compact of free association citizens, comprised of citizens of the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau, by providing the following assistance using a culturally and linguistically appropriate approach:

(i) Communication and community outreach activities to inform compact of free association citizens of federally acceptable identification options that will be required and for which they are eligible for the purposes of domestic air travel once the REAL ID Act policy takes effect;

(ii) Case management assistance through the use of community navigators who can provide assistance in the process to obtain federally acceptable identification documents that will be required for the purposes of domestic air travel when the REAL ID Act policy is in effect, including in obtaining any documentation necessary for the application process; and

(iii) For those who meet the requirements of (b) of this subsection, financial assistance to obtain federally acceptable identification documents that will be required for the purposes of domestic air travel when the REAL ID Act policy is in effect, including financial assistance to obtain a foreign passport.

(b) To qualify for assistance under (a)(ii) of this subsection (9), a compact of free association citizen who resides in the state of Washington must be:

(i) A recipient of, or eligible for, public assistance under Title 74 RCW; or

(ii) A participant in, or eligible for, the Washington women, infants, and children program.

(10) \$173,000 of the motor vehicle account—state appropriation is provided solely for implementation of chapter . . . (Substitute Senate Bill No. 5127), Laws of 2025 (improving collector vehicle regulations). If chapter . . . (Substitute Senate Bill No. 5127), Laws of 2025 is not enacted by June 30, 2025, the amount provided in this subsection lapses.

(11) \$19,000 of the motor vehicle account—state appropriation is provided solely for implementation of chapter . . . (Senate Bill No. 5234), Laws of 2025 (snowmobile fees). If chapter . . . (Senate Bill No. 5234), Laws of 2025 is not enacted by June 30, 2025, the amount provided in this subsection lapses.

(12) \$44,000 of the motor vehicle account—state appropriation is provided solely for implementation of chapter . . . (Substitute Senate Bill No. 5410), Laws of 2025 (veteran parking privileges) or chapter . . . (Substitute House Bill No. 1371), Laws of 2025 (veteran parking privileges). If neither chapter . . . (Substitute Senate Bill No. 5410), Laws of 2025 or chapter . . . (Substitute House Bill No. 1371), Laws of 2025 are enacted by June 30, 2025, the amount provided in this subsection lapses.

(13) \$4,971,000 of the motor vehicle account—state appropriation is provided solely for implementation of chapter . . . (Substitute Senate Bill No. 5444), Laws of 2025 (special license plates). If chapter . . . (Substitute Senate Bill No. 5444), Laws of 2025 is not enacted by June 30, 2025, the amount provided in this subsection lapses.

(14) \$36,000 of the motor vehicle account—state appropriation is provided solely for implementation of chapter . . . (Senate Bill No. 5462), Laws of 2025 (vehicle inspection backlog). If chapter . . . (Senate Bill No. 5462), Laws of 2025 is not enacted by June 30, 2025, the amount provided in this subsection lapses.

(15) \$64,000 of the highway safety account—state appropriation is provided solely for implementation of chapter . . . (Engrossed Senate Bill No. 5689), Laws of 2025 (blood type information). If chapter . . . (Engrossed Senate Bill No. 5689), Laws of 2025 is not enacted by June 30, 2025, the amount provided in this subsection lapses.

(16) \$150,000 of the motor vehicle account—state appropriation is provided solely for the department to send periodic notifications to vehicle owners with significantly expired vehicle registrations to increase compliance with annual vehicle registration requirements. Notifications must contain information about vehicle registration requirements and possible penalties associated with operating a vehicle with an expired registration.

(17) \$726,000 of the highway safety account—state appropriation is provided solely for implementation of chapter . . . (Engrossed Substitute Senate Bill No. 5801), Laws of 2025 (transportation resources). If chapter . . . (Engrossed Substitute Senate Bill No. 5801), Laws of 2025 is not enacted by June 30, 2025, the amount provided in this subsection lapses. Of this amount:

(a) \$256,000 is provided solely for the implementation of new revenues; and

(b) \$470,000 is provided solely for the department to implement a program to compensate registered tow truck operators for private property impounds.

(18) \$50,000 of the highway safety account—state appropriation is provided solely for the department to translate the driver licensing examination manual and knowledge test into Dari, Farsi, and Somali.

(19) \$7,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter . . . , Laws of 2025 (Engrossed Substitute House Bill No. 1113) (misdemeanor dismissal). If chapter . . . , Laws of 2025 (Engrossed Substitute House Bill No. 1113) is not enacted by June 30, 2025, the amount provided in this subsection lapses.

(20) \$106,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter . . . , Laws of 2025 (House Bill No. 1244) (driver training alternative). If chapter . . . , Laws of 2025 (House Bill No. 1244) is not enacted by June 30, 2025, the amount provided in this subsection lapses.

(21) \$1,081,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter . . . , Laws of 2025 (Engrossed Substitute House Bill No. 1596) (speeding). If chapter . . . , Laws of 2025 (Engrossed Substitute House Bill No. 1596) is not enacted by June 30, 2025, the amount provided in this subsection lapses.

(22) \$100,000 of the highway safety account—state appropriation is provided solely for the development of an implementation plan for digital driver's license capability on mobile phones, including needed legislation for introduction in the 2026 legislative session. It is the legislative intent to provide \$3,870,000 in funding, adjusted as appropriate, for the 2027-2029 fiscal biennium to implement the digital driver's license by configuring the necessary interfaces with native wallet systems.

(23) \$2,000,000 of the highway safety account—state appropriation is provided solely to continue the DOL2Go program, bringing driver licensing and identicaid services to underrepresented and rural communities.

(24) \$464,000 of the highway safety account—state appropriation is provided solely for the department's costs to provide an interagency transfer to the Washington center for deaf and hard of hearing youth to continue efforts to make driver training education more accessible for deaf and hard of hearing youth in the state.

(25) \$300,000 of the highway safety account—state appropriation is provided solely for additional actions in accordance with the recently completed evaluation of ways to implement an older and medically at-risk driver program.

(26) \$10,460,000 of the driver education safety improvement account—state appropriation is provided solely for the implementation of chapter . . ., Laws of 2025 (Engrossed Substitute House Bill No. 1878) (young driver safety). If chapter . . ., Laws of 2025 (Engrossed Substitute House Bill No. 1878) is not enacted by June 30, 2025, the amount provided in this subsection lapses.

(27) \$22,000 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter . . ., Laws of 2025 (Engrossed Substitute House Bill No. 1332) (transportation network companies). If chapter . . ., Laws of 2025 (Engrossed Substitute House Bill No. 1332) is not enacted by June 30, 2025, the amount provided in this subsection lapses.

**Sec. 208 was partially vetoed. See message at end of chapter.*

NEW SECTION. Sec. 209. FOR THE DEPARTMENT OF TRANSPORTATION—TOLL OPERATIONS AND MAINTENANCE—PROGRAM B

Puget Sound Gateway Facility Account—State	
Appropriation.	\$7,701,000
State Route Number 520 Corridor Account—State	
Appropriation.	\$50,261,000
State Route Number 520 Civil Penalties Account—State	
Appropriation.	\$2,378,000
Tacoma Narrows Toll Bridge Account—State	
Appropriation.	\$38,652,000
Alaskan Way Viaduct Replacement Project Account—	
State Appropriation	\$26,683,000
Interstate 405 and State Route Number 167 Express	
Toll Lanes Account—State Appropriation	\$42,255,000
TOTAL APPROPRIATION	\$167,930,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,300,000 of the Tacoma Narrows toll bridge account—state appropriation and \$12,820,000 of the state route number 520 corridor account—state appropriation are provided solely for the purposes of addressing unforeseen operations and maintenance costs on the Tacoma Narrows bridge and the state route number 520 bridge, respectively. The office of financial management shall place the amounts provided in this subsection, which represent a portion of the required minimum fund balance under the policy of the state treasurer, in unallotted status. The office may release the funds only when it determines that

all other funds designated for operations and maintenance purposes have been exhausted.

(2) As long as the facility is tolled, the department must provide annual reports to the transportation committees of the legislature on the Interstate 405 express toll lane project performance measures listed in RCW 47.56.880(4). These reports must include:

(a) Information on the travel times and travel time reliability (at a minimum, average and 90th percentile travel times) maintained during peak and nonpeak periods in the express toll lanes and general purpose lanes for both the entire corridor and commonly made trips in the corridor including, but not limited to, northbound from Bellevue to Rose Hill, state route number 520 at NE 148th to Interstate 405 at state route number 522, Bellevue to Bothell (both NE 8th to state route number 522 and NE 8th to state route number 527), and a trip internal to the corridor (such as NE 85th to NE 160th) and similar southbound trips; and

(b) Underlying congestion measurements, that is, speeds, that are being used to generate the summary graphs provided, to be made available in a digital file format.

(3) The department shall make detailed annual reports to the transportation committees of the legislature and the public on the department's website in a manner consistent with past practices as specified in section 209(5), chapter 186, Laws of 2022.

(4) As part of the department's 2027-2029 biennial budget request, the department shall update the cost allocation recommendations that assign appropriate costs to each of the toll funds for services provided by relevant Washington state department of transportation programs, the Washington state patrol, and the transportation commission. The recommendations shall be based on updated traffic and toll transaction patterns and other relevant factors.

(5) \$150,000 of the state route number 520 corridor account—state appropriation, \$150,000 of the Tacoma Narrows toll bridge account—state appropriation, \$150,000 of the Alaskan Way viaduct replacement project account—state appropriation, and \$150,000 of the Interstate 405 and state route number 167 express toll lanes account—state appropriation are provided solely for the development of a strategic, long-range tolling feasibility assessment that indicates the operational viability and revenue potential for possible future tolled facilities in the state. At a minimum, the department, working in partnership with the transportation commission, shall: Identify candidate projects for modeling analysis utilizing a screening tool that seeks to maximize systemwide performance; determine tolling feasibility and potential gross and net toll revenue for each identified project; consider various approaches to tolling operations and their associated costs; and identify the potential impacts of tolling to surrounding roadways. The strategic tolling feasibility assessment must be submitted to the transportation committees of the legislature by October 1, 2026.

(6) As part of its 2026 supplemental budget submittal, the department must submit recommendations to further reduce mailing and other customer correspondence costs over the long-term, including implementation cost estimates.

(7) The legislature intends that tolling commence as soon as possible on the I-405 express toll lanes Renton to Bellevue corridor. The legislature intends to provide additional funding for operations and maintenance expenditures on the

corridor if such funding is necessary due to earlier than expected tolling commencement.

NEW SECTION. Sec. 210. FOR THE DEPARTMENT OF TRANSPORTATION—INFORMATION TECHNOLOGY—PROGRAM C

Move Ahead WA Account—State Appropriation	\$11,970,000
Transportation Partnership Account—State Appropriation.	\$2,472,000
Motor Vehicle Account—State Appropriation	\$127,544,000
Puget Sound Ferry Operations Account—State Appropriation.	\$307,000
Multimodal Transportation Account—State Appropriation.	\$3,059,000
Transportation 2003 Account (Nickel Account)—State Appropriation.	\$1,488,000
TOTAL APPROPRIATION	\$146,840,000

NEW SECTION. Sec. 211. FOR THE DEPARTMENT OF TRANSPORTATION—FACILITY MAINTENANCE, OPERATIONS, AND CONSTRUCTION—PROGRAM D—OPERATING

Motor Vehicle Account—State Appropriation	\$43,820,000
Move Ahead WA Account—State Appropriation	\$2,044,000
State Route Number 520 Corridor Account—State Appropriation.	\$34,000
TOTAL APPROPRIATION	\$45,898,000

The appropriations in this section are subject to the following conditions and limitations:

- (1) \$2,000,000 of the motor vehicle account—state appropriation is provided solely for tenant improvements and other costs associated with administrative space efficiency actions taken throughout the agency. The department must continue to aggressively pursue office and administrative space efficiency as detailed in recent reports identifying opportunities for savings and cost avoidance, including:
 - (a) Reducing costs, such as leases, facility maintenance, and utilities, from agency consolidations;
 - (b) Implementing colocations with other state, local, and other public agencies to reduce costs and improve cost-efficiency while meeting utilization standards; and
 - (c) Evaluating specific additional opportunities for space efficiency, consolidations, and colocation opportunities associated with the Bellingham engineering field office, the Corson Avenue regional headquarters campus, the Dayton Avenue northwest regional headquarters, and the transportation building in Olympia.
- (2) By January 1st of each year during the 2025-2027 fiscal biennium, the department must provide a progress report on implementing the actions under subsection (1) of this section in the most recent calendar year and any planned actions in the subsequent two-year period in these efforts.

NEW SECTION. Sec. 212. FOR THE DEPARTMENT OF TRANSPORTATION—TRANSPORTATION EQUIPMENT FUND—PROGRAM E

Move Ahead WA Account—State Appropriation \$20,000,000

The appropriation in this section is subject to the following conditions and limitations: The entire move ahead WA account—state appropriation is provided solely for the department's costs related to replacing obsolete transportation equipment and replacing fuel sites. Beginning December 1, 2025, and annually thereafter, the department must provide a report to the office of financial management and the transportation committees of the legislature detailing the current progress on replacing obsolete equipment, progress towards reaching a level purchasing state, and the status of a fuel site replacement prioritization plan. The report must also include:

- (1) A list of department-owned and managed fuel sites prioritized by urgency of replacement;
- (2) A status report on the installation and use of fuel site infrastructure that can support zero emission vehicles; and
- (3) A description of action steps taken in the use of nonappropriated transportation equipment fund resources to maximize the replacement of obsolete equipment and reduce the growing fund balance, including specific modifications to equipment purchasing behavior to increase deployment in the field.

NEW SECTION. Sec. 213. FOR THE DEPARTMENT OF TRANSPORTATION—AVIATION—PROGRAM F

Aeronautics Account—State Appropriation \$13,398,000
 Aeronautics Account—Federal Appropriation \$2,597,000
 Aeronautics Account—Private/Local Appropriation \$60,000
TOTAL APPROPRIATION \$16,055,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The department shall submit a report to the transportation committees of the legislature by October 1, 2026, identifying a selection of sustainable aviation projects for funding by the legislature. In considering projects to recommend to fund, the department shall only consider projects that advance the state of sustainable aviation technology and lead to future innovation. Innovative sustainable aviation projects may include, but are not limited to, pilot projects demonstrating the use of:

- (a) Mobile battery charging technology;
- (b) Hydrogen electrolyzers and storage;
- (c) Electric ground equipment; and
- (d) Hanger charging technology.

(2) \$500,000 of the aeronautics account—state appropriation is provided solely for Snohomish county to conduct a study to plan for and identify on-site or off-site improvements necessary to implement capacity expansion at Paine Field to meet future regional commercial passenger demand.

(3) \$300,000 of the aeronautics account—state appropriation is provided solely for the Port of Bremerton to conduct the second phase of a feasibility

study on the possibility of offering commercial service at the Bremerton National Airport. The department may not require a match for this project.

(4) \$750,000 of the aeronautics account—state appropriation is provided solely for the city of Yakima for an overflow parking lot at the Yakima Air Terminal. The department may not require a match for this project.

(5) \$1,774,000 of the aeronautics account—state appropriation is provided solely for the commercial aviation work group created in chapter 463, Laws of 2023, specifically for the following activities:

(a) The state commercial aviation work group shall comprehensively evaluate the long-range commercial aviation needs of Washington within the broader context of state transportation needs and the specific needs of western Washington taking into consideration airport capacity in adjacent states and provinces. The work group shall review existing data and conduct research to determine Washington's long-range commercial aviation facility needs while considering alternatives to additional airport capacity.

(b)(i) Except as provided in subsection (c) of this section, the work group shall investigate the expansion of existing aviation facilities and possible siting locations for new greenfield aviation facilities, with the expected outcome to be a report that compares the strengths and weaknesses of each site considered. In this investigation, the work group shall consider both new sites and those previously identified in previous aviation planning documents. The work group must consider all impacts that, whether by the expansion of a current facility or the location of a new greenfield site, the creation of a new primary commercial aviation facility may have, including impacts on:

(A) Community members and quality of life;

(B) The environment, including the impacts of a facility on water quality and the ability of the state to meet the greenhouse gas emissions limits established in RCW 70A.45.020;

(C) County master plans and other local planning and zoning, including development regulations and comprehensive plans adopted under chapter 36.70A RCW; and

(D) Current airspace operations.

(ii) The work group shall:

(A) Perform outreach to and make efforts to collaborate with:

(I) Applicable federal agencies including the federal aviation administration, the United States environmental protection agency, the United States department of defense, and the United States department of energy;

(II) Indian tribes, as defined in RCW 43.376.010, through outreach and collaboration by the work group under this subsection does not constitute or substitute for formal government-to-government consultation under the 1989 State-Tribal Relations/Centennial Accord and chapter 43.376 RCW;

(III) The environmental community;

(IV) Local communities;

(V) Economic development agencies;

(VI) Other states and provinces as appropriate;

(B) Identify potential site infrastructure shortfalls and make recommendations as to how they could be most suitably addressed, including the feasibility of the specific transportation infrastructure required to move people to the potential site. This process includes the delivery of an adequate supply of

aircraft fuel and supporting infrastructure along with facilities needed to transition to the use of sustainable aviation fuels;

(C) Consider the cost of construction of a facility and supporting infrastructure;

(D) In cooperation with the federal aviation administration, analyze:

(I) Airspace requirements and airspace restrictions of potential sites;

(II) Any possible terrain and man-made obstacles that could possibly create a hazard to aircraft;

(III) Local weather patterns and microclimates to determine if they will create issues for the operation of large aircraft; and

(E) Carry out other duties as assigned by the legislature.

(c) The work group shall not consider:

(i) Expansion opportunities for a port or county run airport located in a county with a population of 2,000,000 or more; or

(ii) The expansion of an existing airport or the siting of a new airport that would be incompatible with the operations of a military installation.

(d) In addition, the work group shall provide information to the transportation committees of the legislature on the future of aviation growth in the state, including potential commercial aviation, general aviation, and air cargo demands, with consideration of new technologies, alternative transportation modes, and the airport of the future.

(e) Nothing in this subsection shall be construed to endorse, limit, or otherwise alter existing or future plans for capital development and capacity enhancement at existing commercial airports in Washington.

(6) \$2,100,000 of the aeronautics account—state appropriation is provided solely for the move ahead WA aviation grants. The department shall prioritize projects eligible for federal funding.

NEW SECTION. Sec. 214. FOR THE DEPARTMENT OF TRANSPORTATION—PROGRAM DELIVERY MANAGEMENT AND SUPPORT—PROGRAM H

Motor Vehicle Account—State Appropriation \$70,272,000

Motor Vehicle Account—Federal Appropriation \$500,000

Multimodal Transportation Account—State

Appropriation. \$1,176,000

Move Ahead WA Flexible Account—State Appropriation \$572,000

TOTAL APPROPRIATION \$72,520,000

The appropriations in this section are subject to the following conditions and limitations:

(1) During the 2025-2027 fiscal biennium, if the department takes possession of the property situated in the city of Edmonds for which a purchase agreement was executed between Unocal and the department in 2005 (Tax Parcel Number 262703-2-003-0009), and if the department confirms that the property is still no longer needed for transportation purposes, the department shall provide the city of Edmonds with the first right of purchase at fair market value in accordance with RCW 47.12.063(3) for the city's intended use of the property to rehabilitate near-shore habitat for salmon and related species.

(2)(a) \$572,000 of the move ahead WA flexible account—state appropriation is provided solely to track and maximize clean fuels credits and revenue generated by state agencies pursuant to chapter 70A.535 RCW.

(b) The LEAP Transportation Document 2025-2 ALL PROJECTS as developed April 26, 2025, anticipates fulfillment of the requirements under chapter 70A.535 RCW of generating credits and revenue for transportation investments funded in an omnibus transportation appropriations act, including the move ahead WA transportation package. The omnibus transportation appropriations act anticipates credits for ferry electrification for new hybrid electric vessels, active transportation, transit programs and projects, alternative fuel infrastructure, connecting communities, and multimodal investments.

(c) Pursuant to the reporting requirements of RCW 70A.535.050(5), the department must present a detailed projection of the credit revenues generated and achieved directly as a result of the funding and activities in this subsection.

(3) \$350,000 of the multimodal transportation account—state appropriation is reappropriated and provided solely for the department to explore alternative uses of the state's highway rights-of-way consistent with section 214(7), chapter 310, Laws of 2024.

(4) The department may not execute a state highway route transfer under RCW 36.75.090 and 47.24.010 without approval from the receiving city or county from July 1, 2025, until June 30, 2026. The department may continue discussions with local jurisdictions regarding state highway route transfers to local jurisdictions that may occur after consideration of the final report and recommendations of the Washington State Route Jurisdiction Study expected by December 2025.

(5) The legislature must be consulted before any decisions on parcel numbers 7666206955 and 7666206950 for more than temporary use and before entering into any negotiations, or signing any contracts or lease for development, lease, or sale of those properties.

(6) \$250,000 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter . . . , Laws of 2025 (Substitute House Bill No. 1774) (lease of unused highway land). If chapter . . . , Laws of 2025 (Substitute House Bill No. 1774) is not enacted by June 30, 2025, the amount provided in this subsection lapses.

(7) \$285,000 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter . . . , Laws of 2025 (Engrossed Substitute House Bill No. 1902) (streamlining of permitting for transportation projects work group). If chapter . . . , Laws of 2025 (Engrossed Substitute House Bill No. 1902) is not enacted by June 30, 2025, the amount provided in this subsection lapses.

NEW SECTION. Sec. 215. FOR THE DEPARTMENT OF TRANSPORTATION—PUBLIC-PRIVATE PARTNERSHIPS—PROGRAM K

Motor Vehicle Account—State Appropriation	\$1,647,000
Multimodal Transportation Account—State Appropriation.	\$200,000
Multimodal Transportation Account—Federal Appropriation.	\$51,526,000

Carbon Emissions Reduction Account—State

Appropriation.	\$167,962,000
TOTAL APPROPRIATION	\$221,335,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$25,000,000 of the carbon emissions reduction account—state appropriation is provided solely for the clean alternative fuel vehicle charging and refueling infrastructure program described in RCW 47.04.350.

(2) \$125,851,000 of the carbon emissions reduction account—state appropriation is provided solely for a point-of-sale voucher incentive program, inclusive of costs for program administration and staffing, to encourage the faster adoption of zero-emission medium and heavy-duty vehicles to further state climate goals under RCW 70A.45.020 and state equity goals under chapter 70A.02 RCW. The voucher incentive program must be administered by a third-party administrator that has experience administering voucher incentive programs, with oversight conducted by the department.

(a) The voucher program is required to be designed based on the recommendations of the Joint Transportation Committee report *Washington State Infrastructure and Incentive Program Design for MHD ZEVs*, and to include:

(i) Simplified zero-emission vehicle eligibility requirements;

(ii) Vehicle and infrastructure incentives aligned with programs in other jurisdictions, where appropriate, to streamline user planning;

(iii) Financial enhancements for select populations based on equity considerations, including for vehicles in disadvantaged communities and vehicles to be purchased by small, minority-owned businesses, with consideration for support of the secondary vehicle market;

(iv) A centralized user and manufacturer portal for information, application, and assistance;

(v) A fleet assistance and qualification program to assist in zero-emission vehicle and infrastructure planning, to be administered by the Washington State University extension energy program in coordination with the department and the voucher program's third-party administrator; and

(vi) A voucher preapproval process to evaluate participant eligibility, readiness for fleet deployment, and infrastructure preparedness.

(b) The following battery electric and hydrogen fuel cell electric vehicle categories and associated charging, as well as refueling infrastructure for these categories, are eligible for the voucher program, subject to additional qualification criteria to be determined by the department and the voucher program third-party administrator:

(i) On-road vehicles from class 2b, heavy work pickups and vans, through class 8, heavy tractor-trailer units and refuse trucks; and

(ii) Cargo handling and off-road equipment.

(c) School buses and transit vehicles eligible for state grant programs for the purchase of zero-emission vehicles are not eligible for vouchers under this program, but are eligible for fleet assistance provided in association with the voucher program, which must include assistance in determining state and federal grant eligibility for these vehicles.

(d) The voucher amounts selected by the department and voucher program third-party administrator must further the policy goals of the program cited in this subsection by offsetting investments required for medium and heavy-duty vehicle and equipment owners to transition to zero-emission vehicles and equipment. The department and voucher program third-party administrator must condition vehicle and infrastructure voucher funding to ensure these program policy goals are furthered through the voucher funding provided.

(e) Consistent with voucher program design, the department is required to distribute funds to the voucher program third-party administrator sufficiently in advance of final requirements for voucher distribution being met to facilitate the voucher's timely distribution by the third-party administrator to sellers of zero-emission vehicles and infrastructure.

(3)(a) \$14,986,000 of the carbon emissions reduction account—state appropriation is provided solely for grants, or to serve as a state match for secured federal funds, to finance hydrogen refueling infrastructure and fueling stations for medium and heavy-duty vehicles and up to two years of hydrogen fueling station operational costs along corridors designated as hydrogen corridors by the state or near or on transit agency, port, or public utility district property, or finance hydrogen fuel cell transportation infrastructure projects. The department, in consultation with the interagency electric vehicle coordinating council, should pursue any federal funding available through the charging and fueling infrastructure discretionary grant program and any other sources under the federal infrastructure investment and jobs act (P.L. 29 117-58), and other public or private funding sources as necessary, to bring hydrogen fueling stations into commercial operation.

(b) \$2,500,000 of the amount provided in (a) of this subsection is provided solely to Community Transit for a hydrogen fuel cell demonstration project.

(c) \$200,000 of the amount provided in (a) of this subsection is provided solely for hydrogen fuel cell demonstration projects that provide long term power equipment and fuel for traffic signals at critical intersections during emergencies involving power disruptions or shutoffs.

(4) \$400,000 of the carbon emissions reduction account—state appropriation is reappropriated and provided solely for the cities of Bellevue and Redmond to each purchase an electric fire engine.

(5) \$1,725,000 of the carbon emissions reduction account—state appropriation is reappropriated and provided solely for a Tacoma Public Utilities medium-duty zero-emission utility service vehicle pilot project that includes charging infrastructure and mobile battery units.

(6) \$890,000 of the motor vehicle account—state appropriation is provided solely for implementation of chapter . . . , Laws of 2025 (Engrossed Substitute Senate Bill No. 5801) (transportation resources). If chapter . . . , Laws of 2025 (Engrossed Substitute Senate Bill No. 5801) is not enacted by June 30, 2025, the amount provided in this subsection lapses.

(7) \$8,342,000 of the multimodal transportation account—federal appropriation is provided solely for the electric vehicle charger reliability and accessibility accelerator program for projects to support the repair or replacement of existing broken or nonoperational publicly accessible chargers.

(8) \$3,164,000 of the multimodal transportation account—federal appropriation is provided solely for funding for the west coast charging and

fueling corridor project for two medium and heavy-duty vehicle electric vehicle charging station sites and one site with a hydrogen refueling station along the I-5 corridor.

(9) The department shall notify the transportation committees of the legislature if approval of federal funding for department activities under the national electric vehicle infrastructure formula program, the electric vehicle charger reliability and accessibility accelerator program, or the west coast charging and fueling corridor project is permanently revoked.

NEW SECTION. Sec. 216. FOR THE DEPARTMENT OF TRANSPORTATION—HIGHWAY MAINTENANCE—PROGRAM M

Motor Vehicle Account—State Appropriation	\$571,090,000
Motor Vehicle Account—Federal Appropriation	\$7,000,000
Move Ahead WA Account—State Appropriation	\$53,675,000
Puget Sound Gateway Facility Account—State	
Appropriation.	\$3,402,000
RV Account—State Appropriation	\$1,100,000
State Route Number 520 Corridor Account—State	
Appropriation.	\$4,726,000
Tacoma Narrows Toll Bridge Account—State	
Appropriation.	\$1,585,000
Alaskan Way Viaduct Replacement Project Account—	
State Appropriation	\$10,752,000
Interstate 405 and State Route Number 167 Express	
Toll Lanes Account—State Appropriation	\$2,624,000
TOTAL APPROPRIATION	\$655,954,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$5,000,000 of the motor vehicle account—state appropriation is provided solely for a contingency pool for snow and ice removal. The department must notify the office of financial management and the transportation committees of the legislature when they have spent the base budget for snow and ice removal and will begin using the contingency pool funding.

(2) \$25,000,000 of the motor vehicle account—state appropriation is provided solely for repair and replacement of traffic barriers including, but not limited to, low-speed concrete barriers, beam guardrails, steel-backed timber guardrails, and other systems necessary to fabricate, construct, and install traffic barriers to improve safety on state highway infrastructures.

(3) \$11,500,000 of the motor vehicle account—state appropriation is provided solely for lane striping using the most reflective paint available to maximize the visibility of lane striping, especially at night.

(4)(a) \$5,000,000 of the motor vehicle account—state appropriation is provided solely for the department to address the risks to safety and public health associated with homeless encampments on department owned rights-of-way. The department must coordinate and work with local government officials and social service organizations who provide services and direct people to housing alternatives that are not in highway rights-of-way to help prevent future encampments from forming on highway rights-of-way and may reimburse the

organizations doing this outreach assistance who transition people into treatment or housing or for debris clean up on highway rights-of-way. Of the amounts provided in this subsection, a minimum of \$2,000,000 must be used to deliver more frequent removal of litter on the highway rights-of-way that is generated by unsheltered people and may be used to hire crews specializing in collecting and disposing of garbage, clearing debris or hazardous material, and implementing safety improvements where hazards exist to the traveling public and department employees. The department may use these funds to either reimburse local law enforcement costs or the Washington state patrol if they are providing enhanced safety to department staff during debris cleanup or during efforts to prevent future encampments from forming on highway rights-of-way.

(b) Beginning November 1, 2025, and semiannually thereafter, the Washington state patrol and the department of transportation must jointly submit a report to the governor and the transportation committees of the legislature on the status of these efforts, including:

(i) A summary of the activities related to addressing encampments, including information on arrangements with local governments or other entities related to these activities;

(ii) A description of the planned activities in the ensuing two quarters to further address the emergency hazards and risks along state highway rights-of-way; and

(iii) Recommendations for executive branch or legislative action to achieve the desired outcome of reduced emergency hazards and risks along state highway rights-of-way.

(5) \$1,000,000 of the motor vehicle account—state appropriation is provided solely for a partnership program between the department and the city of Spokane, to be administered in conjunction with subsection (4) of this section. The program must address the safety and public health problems created by homeless encampments on the department's property along state highways within the city limits. Of the amounts provided in this subsection, \$555,000 is for dedicated department maintenance staff and associated clean-up costs. The department and the city of Spokane shall enter into a reimbursable agreement to cover up to \$445,000 of the city's expenses for clean-up crews and landfill costs.

(6) \$1,025,000 of the motor vehicle account—state appropriation is provided solely for the department to implement safety improvements and debris clean up on department-owned rights-of-way in the city of Seattle at levels above that being implemented as of January 1, 2019, to be administered in conjunction with subsection (2) of this section. The department must maintain a crew dedicated solely to collecting and disposing of garbage, clearing debris or hazardous material, and implementing safety improvements where hazards exist to the traveling public, department employees, or people encamped upon department-owned rights-of-way. The department may request assistance from the Washington state patrol as necessary in order for both agencies to provide enhanced safety-related activities regarding the emergency hazards along state highway rights-of-way in the Seattle area.

(7) \$1,015,000 of the motor vehicle account—state appropriation is provided solely for a partnership program between the department and the city of Tacoma, to be administered in conjunction with subsection (4) of this section. The program must address the safety and public health problems created by

homeless encampments on the department's property along state highways within the city limits. Of the amounts provided in this subsection, \$570,000 is for dedicated department maintenance staff and associated clean-up costs. The department and the city of Tacoma shall enter into a reimbursable agreement to cover up to \$445,000 of the city's expenses for clean-up crews and landfill costs.

(8) \$3,675,000 of the move ahead WA account—state appropriation is provided solely for initial and ongoing implementation costs of the department's Snoqualmie winter operations study recommendations, which include installation of large regulatory signs, installation of a remote avalanche control system, developing chain enforcement processes in coordination with the Washington state patrol, improving cost recovery from violators, and securing an on-call class C towing company.

(9) \$2,000,000 of the Alaskan Way viaduct replacement project account—state appropriation is provided solely for maintenance activities in the vicinity of the state route number 99 deep bore tunnel. Appropriations in this subsection assume additional revenue from a temporary toll rate adjustment on the state route number 99 tunnel leading up to and during the 2026 World Cup.

(10)(a) \$1,200,000 of the motor vehicle account—state appropriation is provided solely for the department to contract with the city of Fife to address the risks to safety and public health associated with homeless encampments on department-owned rights-of-way along the SR 167/SR 509 Puget Sound Gateway project corridor in and adjacent to the city limits.

(b) The city must coordinate and work with the department and local governments and social service organizations who provide services and direct people to housing alternatives that are not in highway rights-of-way to help prevent future encampments from forming on highway rights-of-way. State funds may be used to reimburse the organizations doing this outreach assistance who transition people into treatment or housing that is not on the rights-of-way or for debris clean up on highway rights-of-way.

(c) The department may hire crews specializing in collecting and disposing of garbage, clearing debris or hazardous material, and implementing safety improvements where hazards exist to the traveling public and department employees.

(d) Funds may also be used to reimburse local law enforcement costs or the Washington state patrol if they are participating as part of a state or local government agreement to provide enhanced safety related activities along state highway rights-of-way.

(e) It is the intent of the legislature that the city and collaborating partners should place particular emphasis on utilizing available funds for addressing large scale and multiple homeless encampments that impact public safety and health. Funding for initiatives associated with such encampments may include targeted assistance to local governments and social service organizations, directing moneys toward not only initial efforts to clear encampments, clean up debris and restore sightlines, but to ongoing work, monitoring, and maintenance of efforts to place individuals in housing, treatment, and services, and to better ensure individuals experiencing homelessness receive needed assistance while sites remain safe and secure for the traveling public.

(11) \$180,000 of the motor vehicle account—state appropriation is provided solely for graffiti mitigation operations using spray drone technology.

**NEW SECTION. Sec. 217. FOR THE DEPARTMENT OF
TRANSPORTATION—TRANSPORTATION OPERATIONS—
PROGRAM Q—OPERATING**

Highway Safety Fund—State Appropriation	\$10,621,000
Motor Vehicle Account—State Appropriation	\$88,980,000
Motor Vehicle Account—Federal Appropriation	\$2,088,000
Motor Vehicle Account—Private/Local Appropriation	\$294,000
Move Ahead WA Account—State Appropriation	\$8,124,000
Multimodal Transportation Account—State Appropriation.	\$5,000,000
State Route Number 520 Corridor Account—State Appropriation.	\$247,000
Tacoma Narrows Toll Bridge Account—State Appropriation.	\$44,000
Alaskan Way Viaduct Replacement Project Account— State Appropriation	\$1,122,000
Interstate 405 and State Route Number 167 Express Toll Lanes Account—State Appropriation	\$36,000
TOTAL APPROPRIATION	\$116,556,000

The appropriations in this section are subject to the following conditions and limitations:

- (1)(a) During the 2025-2027 fiscal biennium, the department shall continue a pilot program that expands private transportation providers' access to high occupancy vehicle lanes. Under the pilot program, when the department reserves a portion of a highway based on the number of passengers in a vehicle, the following vehicles must be authorized to use the reserved portion of the highway if the vehicle has the capacity to carry eight or more passengers, regardless of the number of passengers in the vehicle: (i) Auto transportation company vehicles regulated under chapter 81.68 RCW; (ii) passenger charter carrier vehicles regulated under chapter 81.70 RCW, except marked or unmarked stretch limousines and stretch sport utility vehicles as defined under department of licensing rules; (iii) private nonprofit transportation provider vehicles regulated under chapter 81.66 RCW; and (iv) private employer transportation service vehicles. For purposes of this subsection, "private employer transportation service" means regularly scheduled, fixed-route transportation service that is offered by an employer for the benefit of its employees. Nothing in this subsection is intended to authorize the conversion of public infrastructure to private, for-profit purposes or to otherwise create an entitlement or other claim by private users to public infrastructure.
- (b) The department shall expand the high occupancy vehicle lane access pilot program to vehicles that deliver or collect blood, tissue, or blood components for a blood-collecting or distributing establishment regulated under chapter 70.335 RCW. Under the pilot program, when the department reserves a portion of a highway based on the number of passengers in a vehicle, blood-collecting or distributing establishment vehicles that are clearly and identifiably marked as such on all sides of the vehicle are considered emergency vehicles and must be authorized to use the reserved portion of the highway.

(c) The department shall expand the high occupancy vehicle lane access pilot program to for hire nonemergency medical transportation vehicles, when in use for medical purposes, as described in section 208(20), chapter 472, Laws of 2023. Under the pilot program, when the department reserves a portion of a highway based on the number of passengers in a vehicle, nonemergency medical transportation vehicles that meet the requirements identified in section 208(20), chapter 472, Laws of 2023 must be authorized to use the reserved portion of the highway.

(d) The department shall expand the high occupancy vehicle lane access pilot program to private, for hire vehicles regulated under chapter 81.72 RCW that have been specially manufactured, designed, or modified for the transportation of a person who has a mobility disability and uses a wheelchair or other assistive device. Under the pilot program, when the department reserves a portion of a highway based on the number of passengers in a vehicle, wheelchair-accessible taxicabs that are clearly and identifiably marked as such on all sides of the vehicle are considered public transportation vehicles and must be authorized to use the reserved portion of the highway.

(e) Nothing in this subsection is intended to exempt these vehicles from paying tolls when they do not meet the occupancy requirements established by the department for express toll lanes.

(2) The appropriations in this section assume implementation of additional cost recovery mechanisms to recoup at least \$100,000 in credit card and other financial transaction costs related to the collection of fees imposed under RCW 46.17.400, 46.44.090, and 46.44.0941 for driver and vehicle fee transactions beginning January 1, 2023. The department may recover transaction fees incurred through credit card transactions.

(3) \$10,621,000 of the highway safety account—state appropriation is provided solely for implementation of chapter 17, Laws of 2023 (speed safety cameras). Pursuant to the reporting requirements of RCW 46.63.200(10), the department, in collaboration with the Washington state patrol and the Washington traffic safety commission, must report to the transportation committees of the legislature by July 1, 2027, on the data and efficacy of speed safety camera system use in state highway work zones. A preliminary report on the pilot activities is due to the transportation committees of the legislature by December 1, 2025, and must include, but is not limited to: (a) The number of deployments and locations of the speed safety cameras, (b) staffing workload, (c) number of violations issued, (d) detailed expenses incurred by each agency in the pilot, and (e) efficiency measures each agency has taken in operating the pilot program in the most cost-effective manner possible.

(4) \$1,279,000 of the move ahead WA account—state appropriation is provided solely for maintenance and operations of the virtual coordination center. The department is encouraged to apply for federal grant funds for the virtual coordination center and may use state funds as a match. By December 1, 2026, the department shall report to the transportation committees of the legislature: (a) Recommendations to expand the center's operations, including specific additional jurisdictions and corridors across the state; and (b) amounts received and dates of receipt of any new cash and in-kind matches from virtual coordination center partners including, but not limited to, the city of Seattle, King county, other state and local jurisdictions, and private sector partners.

(5) \$1,900,000 of the motor vehicle account—state appropriation is reappropriated and provided solely for the department, in coordination with the independent review team of the joint transportation committee, to conduct an analysis of highway, road, and freight rail transportation needs, options, and impacts from shifting the movement of freight and goods that currently move by barge through the lower Snake river dams to highways, other roads, and rail, consistent with section 217(9), chapter 310, Laws of 2024. The department shall provide status updates on a quarterly basis in coordination with the joint transportation committee. The department must submit a final report to the governor and the transportation committees of the legislature by December 31, 2026.

(6) \$4,000,000 of the move ahead WA account—state appropriation is provided solely for transportation operations activities to help keep people and goods moving during the 2026 World Cup. These activities include, but are not limited to, transportation management center operations and upgrades, additional incident response team coverage, trail crossing improvements, and updated guide signage/wayfinding.

(7) \$5,000,000 of the multimodal transportation account—state appropriation is provided solely for the department to address emergent issues related to safety for pedestrians and bicyclists. Funds may only be spent after approval from the office of financial management. By December 15th of each odd-numbered year, the department shall provide a report to the legislature listing all emergent issues addressed in the prior fiscal biennium.

(8) The department is encouraged to erect wayfinding signs along northbound and southbound Interstate 5 identifying routes to Paine Field airport.

(9) \$6,000,000 of the motor vehicle account—state appropriation is provided solely for low-cost enhancements. The department shall give priority to low-cost enhancement projects that improve safety or provide congestion relief. The department must identify low-cost enhancement projects that could substantially fulfill safety improvements before proceeding on full project scope designs and engineering. Low-cost enhancements may include, but are not limited to, new signage, rumble strips, speed bumps, flashing crosswalk lights, lowering speed limits, lane narrowing via traffic calming, and other safety improvements. By December 15th of each odd-numbered year, the department shall provide a report to the legislature listing all low-cost enhancement projects completed in the prior fiscal biennium.

(10) The department shall promote safety messages encouraging drivers to slow down and move over and pay attention when emergency lights are flashing on the side of the road and other suitable safety messages on electronic message boards the department operates across the state. The messages must be promoted through June 30, 2027. The department may coordinate such messaging with any statewide public awareness campaigns being developed by the department of licensing or the Washington state traffic safety commission, or both.

(11) \$1,050,000 of the move ahead WA account—state appropriation is provided solely for Washington's share of efforts to mitigate collision risk at the Lewis and Clark and Astoria-Megler bridges, including a vessel collision risk assessment, installation of an air gap sensor, and expansion of the virtual coordination center.

NEW SECTION. Sec. 218. FOR THE DEPARTMENT OF TRANSPORTATION—TRANSPORTATION MANAGEMENT AND SUPPORT—PROGRAM S

Motor Vehicle Account—State Appropriation	\$45,218,000
Motor Vehicle Account—Federal Appropriation	\$780,000
Motor Vehicle Account—Private/Local Appropriation	\$500,000
Move Ahead WA Account—State Appropriation	\$3,650,000
Move Ahead WA Flexible Account—State Appropriation	\$5,400,000
Puget Sound Ferry Operations Account—State Appropriation.	\$510,000
Multimodal Transportation Account—State Appropriation.	\$7,920,000
State Route Number 520 Corridor Account—State Appropriation.	\$220,000
Tacoma Narrows Toll Bridge Account—State Appropriation.	\$136,000
Alaskan Way Viaduct Replacement Project Account— State Appropriation	\$127,000
Interstate 405 and State Route Number 167 Express Toll Lanes Account—State Appropriation	\$114,000
TOTAL APPROPRIATION	\$64,575,000

The appropriations in this section are subject to the following conditions and limitations:

(1)(a) \$2,000,000 of the motor vehicle account—state appropriation and \$5,400,000 of the move ahead WA account—state appropriation are provided solely for efforts to increase diversity in the transportation construction workforce through:

(i) The preapprenticeship support services (PASS) and career opportunity maritime preapprenticeship support services (COMPASS) programs, which aim to increase diversity in the highway construction and maritime workforces and prepare individuals interested in entering the highway construction and maritime workforces. In addition to the services allowed under RCW 47.01.435, the PASS and COMPASS programs may provide housing assistance for youth aging out of the foster care and juvenile rehabilitation systems to support their participation in a transportation-related preapprenticeship program and support services to obtain necessary maritime documents and coast guard certification; and

(ii) Assisting minority and women-owned businesses to perform work in the highway construction industry.

(b) The department shall report every even-numbered year to the transportation committees of the legislature on efforts to increase diversity in the transportation construction workforce.

(c) The office of equity and civil rights may revise program standards, as needed, with legislative consultation.

(2) \$1,512,000 of the motor vehicle account—state appropriation and \$488,000 of the Puget Sound ferry operations account—state appropriation are provided solely for monitoring, assistance, engagement, reporting, and other activities consistent with section 218(2), chapter 310, Laws of 2024.

(3) \$3,650,000 of the move ahead WA account—state appropriation is provided solely for activities to help keep people and goods moving during the 2026 World Cup. These activities include, but are not limited to, digital advertising for traveler information, Title VI compliance and language access, and Americans with disabilities act compliance and training.

(4) The department's office of equity and civil rights and the office of minority and women's business enterprises must develop two new business-size thresholds within the office's certification program. The two new thresholds must include emerging small businesses and rising small businesses with gross receipts of no more than (a) \$3,000,000 and (b) \$10,000,000. This work must include evaluation of all state-funded contracts over \$50,000,000 for emerging small business goals, rising small business goals, small business goals, or any combination thereof. The office of equity and civil rights and the office of minority and women's business enterprises must submit a report to the office of financial management and the transportation committees of the legislature by November 1, 2025, on this work and any recommendations on next steps.

(5) Within amounts provided in this section, a maximum of \$75,000 is for the department's office of equity and civil rights to contract with Western Washington University to analyze the economic benefit of utilizing small businesses on department projects to the Washington state economy.

(6) For department small works roster projects under RCW 39.04.151, the department may only allow firms certified as public works small business enterprises, under RCW 39.19.030, to bid on the project contract, unless the department determines there would be insufficient bidders for a particular project. The department shall report on the effectiveness of this policy to the transportation committees of the legislature by December 1, 2026.

(7) \$6,791,000 of the multimodal transportation account—state appropriation is provided solely for the department to complete the transportation reporting and accounting information system to the current cloud version of the software.

NEW SECTION. Sec. 219. FOR THE DEPARTMENT OF TRANSPORTATION—TRANSPORTATION PLANNING, DATA, AND RESEARCH—PROGRAM T

Interstate 405 and State Route Number 167 Express

Toll Lanes Account—State Appropriation	\$1,500,000
Motor Vehicle Account—State Appropriation	\$32,682,000
Motor Vehicle Account—Federal Appropriation	\$43,115,000
Motor Vehicle Account—Private/Local Appropriation	\$400,000
Move Ahead WA Account—State Appropriation	\$6,900,000
Move Ahead WA Flexible Account—State Appropriation	\$6,348,000
Multimodal Transportation Account—State	
Appropriation.	\$1,489,000
Multimodal Transportation Account—Federal	
Appropriation.	\$2,816,000
Multimodal Transportation Account—Private/Local	
Appropriation.	\$100,000
State Route Number 520 Corridor Account—State	
Appropriation.	\$657,000
TOTAL APPROPRIATION	\$96,007,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,557,000 of the motor vehicle account—state appropriation is provided solely for the department to upgrade the department's linear referencing system (LRS) and highway performance monitoring system (HPMS).

(2) \$5,400,000 of the move ahead WA account—state appropriation and the entire move ahead WA flexible account—state appropriation are provided solely for Interstate 5 planning. The work under this subsection must include, but is not limited to, the following:

(a) Continued development of an Interstate 5 master plan;

(b) Advancing seismic vulnerability analyses;

(c) An interim report on the progress of the Interstate 5 master plan to the transportation committees of the legislature and the office of financial management by June 30, 2026; and

(d) An assessment of Interstate 5 on-ramps in the core area of the interstate system from the Pierce county line in Federal Way to state route number 531/Smokey Point boulevard in Arlington to evaluate installing new meters or revising high occupancy vehicle bypasses at existing meters and prioritize locations for ramp meter installations or high occupancy vehicle bypass conversions.

(3) \$140,000 of the multimodal transportation account—state appropriation is reappropriated and provided solely for the city of Seattle's office of planning and community development to continue to support an equitable development initiative to reconnect the South Park neighborhood, currently divided by state route number 99, consistent with section 219(4), chapter 310, Laws of 2024. The city must provide a final report that includes recommendations by June 30, 2027.

(4) Consistent with RCW 47.04.280(1)(d), when the department submits the attainment report required under RCW 47.04.285, it shall visually display statewide annual hours of travel delay by displaying data within each major corridor, to the extent practicable.

(5) \$1,500,000 of the Interstate 405 and State Route Number 167 express toll lanes account—state appropriation is provided solely for the department to develop an implementation plan for state route number 167 that builds on the SR 167 master plan completed in June 2023. The SR 167 implementation plan must include, but is not limited to, high-level engineering and cost estimating work necessary to update the I-405/SR 167 corridor funding and phasing report that needs to be completed to advance priority project components developed in the SR 167 master plan. The SR 167 implementation plan with recommendations is due to the transportation committees of the legislature by December 1, 2026.

(6) \$4,620,000 of the motor vehicle account—federal appropriation is provided solely for work on the road usage charge research project overseen by the Washington state transportation commission using amounts of the federal grant award.

(7) The department shall continue to coordinate planning work focused on the transportation system in western Washington across modes with the goal of maximizing system performance toward the policy goals in RCW 47.04.280 in the most cost-effective manner. This coordination must include, but is not limited to: The Interstate 5 highway corridor, existing rail infrastructure and

future high-speed rail alignment, and commercial aviation capacity. The department must report on the status of these planning efforts including, but not limited to, a long-term strategy for addressing resilience of the transportation system in western Washington through consideration of changing demand, modal integration, and preservation needs. The coordinated work must include an analysis of different alternatives to promote system resilience, including performance and cost of each scenario. The report is due to the joint transportation committee by November 1, 2025.

(8) \$1,500,000 of the move ahead WA account—state appropriation is provided solely for the department to develop a corridor vision and implementation plan that identifies improvement options to address safety and multimodal mobility needs on the state route number 164 corridor from Dogwood Street East in Auburn to High Point Street in Enumclaw. The department must submit a report to the office of financial management and the transportation committees of the legislature with recommended safety and multimodal infrastructure improvements by June 30, 2027.

(9) \$657,000 of the state route number 520 corridor account—state appropriation is provided solely for the department to contract with the University of Washington department of mechanical engineering, to further study measures to reduce noise impacts from the state route number 520 bridge expansion joints. The field testing shall be scheduled during existing construction, maintenance, or other scheduled closures to minimize impacts. The testing must also ensure safety of the traveling public. The study shall examine the types and durability of the materials used to provide noise mitigation and the costs associated with the differing types of materials. A draft report must be submitted to the transportation committees of the legislature and the governor by March 1, 2026. A final report must be submitted to the transportation committees of the legislature and the governor by December 31, 2026.

**NEW SECTION. Sec. 220. FOR THE DEPARTMENT OF
TRANSPORTATION—CHARGES FROM OTHER AGENCIES—
PROGRAM U**

Aeronautics Account—State Appropriation	\$7,000
Transportation Partnership Account—State Appropriation.	\$147,000
Motor Vehicle Account—State Appropriation	\$103,363,000
Puget Sound Ferry Operations Account—State Appropriation.	\$1,120,000
State Route Number 520 Corridor Account—State Appropriation.	\$86,000
Connecting Washington Account—State Appropriation	\$1,180,000
Multimodal Transportation Account—State Appropriation.	\$5,835,000
Tacoma Narrows Toll Bridge Account—State Appropriation.	\$51,000
Alaskan Way Viaduct Replacement Project Account— State Appropriation	\$38,000
Interstate 405 and State Route Number 167 Express Toll Lanes Account—State Appropriation	\$66,000
TOTAL APPROPRIATION	\$111,893,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Consistent with existing protocol and practices, for any negotiations that could result in a settlement of a claim against the state for the department that exceeds \$5,000,000, the department, in conjunction with the attorney general and the department of enterprise services, shall notify the director of the office of financial management and the transportation committees of the legislature.

(2) On August 1, 2025, and semiannually thereafter, the department, in conjunction with the attorney general and the department of enterprise services, shall provide a report with judgments and settlements dealing with the Washington state ferry system to the director of the office of financial management and the transportation committees of the legislature. The report must include information on: (a) The number of claims and settlements by type; (b) the average claim and settlement by type; (c) defense costs associated with those claims and settlements; and (d) information on the impacts of moving legal costs associated with the Washington state ferry system into the statewide self-insurance pool.

(3) On August 1, 2025, and semiannually thereafter, the department, in conjunction with the attorney general and the department of enterprise services, shall provide a report with judgments and settlements dealing with the nonferry operations of the department to the director of the office of financial management and the transportation committees of the legislature. The report must include information on: (a) The number of claims and settlements by type; (b) the average claim and settlement by type; and (c) defense costs associated with those claims and settlements.

(4) When the department identifies significant legal issues that have potential transportation budget implications, the department must initiate a briefing for appropriate legislative members or staff through the office of the attorney general and its legislative briefing protocol.

**NEW SECTION. Sec. 221. FOR THE DEPARTMENT OF
TRANSPORTATION—PUBLIC TRANSPORTATION—PROGRAM V
Carbon Emissions Reduction Account—State**

Appropriation.	\$275,545,000
State Vehicle Parking Account—State Appropriation	\$784,000
Rural Mobility Grant Program Account—State	
Appropriation.	\$32,223,000
Multimodal Transportation Account—State	
Appropriation.	\$101,683,000
Multimodal Transportation Account—Federal	
Appropriation.	\$4,459,000
Multimodal Transportation Account—Private/Local	
Appropriation.	\$100,000
TOTAL APPROPRIATION	\$414,794,000

The appropriations in this section are subject to the following conditions and limitations:

(1)(a) \$62,698,000 of the multimodal transportation account—state appropriation and \$78,525,000 of the carbon emissions reduction account—state appropriation are provided solely for a grant program for special needs

transportation distributed in accordance with RCW 47.66.150. Fuel type may not be a factor in the grant selection process. For grant awards not yet under contract, as a condition of special needs transportation grants provided pursuant to this subsection, public transportation agencies may not delay, divert, supplant, or suspend the collection of approved local sales and use taxes for the purpose of public transportation during the 2025-2027 fiscal biennium.

(b) \$425,000 of the carbon emissions reduction account—state appropriation is provided solely for the reappropriation of amounts provided for this purpose in the 2023-2025 fiscal biennium.

(2) The department shall not require more than a 10 percent match from nonprofit transportation providers for state grants.

(3) \$1,124,000 of the multimodal transportation account—state appropriation is provided solely for the department to provide a statewide vanpool benefit for all state employees. For department employees working in remote job sites, such as mountain passes, the department must ensure employees are able to access job sites via a subsidized vanpool or provide a modal alternative for the "last mile" to ensure employees can access the job site without additional charge.

(4) \$500,000 of the carbon emissions reduction account—state appropriation is provided solely for an interagency transfer to the Washington State University extension energy program to administer a technical assistance and education program for public agencies on the use of alternative fuel vehicles. The Washington State University extension energy program shall prepare a report regarding the utilization of the program and submit this report to the transportation committees of the legislature by November 15, 2025.

(5) \$32,223,000 of the rural mobility grant program account—state appropriation is provided solely for grants to aid small cities in rural areas as prescribed in RCW 47.66.100. Fuel type may not be a factor in the grant selection process. For grant awards not yet under contract, as a condition of rural mobility transportation grants provided pursuant to this subsection, public transportation agencies may not delay, divert, supplant, or suspend the collection of approved local sales and use taxes for the purpose of public transportation during the 2025-2027 fiscal biennium.

(6) \$3,300,000 of the carbon emissions reduction account—state appropriation, \$5,700,000 of the multimodal transportation account—state appropriation, and \$784,000 of the state vehicle parking account—state appropriation are provided solely for CTR grants and activities. Fuel type may not be a factor in the grant selection process. For grant awards not yet under contract, as a condition of CTR grants provided pursuant to this subsection, public transportation agencies may not delay, divert, supplant, or suspend the collection of approved local sales and use taxes for the purpose of public transportation during the 2025-2027 fiscal biennium.

(7) \$188,900,000 of the carbon emissions reduction account—state appropriation is provided solely for transit support grants. The department must confirm zero-fare policies are in effect at transit agencies to be eligible for biennial distributions. For grant awards not yet under contract, as a condition of transit support grants provided pursuant to this subsection, public transportation agencies may not delay, divert, supplant, or suspend the collection of approved

local sales and use taxes for the purpose of public transportation during the 2025-2027 fiscal biennium.

(8) \$3,400,000 of the carbon emissions reduction account—state appropriation is reappropriated and provided solely for the pilot program established under RCW 47.04.355 to provide clean alternative fuel vehicle use opportunities to underserved communities and low to moderate-income members of the workforce not readily served by transit or located in transportation corridors with emissions that exceed federal or state emissions standards.

(9) \$900,000 of the carbon emissions reduction account—state appropriation is provided solely for the department to implement certain recommendations from the 2023 frequent transit service study. The department shall define levels and types of demand-response service and measure access to these services within Washington for the purpose of gaining a fuller picture of transit access. The department must collect ongoing transportation data and develop systems to allow for analysis of disparities in access to existing fixed route transit. The data collection should prioritize collecting information on accessibility and inclusion of people with disabilities, vulnerable populations in overburdened communities, and other underserved communities. The department shall submit a report on data collection efforts to the transportation committees of the legislature and the office of financial management by June 30, 2026.

(10) \$9,000,000 of the multimodal transportation account—state appropriation is provided solely for grants to transit agencies for enhanced services between June 1, 2026, and July 30, 2026.

(a) Enhanced services consist of:

(i) Increased frequency on regular routes, creating temporary shuttle services, enhancing on-demand services, increasing frequency of water taxi services, and supporting incentives to encourage transit use; and

(ii) Enhancing customer experience by temporarily increasing operations, cleanliness, rider communications, wayfinding, and safety and security.

(b) Of the amounts provided in this subsection, the department must distribute:

(i) Forty percent to King County metro;

(ii) Twenty percent to public transportation benefit areas and regional transit authorities operating in the four counties making up the largest regional transportation planning organization in the state, distributed proportionally based on agency service hours; and

(iii) Twenty percent to other public transit agencies operating in cities named by a World Cup organizing committee to host fan zones, excluding agencies already included in (b)(ii) of this subsection, distributed proportionally based on agency service hours.

(c) Agencies must submit their planned expenditures to the department and the Washington state transit association for review by December 1, 2025. If any agency does not submit a plan to enhance services consistent with (a) of this subsection, the department must redistribute funding to other transit agencies using the distribution in (b) of this subsection.

(11) \$10,000,000 of the multimodal transportation account—state appropriation is provided solely for King county metro as part of a federal funds

exchange pilot. Amounts provided in this subsection must be held in unallotted status until notification has been received by the department's public transportation division from Washington state ferries that the conditions outlined in section 222(13) of this act have been met. The pilot must be conducted in coordination with the Puget Sound regional council, who has programming authority for the federal funds to be exchanged. By January 15, 2026, King county metro must report to the office of financial management and the transportation committees of the legislature a summary of projects funded or planned to be funded, and recommendations for continuation of the federal funds exchange pilot through the 2025-2027 fiscal biennium, including additional amounts eligible to be exchanged.

(12) \$350,000 of the multimodal transportation account—state appropriation is provided solely for Pierce county to support public transportation services on the Key Peninsula.

(13) \$950,000 of the multimodal transportation account—state appropriation is provided solely for RiverCities Transit to operate weekday transit service from Longview to Vancouver.

(14) \$5,000,000 of the multimodal transportation account—state appropriation is provided solely for intercity bus expansion in preparation for the 2026 World Cup. The department must report to the transportation committees of the legislature and the office of financial management annually on each January 15th with expansion status and performance updates.

NEW SECTION. Sec. 222. FOR THE DEPARTMENT OF TRANSPORTATION—MARINE—PROGRAM X

Puget Sound Ferry Operations Account—State	
Appropriation.	\$643,803,000
Puget Sound Ferry Operations Account—Federal	
Appropriation.	\$126,642,000
Puget Sound Ferry Operations Account—Private/Local	
Appropriation.	\$121,000
TOTAL APPROPRIATION	
	\$770,566,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The office of financial management budget instructions require agencies to recast enacted budgets into activities. The Washington state ferries shall include a greater level of detail in its 2025-2027 supplemental and 2027-2029 omnibus transportation appropriations act requests, as determined jointly by the office of financial management, the Washington state ferries, and the transportation committees of the legislature. This level of detail must include the administrative functions in the operating as well as capital programs. The data in the tables in the report must be supplied in a digital file format.

(2)(a) \$74,374,000 of the Puget Sound ferry operations account—federal appropriation and \$45,523,000 of the Puget Sound ferry operations account—state appropriation are provided solely for auto ferry vessel operating fuel in the 2025-2027 fiscal biennium. The amount provided in this subsection represents the fuel budget for the purposes of calculating any ferry fare fuel surcharge.

(b) The Washington state ferries must develop a renewable diesel demonstration project for a representative group of diesel vessels. By September

15, 2026, Washington state ferries must submit findings and recommendations to the office of financial management and the transportation committees of legislature that includes, but is not limited to, performance results of the demonstration project, recommendations for renewable diesel usage across the fleet, and possible procurement options for renewable diesel.

(3) During negotiations of the 2027-2029 collective bargaining agreements, (a) the department must identify provisions that create barriers for, or contribute to creating a disparate impact on, newly hired ferry employees, including those who are women, people of color, veterans, and other employees belonging to communities that have historically been underrepresented in the workforce; (b) and the department must create a forum for direct discussion between the governor, labor leadership, the office of financial management and the Washington state ferries to collaboratively identify and resolve compensation and staffing issues, with the goal of service improvements for ferry riders. By January 1, 2027, the department must report to the transportation committees of the legislature on progress in incorporating the finding and recommendations from the December 2022 joint transportation committee study on the Washington state ferries' workforce.

(4) \$50,000 of the Puget Sound ferry operations account—state appropriation is provided solely for the department to conduct an actuarial evaluation to determine the amount of funds needed in reserve to provide an acceptable amount of self-insurance coverage as compared to the commercial insurance option for the ferry system. The evaluation must also include an analysis of the short and long-term costs and benefits of self-insurance. By December 15, 2026, the department shall report evaluation results to the transportation committees of the legislature.

(5) Within existing resources, the department must deploy a pilot program for offering customers wifi on vessels and in terminals. By January 1, 2026, the department must report on the viability of the program to the transportation committees of the legislature, including implementation recommendations and cost estimates. The department must prioritize routes or terminals with wifi coverage issues and consider fee-for-service options.

(6) \$500,000 of the Puget Sound ferry operations account—state appropriation is provided solely for operating costs related to moving vessels for emergency capital repairs. Funds may only be spent after approval by the office of financial management.

(7) \$11,962,000 of the Puget Sound ferry operations account—state appropriation is provided solely for the Washington state ferries workforce development activities.

(8) \$6,950,000 of the Puget Sound ferry operations account—state appropriation is provided solely for overtime and familiarization expenses incurred by engine, deck, and terminal staff. The department must provide updated staffing cost estimates for fiscal years 2026 and 2027 with its annual budget submittal and updated estimates by January 1, 2026.

(9) \$2,548,000 of the Puget Sound ferry operations account—state appropriation is provided solely for security services at Colman Dock.

(10) \$600,000 of the Puget Sound ferry operations account—state appropriation is provided solely for traffic control at ferry terminals at Seattle, Fauntleroy, Kingston, Edmonds, Mukilteo, and Bainbridge Island, during peak

ferry travel times, with a particular focus on Sundays and holiday weekends. If local law enforcement entities are available, the Washington state ferries may contract with local agencies for traffic control services.

(11) By December 31st of each year, as part of the annual ferries division performance report, the department must report on the status of efforts to increase the staff available for maintaining the customary level of ferry service, including staff for deck, engine, and terminals. The report must include data for a 12-month period up to the most recent data available, by staff group, showing the number of employees at the beginning of the 12-month period, the number of new employees hired, the number of employees separating from service, and the number of employees at the end of the 12-month period. The department report on additional performance measures must include:

(a) Numbers of trip cancellations due to crew availability or vessel mechanical issues;

(b) Current average monthly level of service compared to the average monthly full-service schedules in effect in 2019; and

(c) Retention rates of employees who have completed on the job workforce development programs and overall employee retention rates.

(12) \$75,000 of the Puget Sound ferry operations account—state appropriation is provided solely for the department to contract with the Evans School of Public Policy at the University of Washington to conduct a study and develop recommendations to design a modernized and more inclusive Washington state ferries' customer advisory process. The study must prioritize ease of customer feedback, inclusion of groups that have been historically underrepresented in customer feedback and engagement processes, and capturing input from passengers using the system for varying purposes. The study must also look at customer engagement models developed by other comparable ferry systems, both domestic and international, for best practices. A report with findings and recommendations is due to the office of financial management and the transportation committees of the legislature by December 15, 2026.

(13) \$12,000,000 of the Puget Sound ferry operations account—federal appropriation is provided solely for a federal fund exchange pilot with King county metro. The pilot must be conducted in coordination with the Puget Sound regional council, who has programming authority for the federal funds to be exchanged. Washington state ferries must work with the Puget Sound regional council to identify eligible projects for the exchanged federal funds and amend the statewide transportation improvement program (STIP). Upon approval of the amended plan and confirmation of distribution of federal funds from the Puget Sound regional council, Washington state ferries must notify the department's public transportation division for release of state funds to King county metro in section 221(11) of this act. By January 15, 2026, Washington state ferries must report to the office of financial management and transportation committees of the legislature recommendations for expanding the exchange in current and future biennia.

(14) The department must work to increase its outreach and recruitment of populations underrepresented in maritime careers and continue working to expand apprenticeship and internship programs, with an emphasis on programs that are shown to improve recruitment for positions with the state ferry system.

(15) \$2,600,000 of the Puget Sound ferry operations account—state appropriation is provided solely for winter service enhancements in the San Juan Islands. By December 1, 2026, the department must report to the transportation committees of the legislature and the office of financial management impacts of the service increase including, but not limited to, ridership impacts, service reliability, and whether service changes have induced permanent relocation of workforce serving San Juan Island routes.

(16) \$855,000 of the Puget Sound ferry operations account—state appropriation is provided solely for a workforce development pilot at the Seattle maritime academy for the 2025-2027 fiscal biennium. Amounts provided in this subsection must be utilized for programs that are a benefit to the Washington state ferries or the prospective workforce pipeline of the Washington state ferries. Funding may not be expended until Washington state ferries certifies to the office of financial management that a memorandum of agreement with Seattle central community college has been executed.

(a) The memorandum of agreement with Seattle central community college must address:

(i) Prioritized use of training and other facilities and implementation of joint training opportunities for Washington state ferries' employees and trainees;

(ii) Development of a joint recruitment plan with Seattle central community college aimed at increasing enrollment of women and people of color, with specific strategies to recruit existing community and technical college students, maritime skills center students, high school students from maritime programs, including maritime skills center students, foster care graduates, and former juvenile rehabilitation and adult incarcerated individuals; and

(iii) Consultation between the parties on the development of the training program, recruitment plan and operational plan, with an emphasis on increasing enrollment of women and people of color.

(b) Washington state ferries must submit the joint training and recruitment plan to the appropriate policy and fiscal committees of the legislature and the office of financial management by December 1, 2025. The Washington state ferries must submit findings of program effectiveness and recommendations for continuation of the pilot, to the appropriate committees of the legislature and the office of financial management by December 1, 2025.

(17) \$375,000 of the Puget Sound ferry operations account—state appropriation is provided solely for the implementation of chapter . . . , Laws of 2025 (Substitute House Bill No. 1264) (ferry system salaries). If chapter . . . , Laws of 2025 (Substitute House Bill No. 1264) is not enacted by June 30, 2025, the amount provided in this subsection lapses.

(18) \$19,700,000 of the Puget Sound ferry operations account—state appropriation is provided solely for the department to increase deck and engine positions across the system, prioritizing positions that will mitigate crew related cancellations and reduce overtime expenditures. The department must consider data related to staffing cancellations, as well as current and forecasted staffing levels of deck and engine positions, and mitigation for job classes with the highest overtime costs when adding positions. Funds provided in this subsection are eligible to be used for all deck or engine job classes. The department must include an update on the number of positions hired by job class as part of the annual performance report.

NEW SECTION. **Sec. 223. FOR THE DEPARTMENT OF TRANSPORTATION—RAIL—PROGRAM Y—OPERATING**

Carbon Emissions Reduction Account—State	
Appropriation.	\$2,000,000
Multimodal Transportation Account—State	
Appropriation.	\$81,085,000
Multimodal Transportation Account—Private/Local	
Appropriation.	\$46,000
TOTAL APPROPRIATION	\$83,131,000

NEW SECTION. **Sec. 224. FOR THE DEPARTMENT OF TRANSPORTATION—LOCAL PROGRAMS—PROGRAM Z—OPERATING**

Carbon Emissions Reduction Account—State	
Appropriation.	\$274,000
Motor Vehicle Account—State Appropriation	\$15,164,000
Motor Vehicle Account—Federal Appropriation	\$2,644,000
Multimodal Transportation Account—State	
Appropriation.	\$1,780,000
Multiuse Roadway Safety Account—State Appropriation.	\$1,800,000
TOTAL APPROPRIATION	\$21,662,000

The appropriations in this section are subject to the following conditions and limitations:

- (1) \$500,000 of the motor vehicle account—state appropriation is provided solely for administration, program management, and evaluation of the federal fund exchange pilot program.
- (2) \$750,000 of the multimodal transportation account—state appropriation is provided solely to continue the civilian intervention grant program in accordance with program requirements under section 224(7), chapter 472, Laws of 2023.
- (3) For its 2027-2029 biennial agency budget request, the department shall create a distinct subprogram within local programs for all expenditures and activities for the active transportation division.
- (4) \$930,000 of the motor vehicle account—state appropriation is provided solely for the department, from amounts set aside out of statewide fuel taxes distributed to counties according to RCW 46.68.120(3), to contract with the Washington state association of counties to:
 - (a) Continue contracting with the Washington state department of fish and wildlife to identify, inventory, and prioritize county-owned fish passage barriers;
 - (b) Partner with the county road administration board to update the road cost factor unit costs used in the calculation of the allocation factor for the county's portion of the motor vehicle fuel tax;
 - (c) Create specific guidance and training for county public works departments developing community engagement plans to mitigate project and program harms and maximize community benefits by expanding upon the freight mobility strategic investment board's "Toolkit and Best Practices for Integrating Community Considerations in Infrastructure Investments;" and
 - (d) Continue partnering with the board of registration for professional engineers and land surveyors and contract with the Washington state

transportation center at the University of Washington to identify best practices within public works for the recruitment and retention of employees, including recommendations for improving outreach and recruitment to underrepresented populations, methods to partner with local community colleges and universities, ways to expand apprenticeship and internship programs, strategies to increase training and development opportunities, and recommendations for career advancement programs and better work life balance outcomes.

(5) The city of Seattle must provide a report on any findings and recommendations of the digital conflict area awareness management program, for which state funding was provided in the 2023-2025 fiscal biennium, and any implementation needs and process mapping for use by other jurisdictions, to the department and the transportation committees of the legislature by June 30, 2026.

(6) \$60,000 of the multimodal transportation account—state appropriation is provided solely for support of a United States Coast Guard-compliant basic safety program with Crawford nautical training.

(7) \$309,000 of the motor vehicle account—state appropriation is provided solely for the department to fund one full-time equivalent liaison position within the local program multiagency permit program. The department shall provide a report with an update on activities in the program to the transportation committees of the legislature by December 1, 2026.

(8) \$70,000 of the multimodal transportation account—state appropriation is provided solely for the department to contract with the Puget Sound harbor committee to support the development of the Puget Sound harbor safety plan.

NEW SECTION. Sec. 225. FOR THE DEPARTMENT OF TRANSPORTATION—CLEAN FUELS CREDIT PROGRAM

The department of transportation, with the assistance of designated staff in the department, must register for the clean fuels credit program and start tracking revenue generation pursuant to chapter 70A.535 RCW for investments funded in an omnibus transportation appropriations act. The omnibus transportation appropriations act anticipates credits for ferry electrification for new hybrid electric vessels, active transportation, transit programs and projects, alternative fuel infrastructure, connecting communities, and multimodal investments.

TRANSPORTATION AGENCIES—CAPITAL

NEW SECTION. Sec. 301. FOR THE WASHINGTON STATE PATROL

State Patrol Highway Account—State Appropriation \$3,195,000

The appropriation in this section is subject to the following conditions and limitations:

(1) \$3,195,000 of the state patrol highway account—state appropriation is provided solely for the following projects:

(a) \$500,000 is for emergency repairs;

(b) \$800,000 is for roof replacements;

(c) \$1,300,000 is for generator and electrical replacement, including reappropriations;

(d) \$175,000 is for pavement surface improvements, including reappropriations;

(e) \$120,000 is for vehicle identification number inspection shelters; and

- (f) \$300,000 is for an exterior preservation reappropriation.
- (2) The Washington state patrol may transfer funds between projects specified in subsection (1) of this section to address cash flow requirements.
- (3) If a project specified in subsection (1) of this section is completed for less than the amount provided, the remainder may be transferred to another project specified in subsection (1) of this section not to exceed the total appropriation provided in subsection (1) of this section after notifying the office of financial management and the transportation committees of the legislature at least 20 days before any transfer.
- (4) By December 1, 2025, the Washington state patrol shall provide its capital improvement and preservation plan for agency facilities to the appropriate committees of the legislature.

NEW SECTION. Sec. 302. FOR THE COUNTY ROAD ADMINISTRATION BOARD

Move Ahead WA Account—State Appropriation	\$9,333,000
Rural Arterial Trust Account—State Appropriation.	\$51,573,000
Motor Vehicle Account—State Appropriation	\$2,103,000
County Arterial Preservation Account—State Appropriation.	\$30,242,000
TOTAL APPROPRIATION	\$93,251,000

The appropriations in this section are subject to the following conditions and limitations: It is the intent of the legislature to provide \$21,028,000 for a new county local road grant program for the preservation and improvement of county local roads that are not currently eligible under existing funding programs starting in the 2027-2029 fiscal biennium.

NEW SECTION. Sec. 303. FOR THE TRANSPORTATION IMPROVEMENT BOARD

Carbon Emissions Reduction Account—State Appropriation.	\$21,600,000
Small City Pavement and Sidewalk Account—State Appropriation.	\$3,953,000
Transportation Improvement Account—State Appropriation.	\$251,289,000
Complete Streets Grant Program Account—State Appropriation.	\$24,670,000
Move Ahead WA Account—State Appropriation	\$9,333,000
TOTAL APPROPRIATION	\$310,845,000

The appropriation in this section is subject to the following conditions and limitations: It is the intent of the legislature to provide a \$21,028,000 increase in funding starting in the 2027-2029 fiscal biennium for additional complete streets program grant awards to cities and counties for planning, design, and infrastructure related to making roadways accessible for driving, walking, cycling, transit, and aesthetic qualities.

NEW SECTION. Sec. 304. FOR THE DEPARTMENT OF TRANSPORTATION—FACILITIES—PROGRAM D—(DEPARTMENT OF TRANSPORTATION-ONLY PROJECTS)—CAPITAL

Motor Vehicle Account—State Appropriation	\$20,158,000
---	--------------

Move Ahead WA Account—State Appropriation	\$21,487,000
TOTAL APPROPRIATION	\$41,645,000

The appropriations in this section are subject to the following conditions and limitations:

(1)(a) \$9,487,000 of the move ahead WA account—state appropriation is provided solely for the department to improve its ability to keep facility assets in a state of good repair. In using the funds appropriated in this subsection, the department, with periodic reporting to the joint transportation committee, must continue to develop and implement a prioritization of facility capital preservation needs and repair projects. The legislature intends these to be reasonable, forward-thinking investments that consider potential future space efficiency measures and consolidations, including those assessed as having high commercial value and potential returns to state transportation funds associated with the sale of the property. Prioritization must be based on, but not limited to, the following criteria: (i) Employee safety and facility security; (ii) state and federal regulatory and statutory requirements and compliance issues, including clean buildings requirements; (iii) quality of work issues; (iv) facility condition assessment evaluations and scoring; (v) asset preservation; and (vi) amount of operational support provided by the facility to the achievement of the department's performance measures and outcomes, including facility utilization based on field operations work supported at the location. "Field operations" includes maintenance, transportation operations, materials testing, and construction.

(b) In using the funds appropriated in this subsection, the department must utilize the prioritization of facility capital preservation needs and repair projects used in developing the 2025-2027 fiscal biennium agency budget submittal.

(c) By September 1, 2025, and September 1, 2026, the department must provide a report based on the prioritization of facility preservation needs and repair projects developed pursuant to (a) of this subsection to the office of financial management and the transportation committees of the legislature. The report must include: (i) A by-facility ranking based on the criteria implemented; (ii) detailed information on the actions taken in the previous year to address the identified issues and deficiencies; and (iii) the plan, by facility, to address issues and deficiencies for the remainder of the 2025-2027 fiscal biennium and the 2027-2029 fiscal biennium.

(2) Within existing resources, in consultation with the office of financial management, the department must continue to use the criteria developed for the preservation and improvement minor works list during the 2025-2027 fiscal biennium.

(3) Within existing resources, in consultation with the office of financial management, the department must continue to use criteria for providing building-related capital requests in a comparable format, adjusted where appropriate, to provisions already in use in the omnibus capital appropriations act for building projects, including the C-100 capital request form and other detail requirements for omnibus capital appropriations act building submissions.

(4) \$3,000,000 of the move ahead WA account—state appropriation is provided solely for the department to conduct master planning on highest and best use of the Corson Avenue regional headquarters property, including options

to reduce space and footprint on the property, examining the commercial value of the property if converted to other use or sale of a portion of the property, and reviewing alternative financing methods to fund improvements.

NEW SECTION. Sec. 305. FOR THE DEPARTMENT OF TRANSPORTATION—IMPROVEMENTS—PROGRAM I

Alaskan Way Viaduct Replacement Project Account—	
State Appropriation	\$7,406,000
Carbon Emissions Reduction Account—State	
Appropriation.	\$13,331,000
Move Ahead WA Account—Private/Local Appropriation.	\$367,916,000
Puget Sound Gateway Facility Account—State	
Appropriation.	\$88,200,000
Transportation Partnership Account—State	
Appropriation.	\$8,948,000
Motor Vehicle Account—State Appropriation	\$271,567,000
Motor Vehicle Account—Federal Appropriation	\$487,331,000
Coronavirus State Fiscal Recovery Fund—Federal	
Appropriation.	\$54,334,000
Motor Vehicle Account—Private/Local Appropriation	\$53,581,000
Connecting Washington Account—State Appropriation	\$1,710,931,000
Special Category C Account—State Appropriation	\$114,708,000
Multimodal Transportation Account—State	
Appropriation.	\$7,557,000
Multimodal Transportation Account—Federal	
Appropriation.	\$1,842,000
State Route Number 520 Corridor Account—State	
Appropriation.	\$1,100,000
Interstate 405 and State Route Number 167 Express	
Toll Lanes Account—State Appropriation	\$547,950,000
Move Ahead WA Account—State Appropriation	\$1,161,189,000
Move Ahead WA Account—Federal Appropriation	\$467,532,000
Model Toxics Control Stormwater Account—State	\$10,563,000
TOTAL APPROPRIATION	
\$5,375,986,000	

The appropriations in this section are subject to the following conditions and limitations:

- (1) Except as provided otherwise in this section, the entire connecting Washington account—state appropriation, the entire move ahead WA account—federal appropriation, the entire move ahead WA account—state appropriation, and the entire transportation partnership account—state appropriation are provided solely for the projects and activities as listed by fund, project, and amount in LEAP Transportation Document 2025-1 as developed April 26, 2025, Program - Highway Improvements Program (I). However, limited transfers of specific line-item project appropriations may occur between projects for those amounts listed subject to the conditions and limitations in section 601 of this act.
- (2) Except as provided otherwise in this section, the entire motor vehicle account—state appropriation and motor vehicle account—federal appropriation are provided solely for the projects and activities listed in LEAP Transportation Document 2025-2 ALL PROJECTS as developed April 26, 2025, Program -

Highway Improvements Program (I). Any federal funds gained through efficiencies, adjustments to the federal funds forecast, or the federal funds redistribution process must then be applied to highway and bridge preservation activities.

(3) Within the motor vehicle account—state appropriation and motor vehicle account—federal appropriation, the department may transfer appropriation authority between programs I and P, except for appropriation authority that is otherwise restricted in this act, as follows:

(a) Ten days prior to any transfer, the department must submit its request to the office of financial management and the transportation committees of the legislature and consider any concerns raised.

(b) The director of the office of financial management must first provide written authorization for such transfer to the department and the transportation committees of the legislature.

(c) The department shall submit a report on appropriation authority transferred in the prior fiscal year using this subsection as part of the department's annual budget submittal.

(4) The connecting Washington account—state appropriation includes up to \$1,422,447,000 in proceeds from the sale of bonds authorized in RCW 47.10.889.

(5) The special category C account—state appropriation includes up to \$101,986,000 in proceeds from the sale of bonds authorized in RCW 47.10.812.

(6) The Puget Sound gateway facility account—state appropriation includes up to \$88,200,000 in proceeds from the sale of bonds authorized in RCW 47.10.896.

(7) The motor vehicle account—state appropriation includes up to \$30,000,000 in proceeds from the sale of bonds authorized in RCW 47.10.843.

(8) The Interstate 405 and State Route Number 167 express toll lanes account—state appropriation includes up to \$375,311,000 in proceeds from the sale of bonds authorized in RCW 47.10.896.

(9) The move ahead WA account—state appropriation includes up to \$879,000,000 in proceeds from the sale of bonds authorized in RCW 47.10.873.

(10) The move ahead WA account—state appropriation includes up to \$164,000,000 in proceeds from the sale of bonds authorized in RCW 47.10.889.

(11) The move ahead WA account—state appropriation includes up to \$212,000,000 in proceeds from the sale of bonds authorized in RCW 47.10.861.

(12) The department shall itemize all future requests for the construction of buildings on a project list and submit them through the transportation executive information system as part of the department's annual budget submittal. It is the intent of the legislature that new facility construction must be transparent and not appropriated within larger highway construction projects.

(13) The legislature continues to prioritize the replacement of the state's aging infrastructure and recognizes the importance of reusing and recycling construction aggregate and recycled concrete materials in our transportation system. To accomplish Washington state's sustainability goals in transportation and in accordance with RCW 70A.205.700, the legislature reaffirms its determination that recycled concrete aggregate and other transportation building materials are natural resource construction materials that are too valuable to be wasted and landfilled, and are a commodity as defined in WAC 173-350-100.

(14)(a) \$54,334,000 of the coronavirus state fiscal recovery fund—federal appropriation, \$118,178,000 of the motor vehicle account—federal appropriation, \$796,352,000 of the move ahead WA account—state appropriation, \$112,263,000 of the connecting Washington account—state appropriation, \$2,698,000 of the motor vehicle account—private/local appropriation, and \$8,621,000 of the motor vehicle account—state appropriation are provided solely for the Fish Passage Barrier Removal project (0BI4001) with the intent of fully complying with the federal *U.S. v. Washington* court injunction by 2030.

(b) Appropriations within this subsection may be used to jointly leverage state and local funds for match requirements in applying for competitive federal aid grants provided in the infrastructure investment and jobs act for removals of fish passage barriers under the national culvert removal, replacement, and restoration program. State funds used for the purpose described in this subsection must not compromise full compliance with the court injunction by 2030.

(c) The department shall coordinate with the Brian Abbott fish passage barrier removal board to use a watershed approach by replacing both state and local culverts guided by the principle of providing the greatest fish habitat gain at the earliest time. The department shall deliver high habitat value fish passage barrier corrections that it has identified, guided by the following factors: Opportunity to bundle projects, tribal priorities, ability to leverage investments by others, presence of other barriers, project readiness, culvert conditions, other transportation projects in the area, and transportation impacts. The department and Brian Abbott fish barrier removal board must provide updates on the implementation of the statewide culvert remediation plan to the legislature by November 1, 2025, and June 1, 2026.

(d) The department must keep track of, for each barrier removed: (i) The location; (ii) the amount of fish habitat gain; and (iii) the amount spent to comply with the injunction.

(e) During the 2025-2027 fiscal biennium, the department shall semi-annually provide reports of the amounts of federal funding received for this project to the governor and transportation committees of the legislature.

(15)(a) \$368,461,000 of the move ahead WA account—federal appropriation, \$127,504,000 of the move ahead WA account—private/local appropriation, and \$84,223,000 of the move ahead WA account—state appropriation are provided solely for the I-5 Columbia river bridge project (L4000054). The legislature finds that the replacement of the I-5 Columbia river bridge is a project of national significance and is critical for the movement of freight. One span is now more than a century old, at risk for collapse in the event of a major earthquake, and no longer satisfies the needs of commerce and travel. Replacing the aging interstate bridge with a modern, seismically resilient, multimodal structure that provides improved mobility for people, goods, and services is a high priority. Therefore, the legislature intends to support the replacement of the I-5 Columbia river bridge with an investment of \$1,000,000,000.

(b) The department shall provide regular updates on the status of ongoing coordination with the state of Oregon on any bistate agreements regarding sharing of revenues, use of revenues, and fiscal responsibilities of each state.

Prior to finalizing any such agreement, the department shall provide a draft of the agreement to the transportation committees of the legislature for review and input. Additionally, the department shall continue to advise quarterly on the status of any bistate agreements to the joint transportation committee until any agreements are finalized.

(16)(a) \$37,322,000 of the move ahead WA account—state appropriation is provided solely for the SR 3 Freight Corridor (T30400R) project. The legislature intends to provide a total of \$78,910,000 for this project, including an increase of \$12,000,000 in future biennia to safeguard against inflation and supply/labor interruptions and ensure that:

(i) The northern terminus remains at Lake Flora Road and the southern terminus at the intersection of state route number 3 and state route number 302; and

(ii) Multimodal safety improvements at the southern terminus remain in the project to provide connections to North Mason school district and provide safe routes to schools.

(b) With respect to right-of-way acquisition and the construction of the SR 3 Freight Corridor project (T30400R), tribal consultation with the Suquamish tribe must begin at the earliest stage of planning, including, without limitation, on all funding decisions and funding programs, to provide a government-to-government mechanism for the tribe to evaluate, identify, and expressly notify governmental entities of any potential impacts to tribal cultural resources, archaeological sites, sacred sites, fisheries, or other rights and interests in tribal lands and lands within which the tribe possesses rights reserved or protected by federal treaty, statute, or executive order. The consultation is independent of, and in addition to, any public participation process required under state law, or by a state agency, including the requirements of Executive Order 21-02 related to archaeological and cultural resources, and regardless of whether the agency receives a request for consultation from the Suquamish tribe. Regularly scheduled tribal consultation meetings with the Suquamish tribe shall continue throughout the duration of any funding or program decisions and proposed project approval.

(17) \$8,500,000 of the move ahead WA account—state appropriation and \$5,000,000 of the move ahead WA account—federal appropriation are provided solely for the SR 3/Gorst Area - Widening project (L4000017).

(a) Of the amounts provided in this subsection, \$7,500,000 is for low-cost enhancements that complement the long-term improvement alternatives identified through planning work on the corridor.

(b) Tribal consultation with the Suquamish tribe must begin at the earliest stage of planning, including, without limitation, all funding decisions and funding programs, to provide a government-to-government mechanism for the tribe to evaluate, identify, and expressly notify governmental entities of any potential impacts to tribal cultural resources, archaeological sites, sacred sites, fisheries, or other rights and interests in tribal lands and lands within which the tribe possesses rights reserved or protected by federal treaty, statute, or executive order. The consultation is independent of, and in addition to, any public participation process required under state law, or by a state agency, including the requirements of Executive Order 21-02 related to archaeological and cultural resources, and regardless of whether the agency receives a request for

consultation from the Suquamish tribe. Regularly scheduled tribal consultation meetings with the Suquamish tribe must continue throughout the duration of any funding program and proposed project approval.

(18) \$23,000,000 of the move ahead WA account—state appropriation, \$10,000,000 of the move ahead WA account—private/local appropriation, and \$6,387,000 of the connecting Washington account—state appropriation are provided solely for the US-12/Walla Walla Corridor Improvements project (T20900R). The legislature recognizes the importance of this project and intends to provide additional matching funds if additional competitive federal funding is awarded for the final remaining four-lane section between Wallula and Nine Mile Hill and the Port of Walla Walla provides right-of-way at no cost to the state for this project. The department, in consultation with local governments in the vicinity, must pursue any federal funding available.

(19) \$12,571,000 of the move ahead WA account—state appropriation and \$2,429,000 of the special category C account—state appropriation are provided solely for the SR 18 Widening - Issaquah/Hobart Rd to Raging River - Phase I project (L1000199). The legislature recognizes the importance of this project and the cost uncertainties associated with this project, and is committed to its completion. The legislature intends to monitor the project's budget and schedule and make adjustments as appropriate.

(20) \$136,984,000 of the connecting Washington account—state appropriation, \$1,527,000 of the multimodal transportation account—state appropriation, \$28,103,000 of the motor vehicle account—private/local appropriation, \$324,483,000 of the move ahead WA account—federal appropriation, \$110,723,000 of the move ahead WA account—state appropriation, \$88,200,000 of the Puget Sound gateway facility account—state appropriation, and \$212,157,000 of the motor vehicle account—federal appropriation are provided solely for the SR 167/SR 509 Puget Sound Gateway project (M00600R).

(a) Any savings on the project must stay on the Puget Sound Gateway corridor until the project is complete.

(b) In making budget allocations to the Puget Sound Gateway project, the department shall implement the project's construction as a single corridor investment. The department shall continue to collaborate with the affected stakeholders as it implements the corridor construction and implementation plan for state route number 167 and state route number 509. Specific funding allocations must be based on where and when specific project segments are ready for construction to move forward and investments can be best optimized for timely project completion. Emphasis must be placed on avoiding gaps in fund expenditures for either project.

(c) The entire multimodal transportation account—state appropriation in this subsection is for:

(i) The design phase of the Puyallup to Tacoma multiuse trail along the state route number 167 right-of-way acquired for the project to connect a network of new and existing trails from Mount Rainier to Point Defiance Park; and

(ii) Segment 2 of the state route number 167 completion project shared-use path to provide connections to the interchange of state route number 167 at 54th to the intersection of state route number 509 and Taylor Way in Tacoma.

(21) \$15,988,000 of the connecting Washington account—state appropriation is provided solely for the SR 224/Red Mountain Vicinity Improvement project (L1000291). The department shall provide funding to the city of West Richland to complete the project within the project scope identified by the legislature and within the total amount provided by the legislature. The department shall not amend the project's scope of work to add pavement preservation on state route number 224 from the West Richland city limits to Antinori Road.

(22) \$100,000,000 of the special category C account—state appropriation, \$272,820,000 of the connecting Washington account—state appropriation, and \$71,000 of the motor vehicle account—private/local appropriation are provided solely for the US 395 North Spokane Corridor project (M00800R). Of the amounts provided in this subsection, \$300,000 is for an environmental justice assessment to determine if traffic noise abatement will reduce environmental harm to the East Central Neighborhood as a result of this project.

(23) \$578,139,000 of the connecting Washington account—state appropriation, \$1,100,000 of the state route number 520 corridor account—state appropriation, and \$7,278,000 of the motor vehicle account—private/local appropriation are provided solely for the SR 520 Seattle Corridor Improvements - West End project (M00400R) and are subject to the following conditions and limitations:

(a) Upon completion of the Montlake Phase of the West End project, the department shall sell or transfer that portion of the property not necessary for transportation purposes, and shall initiate a process to convey or transfer such portion of the surplus property to a subsequent owner.

(b) Of the amounts provided in this subsection, \$1,100,000 of the state route number 520 corridor account—state appropriation is provided solely for noise mitigation activities.

(24) \$10,416,000 of the move ahead WA account—state appropriation, \$5,229,000 of the connecting Washington account—state appropriation, and \$1,548,000 of the motor vehicle account—state appropriation are provided solely for the SR 522/Paradise Lk Rd Interchange & Widening on SR 522 (Design/Engineering) project (NPARADI), specifically for design of, preliminary engineering, and right-of-way acquisition for the interchange and widening as a single project. The department must consider reserving portions of state route number 522, including designated lanes or ramps, for the exclusive or preferential use of public transportation vehicles, privately owned buses, motorcycles, private motor vehicles carrying not less than a specified number of passengers, or private transportation provider vehicles pursuant to RCW 47.52.025.

(25) \$24,000 of the motor vehicle account—state appropriation and \$304,000 of the motor vehicle account—federal appropriation are provided solely for the SR 900 Safety Improvements project (L2021118). The department must: (a) Work in collaboration with King county and the Skyway coalition to align community assets, transportation infrastructure needs, and initial design for safety improvements along state route number 900; and (b) work with the Skyway coalition to lead community planning engagement and active transportation activities.

(26) \$17,500,000 of the motor vehicle account—federal appropriation is provided solely for a federal fund exchange pilot program. The pilot program must allow exchanges of federal surface transportation block grant population funding and state funds at an exchange rate of 95 cents in state funds per \$1.00 in federal funds. The projects receiving the exchanged federal funds must adhere to all federal requirements, including the applicable disadvantaged business enterprise goals. The entirety of the appropriation in this subsection must be held in unallotted status until surface transportation block grant population funding has been offered to the state, and the department determines that a federalized project or projects funded in this section is eligible to spend the surface transportation block grant population funding. \$16,625,000 from existing state appropriations identified elsewhere within this section are available to be used as part of the exchange. Upon determination that a project or projects funded in this section is eligible to spend the offered surface transportation block grant population funding, state funds appropriated in this section for the eligible state project or projects in an amount equal to 100 percent of the offered surface transportation block grant population funding must be placed in unallotted status. The legislature intends to evaluate utilization and efficacy of this program, and if underutilized, the program is intended to not continue into future biennia.

(27) \$5,030,000 of the multimodal transportation account—state appropriation and \$1,842,000 of the multimodal transportation account—federal appropriation are provided solely for the department to develop and implement a technology-based truck parking availability system along the Interstate 5 corridor in partnership with Oregon state and California state to maximize utilization of existing truck parking capacity and deliver real-time parking availability information to truck drivers (L1000375). The department may use a portion of the appropriation in this subsection for grant proposal development and as state match funding for technology-based truck parking availability system federal grant applications. The department must update the transportation committees of the legislature on agency activities and their status by December 1, 2026.

(28) \$57,593,000 of the motor vehicle account—state appropriation is provided solely for the payment of deferred sales and use taxes on activities related to the state route number 16 corridor improvements project pursuant to RCW 47.46.060. It is the intent of the legislature that any nontoll accounts used to pay the deferred sales and use taxes will be reimbursed by toll revenues no later than December 31, 2032, which reflects prior legislative intent regarding the use of toll revenues for this purpose.

(29) \$159,480,000 of the motor vehicle account—state appropriation is provided solely for the payment of deferred sales and use taxes on the state route number 520 bridge replacement and HOV project pursuant to RCW 47.01.412. It is the intent of the legislature that any nontoll accounts used to pay the deferred sales and use taxes will be reimbursed by toll revenues no later than December 31, 2050, which reflects prior legislative intent regarding the use of toll revenues for this purpose.

(30) \$1,000,000 of the multimodal transportation account—state appropriation is provided solely for matching funds for the department to apply to the federal highway administration's wildlife crossings pilot program for

wildlife crossing underpasses on U.S. 97 between Tonasket and Riverside (L1000373).

(31) The legislature intends to evaluate the state's approach to estimating capital project costs and risks, and to explore pooling risk. The department must present to the joint transportation committee on its cost estimating policies and considerations for creating a project risk pool before the 2026 legislative session.

NEW SECTION. Sec. 306. FOR THE DEPARTMENT OF TRANSPORTATION—PRESERVATION—PROGRAM P

Move Ahead WA Account—State Appropriation	\$154,883,000
Recreational Vehicle Account—State Appropriation	\$751,000
Motor Vehicle Account—State Appropriation	\$62,975,000
Motor Vehicle Account—Federal Appropriation	\$600,864,000
Motor Vehicle Account—Private/Local Appropriation	\$7,935,000
Connecting Washington Account—State Appropriation	\$41,159,000
State Route Number 520 Corridor Account—State Appropriation.	\$7,924,000
Tacoma Narrows Toll Bridge Account—State Appropriation.	\$1,871,000
Alaskan Way Viaduct Replacement Project Account— State Appropriation	\$5,376,000
Interstate 405 and State Route Number 167 Express Toll Lanes Account—State Appropriation	\$9,648,000
Transportation Partnership Account—State Appropriation.	\$10,000,000
TOTAL APPROPRIATION	\$903,386,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire motor vehicle account—state appropriation and motor vehicle account—federal appropriation are provided solely for the projects and activities listed in LEAP Transportation Document 2025-2 ALL PROJECTS as developed April 26, 2025, Program - Highway Preservation Program (P). Any federal funds gained through efficiencies, adjustments to the federal funds forecast, or the federal funds redistribution process must then be applied to highway and bridge preservation activities.

(2) Within the motor vehicle account—state appropriation and motor vehicle account—federal appropriation, the department may transfer appropriation authority between programs I and P, except for appropriation authority that is otherwise restricted in this act, as follows:

(a) Ten days prior to any transfer, the department must submit its request to the office of financial management and the transportation committees of the legislature and consider any concerns raised.

(b) The director of the office of financial management must first provide written authorization for such transfer to the department and the transportation committees of the legislature.

(c) The department shall submit a report on appropriation authority transferred in the prior fiscal year using this subsection as part of the department's annual budget submittal.

(3) \$6,000,000 of the motor vehicle account—state appropriation is provided solely for extraordinary costs incurred from litigation awards, settlements, or dispute mitigation activities not eligible for funding from the self-insurance fund (L2000290). The amount provided in this subsection must be held in unallotted status until the department submits a request to the office of financial management that includes documentation detailing litigation-related expenses. The office of financial management may release the funds only when it determines that all other funds designated for litigation awards, settlements, and dispute mitigation activities have been exhausted.

(4) Within the connecting Washington account—state appropriation, the department may transfer funds from Highway System Preservation (L1100071) to other preservation projects listed in the LEAP transportation document identified in subsection (1) of this section, if it is determined necessary for completion of these high priority preservation projects. The department's next budget submittal after using this subsection must appropriately reflect the transfer.

(5) The legislature continues to prioritize the replacement of the state's aging infrastructure and recognizes the importance of reusing and recycling construction aggregate and recycled concrete materials in our transportation system. To accomplish Washington state's sustainability goals in transportation and in accordance with RCW 70A.205.700, the legislature reaffirms its determination that recycled concrete aggregate and other transportation building materials are natural resource construction materials that are too valuable to be wasted and landfilled, and are a commodity as defined in WAC 173-350-100.

(6) The appropriations in this section include funding for starting planning, engineering, and construction of the Elwha River bridge replacement. To the greatest extent practicable, the department shall maintain public access on the existing route.

(7) \$17,500,000 of the motor vehicle account—federal appropriation is provided solely for a federal fund exchange pilot program. The pilot program must allow exchanges of federal surface transportation block grant population funding and state funds at an exchange rate of 95 cents in state funds per \$1.00 in federal funds. The projects receiving the exchanged federal funds must adhere to all federal requirements, including the applicable disadvantaged business enterprise goals. The entirety of the appropriation in this subsection must be held in unallotted status until surface transportation block grant population funding has been offered to the state and the department determines that a federalized project or projects funded in this section is eligible to spend the surface transportation block grant population funding. \$16,625,000 from existing state appropriations identified elsewhere within this section are available to be used as part of the exchange. Upon determination that a project or projects funded in this section is eligible to spend the offered surface transportation block grant population funding, state funds appropriated in this section for the eligible state project or projects in an amount equal to 100 percent of the offered surface transportation block grant population funding must be placed in unallotted status. The legislature intends to evaluate utilization and efficacy of this program, and if underutilized, the program is intended to not continue into future biennia.

(8) The appropriations in this section include funding for the following projects:

- (a) SR 525 Bridge Replacement - Mukilteo;
- (b) SR 4/Abernathy Creek Br - Replace Bridge;
- (c) SR 155/Omak Bridge Rehabilitation;
- (d) SR 243 Pavement Preservation and Shoulder Rebuild; and
- (e) SR 104/Port Angeles Graving Dock Settlement and Remediation.

(9) As part of its 2026 supplemental budget submittal, the department must provide a map of preservation projects that it expects to fund over the following six fiscal years based on the funding levels shown in this act and based on the funding levels requested in its 2026 supplemental budget submittal.

(10) The department may not proceed with construction of the US 195/Colfax North Fork Palouse River - Replace Bridges project during the 2025-2027 fiscal biennium. The legislature intends for the project to be delayed until the 2029-2031 fiscal biennium.

**NEW SECTION. Sec. 307. FOR THE DEPARTMENT OF
TRANSPORTATION—TRANSPORTATION OPERATIONS—
PROGRAM Q—CAPITAL**

Motor Vehicle Account—State Appropriation	\$5,845,000
Motor Vehicle Account—Federal Appropriation	\$8,374,000
Motor Vehicle Account—Private/Local Appropriation	\$635,000
TOTAL APPROPRIATION	\$14,854,000

The appropriations in this section are subject to the following conditions and limitations: \$5,621,000 of the motor vehicle account—state appropriation, \$6,500,000 of the motor vehicle account—federal appropriation, and \$635,000 of the motor vehicle account—private/local appropriation are provided solely for Programmatic Investment for Traffic Operations Capital projects (000005Q). By December 15th of each odd-numbered year, the department shall provide a report to the legislature listing all traffic operations capital project investments completed in the prior fiscal biennium.

**NEW SECTION. Sec. 308. FOR THE DEPARTMENT OF
TRANSPORTATION—PUBLIC TRANSPORTATION—PROGRAM V—
CAPITAL**

Carbon Emissions Reduction Account—State Appropriation	\$183,467,000
Multimodal Transportation Account—State Appropriation	\$19,511,000
Regional Mobility Grant Program Account—State Appropriation.	\$135,229,000
TOTAL APPROPRIATION	\$338,207,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed by project and amount in LEAP Transportation Document 2025-2 ALL PROJECTS as developed April 26, 2025, Program - Public Transportation Program (V).

(2)(a) \$135,229,000 of the regional mobility grant program account—state appropriation is provided solely for regional mobility grant projects. Of the amounts provided in this subsection, \$58,447,000 is for the reappropriation of

amounts provided for this purpose in the 2023-2025 fiscal biennium. The department shall review all projects receiving grant awards under this program at least semiannually to determine whether the projects are making satisfactory progress. Any project that has been awarded funds, but does not report activity on the project within one year of the grant award, must be reviewed by the department to determine whether the grant should be terminated. The department shall promptly close out grants when projects have been completed, and any remaining funds must be used only to fund projects identified in the LEAP transportation document referenced in this section. The department shall provide annual status reports on December 15, 2025, and December 15, 2026, to the office of financial management and the transportation committees of the legislature regarding the projects receiving the grants. A grantee may not receive more than 25 percent of the amount appropriated in this subsection unless all other funding is awarded. Additionally, when allocating funding for the 2027-2029 fiscal biennium, no more than 30 percent of the total grant program may directly benefit or support one grantee unless all other funding is awarded.

(b) To be eligible to receive a grant under (a) of this subsection during the 2027-2029 fiscal biennium, a transit agency must establish a process for private transportation providers to apply for the use of park and ride facilities.

(c) For purposes of this subsection:

(i) "Private transportation provider" means an auto transportation company regulated under chapter 81.68 RCW; a passenger charter carrier regulated under chapter 81.70 RCW, except marked or unmarked stretch limousines and stretch sport utility vehicles as defined under department of licensing rules; a private nonprofit transportation provider regulated under chapter 81.66 RCW; or a private employer transportation service provider; and

(ii) "Private employer transportation service" means regularly scheduled, fixed-route transportation service that is offered by an employer for the benefit of its employees.

(d) During the 2025-2027 fiscal biennium, the department shall consider applications submitted by regional transportation planning organizations and metropolitan planning organizations for the regional mobility grant program funding in the 2027-2029 fiscal biennium.

(e) If savings are realized from the underspending or cancellation of projects appropriated in this section, the department may advance any project or projects listed in the "2025-2027 Regional Mobility Grant Program Prioritized Project" list. The funding of any project or projects chosen to be advanced is subject to approval by the office of financial management and the transportation committees of the legislature.

(3) \$11,636,000 of the carbon emissions reduction account—state appropriation is provided solely for move ahead WA tribal transit grant projects. Of the amounts provided in this subsection, \$1,635,000 is for the reappropriation of amounts provided for this purpose in the 2023-2025 fiscal biennium. \$100,000 of the amount provided in this subsection may be used for program administration and staffing. Grants to federally recognized tribes may be for any transit purpose, including planning, operating costs, maintenance, and capital costs. By December 15, 2026, the department must submit a prioritized list to the office of financial management and the transportation committees of the legislature of new projects totaling no more than \$5,762,000.

(4) \$6,291,000 of the carbon emissions reduction account—state appropriation is reappropriated and provided solely for additional bus and bus facility projects. Of the amounts provided in this subsection, \$1,891,000 is for Twin Transit for zero-emission vehicle acquisition (BU232505) and \$4,400,000 is for C-TRAN for Highway 99 BRT hydrogen fuel cell buses (BU232507).

(5) \$11,800,000 of the carbon emissions reduction account—state appropriation is reappropriated and provided solely for the following projects:

(a) Base Refurbish & Expansion for Growth/Columbia County Public Transportation (L4000182);

(b) Kitsap Transit: Design & Shore Power (G2000115);

(c) Pierce Transit - Meridian (L2021197); and

(d) King County Metro South Annex Base - Electrification Elements (L4000174).

(6) \$6,673,000 of the multimodal transportation account—state appropriation is provided solely for a public transit ride share grant program. For grant awards not yet under contract, as a condition of public transit ride share grants provided pursuant to this subsection, public transportation agencies may not delay, divert, supplant, or suspend the collection of approved local sales and use taxes for the purpose of public transportation during the 2025-2027 fiscal biennium. Of the amounts provided in this subsection, \$1,673,000 of the multimodal transportation account—state appropriation is for the reappropriation of amounts provided for a public transit ride share grant program in the 2023-2025 fiscal biennium.

(7) \$11,189,000 of the multimodal transportation account—state appropriation is provided solely for connecting Washington transit projects. Of the amounts provided in this subsection, \$3,407,000 is for the reappropriation of amounts provided for this purpose in the 2023-2025 fiscal biennium. Entities identified to receive funding in the LEAP document referenced in this section receive the amounts specified in the time frame specified in that LEAP document. If an entity has already completed a project in the LEAP document referenced in this section before the time frame identified, the entity may substitute another transit project or projects that cost a similar or lesser amount.

(8) \$1,649,000 of the multimodal transportation account—state appropriation and \$50,799,000 of the carbon emissions reduction account—state appropriation are provided solely for green transportation capital projects identified in LEAP Transportation Document 2025-2 ALL PROJECTS as developed April 26, 2025, Program - Public Transportation Program (V). Of the amounts provided in this subsection, the entire multimodal transportation account—state amount and \$18,536,000 of the carbon emissions reduction account—state amount are for the reappropriation of amounts provided for this purpose in the 2023-2025 fiscal biennium. Of the amount of carbon emissions reduction account—state funds appropriated in this subsection, \$938,000 may be used for program administration and staffing. For grant awards not yet under contract, as a condition of green transportation capital grants provided pursuant to this subsection, public transportation agencies may not delay, divert, supplant, or suspend the collection of approved local sales and use taxes for the purpose of public transportation during the 2025-2027 fiscal biennium.

(9) For grant awards not yet under contract, as a condition of bus and bus facility grants identified in LEAP Transportation Document 2025-2 ALL

PROJECTS as developed April 26, 2025, Program - Public Transportation Program (V), public transportation agencies may not delay, divert, supplant, or suspend the collection of approved local sales and use taxes for the purpose of public transportation during the 2025-2027 fiscal biennium.

**NEW SECTION. Sec. 309. FOR THE DEPARTMENT OF
TRANSPORTATION—WASHINGTON STATE FERRIES
CONSTRUCTION—PROGRAM W**

Carbon Emissions Reduction Account—State	
Appropriation.	\$229,747,000
Move Ahead WA Account—State Appropriation	\$109,408,000
Puget Sound Capital Construction Account—State	
Appropriation.	\$385,229,000
Puget Sound Capital Construction Account—Federal	
Appropriation.	\$31,830,000
Puget Sound Capital Construction Account—	
Private/Local Appropriation	\$1,679,000
Transportation Partnership Account—State	
Appropriation.	\$5,395,000
Connecting Washington Account—State Appropriation	\$8,424,000
Capital Vessel Replacement Account—State	
Appropriation.	\$122,000,000
TOTAL APPROPRIATION	\$893,712,000

The appropriations in this section are subject to the following conditions and limitations:

- (1) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed in LEAP Transportation Document 2025-2 ALL PROJECTS as developed April 26, 2025, Program - Washington State Ferries Capital Program (W).
- (2) \$5,000,000 of the Puget Sound capital construction account—state appropriation is provided solely for emergency capital repair costs (999910K). Funds may only be spent after approval by the office of financial management.
- (3) For the 2025-2027 fiscal biennium, the marine division shall provide to the office of financial management and the legislative transportation committees the following reports on ferry capital projects:
 - (a) On a semiannual basis, the report must include a status update on projects with funding provided in this section including, but not limited to, the following:
 - (i) Anticipated cost increases and cost savings;
 - (ii) Anticipated cash flow and schedule changes; and
 - (iii) Explanations for the changes.
 - (b) On an annual basis, the report must include a status update on vessel and terminal preservation and improvement plans including, but not limited to, the following: (i) What work has been done; (ii) how have schedules shifted; and (iii) associated changes in funding among projects, accompanied by explanations for the changes.
 - (c) On an annual basis, the report must include an update on the implementation of the maintenance management system with recommendations

for using the system to improve the efficiency of project reporting under this subsection.

(4) The legislature intends to reassess funding for Bainbridge Island and Kingston terminal electrification projects based on progression of the electrification program and future recommendations of the department.

(5) The appropriations in this section include savings assumed under section 719 of this act. By October 15, 2026, Washington state ferries must report to the transportation committees of the legislature and the office of financial management any estimated savings, efficiencies realized, and recommendations for further improvements.

(6) \$6,000,000 of the Puget Sound capital construction account—state appropriation is provided solely for modernization of the ticketing and reservation system (990052C). The department must prioritize integration of ORCA payment, Good to Go! payment, and mobile payment platforms into the new system at the earliest possible phase.

(7) The legislature intends to consider alternative forms of financing including, but not limited to, certificates of participation (lease-purchase) and leasing for the purpose of securing up to five hybrid electric vessels for the Washington state ferry system.

NEW SECTION. Sec. 310. FOR THE DEPARTMENT OF TRANSPORTATION—RAIL—PROGRAM Y—CAPITAL

Carbon Emissions Reduction Account—State

Appropriation.	\$91,132,000
------------------------	--------------

Essential Rail Assistance Account—State	
Appropriation.	\$1,518,000

Motor Vehicle Account—State Appropriation	\$316,000
---	-----------

Motor Vehicle Account—Private/Local Appropriation	\$326,000
---	-----------

Move Ahead WA Flexible Account—State Appropriation	\$18,731,000
--	--------------

Transportation Infrastructure Account—State	
Appropriation.	\$7,223,000

Multimodal Transportation Account—State	
Appropriation.	\$79,468,000

Multimodal Transportation Account—Federal	
Appropriation.	\$113,163,000

TOTAL APPROPRIATION	\$311,877,000
-------------------------------	---------------

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed by project and amount in LEAP Transportation Document 2025-2 ALL PROJECTS as developed April 26, 2025, Program - Rail Program (Y).

(2) \$1,500,000 of the transportation infrastructure account—state appropriation is provided solely for new low-interest loans approved by the department through the freight rail investment bank (FRIB) program identified in the LEAP transportation document referenced in subsection (1) of this section.

(3) \$6,899,000 of the multimodal transportation account—state appropriation is provided solely for new statewide emergent freight rail

assistance projects identified in the LEAP transportation document referenced in subsection (1) of this section.

(4)(a) \$7,500,000 of the carbon emissions reduction account—state appropriation and \$25,076,000 of the multimodal transportation account—federal appropriation are provided solely to support the department's continued work on a service development plan for a new ultra high-speed ground transportation corridor under the federal corridor identification and development program (L2021074). The department may not move forward with programmatic environmental review unless authorized to do so by the legislature.

(b) The department must coordinate with the chairs and ranking members of the transportation committees of the legislature to provide periodic updates and check-in points on progress made over the course of the biennium, with updates available no less frequently than semiannually, and must include written status updates to be provided with sufficient time for review prior to any update meetings held. An annual report on ultra high-speed ground transportation corridor identification and development program efforts must be provided to the transportation committees of the legislature and the office of financial management by December 1, 2025 and December 1, 2026.

(5) \$3,600,000 of the multimodal transportation account—state appropriation is provided solely for the Cascades corridor delivery program for advancing the Cascades corridor (R00003A), including through planning and project development activities conducted as part of the federal corridor identification and development program. The department must continue to pursue funding opportunities for the Cascades corridor through the corridor identification and development program and the federal-state partnership programs at the federal rail administration. The department must notify the office of the governor and the transportation committees of the legislature of funding opportunities from the programs and any corresponding state match needs.

(6) \$18,731,000 of the move ahead WA flexible account—state appropriation, \$54,785,000 of the multimodal transportation account—federal appropriation, and \$326,000 of the motor vehicle account—local appropriation are provided solely for rehabilitation of the Palouse River and Coulee City Railroad (L4000079).

(7) \$5,000,000 of the carbon emissions reduction account—state appropriation is provided solely to fund the replacement of two Tacoma rail diesel-electric switcher locomotives with zero emission battery-electric switcher locomotives and to install on-site charging equipment at a Tacoma rail facility (L1000327). Local funds sufficient to fully fund this project must be contributed to the project, and any agreements required for the project must be secured.

(8) \$26,200,000 of the carbon emissions reduction account—state appropriation is provided solely for port electrification competitive grants (L2021182). All public ports are eligible to receive funds under this subsection. A port seeking to use funds under this subsection to install shore power must adopt a policy that requires vessels that dock at the port facility to use shore power if such vessel is capable of using such power and when such power is available at the port facility.

(9) \$1,000,000 of the carbon emissions reduction account—state appropriation is provided solely for port electrification at the port of Bremerton (L1000337), which may include the purchase and installation of zero emission port shore power systems and other zero emission infrastructure, equipment, and technology.

(10) \$1,855,000 of the carbon emissions reduction account—state appropriation is provided solely for port electrification at the port of Anacortes (L1000338), which may include the purchase and installation of zero emission port shore power systems and other zero emission infrastructure, equipment, and technology.

(11) \$24,800,000 of the carbon emissions reduction account—state appropriation is provided solely to fund a zero emission shore power infrastructure demonstration project at Northwest seaport alliance facilities (L1000325). Local funds sufficient to fully fund this project must be contributed to the project, and any agreements required for the project must be secured.

(12) \$5,277,000 of the carbon emissions reduction account—state appropriation is provided solely to fund a zero emission drayage truck demonstration project (L1000324) at Northwest seaport alliance facilities.

NEW SECTION. Sec. 311. FOR THE DEPARTMENT OF TRANSPORTATION—LOCAL PROGRAMS—PROGRAM Z—CAPITAL

Carbon Emissions Reduction Account—State

Appropriation. \$281,202,000

Freight Mobility Investment Account—State

Appropriation. \$19,335,000

Freight Mobility Multimodal Account—State

Appropriation. \$24,952,000

Highway Infrastructure Account—Federal Appropriation. \$1,500,000

Move Ahead WA Account—State Appropriation \$170,384,000

Move Ahead WA Flexible Account—State Appropriation \$37,500,000

Motor Vehicle Account—State Appropriation \$31,840,000

Motor Vehicle Account—Federal Appropriation \$106,461,000

Motor Vehicle Account—Private/Local Appropriation \$75,000,000

Connecting Washington Account—State Appropriation \$99,002,000

Multimodal Transportation Account—State

Appropriation. \$115,518,000

TOTAL APPROPRIATION \$962,694,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed by project and amount in LEAP Transportation Document 2025-2 ALL PROJECTS as developed April 26, 2025, Program - Local Programs Program (Z).

(2) The amounts identified in the LEAP transportation document referenced under subsection (1) of this section for pedestrian safety/safe routes to school are as follows:

(a) \$38,380,000 of the multimodal transportation account—state appropriation and \$43,372,000 of the carbon emissions reduction account—state

appropriation are provided solely for pedestrian and bicycle safety program projects (L2000188 and L1000335). Of the amount of carbon emissions reduction account funds appropriated in this subsection, up to one percent may be used for program administration and staffing.

(b) \$16,933,000 of the motor vehicle account—federal appropriation, \$53,139,000 of the carbon emissions reduction account—state appropriation, and \$13,321,000 of the multimodal transportation account—state appropriation are provided solely for safe routes to school projects (L2000189 and L1000334). Of the amount of carbon emissions reduction account funds appropriated in this subsection, up to one percent may be used for program administration and staffing.

(c) For future rounds of grant selection, the department must reevaluate the criteria to increase geographic diversity of jurisdictions consistent with the requirements of the healthy environment for all (HEAL) act.

(3) \$35,528,000 of the motor vehicle account—federal appropriation is provided solely for acceleration of local preservation projects that ensure the reliable movement of freight on the national highway freight system (G2000100). The department will select projects as part of its update of the state freight plan, in consultation with the freight mobility strategic investment board and other stakeholders.

(4) The department shall submit a report to the transportation committees of the legislature by December 1, 2025, and December 1, 2026, on the status of projects funded as part of the pedestrian safety/safe routes to school grant program and the Sandy Williams connecting communities grant program.

(5) \$27,200,000 of the carbon emissions reduction account—state appropriation is provided solely for the statewide school-based bicycle education grant program (L1000309). The department may partner with a statewide nonprofit to deliver programs. Of the amounts appropriated in this subsection, up to one percent may be used for program support.

(6) \$22,000,000 of the motor vehicle account—state appropriation is provided solely for a federal fund exchange pilot program. The pilot program will allow exchanges of federal surface transportation block grant population funding and state funds at an exchange rate of 95 cents in state funds per \$1.00 in federal funds. The entirety of the appropriation in this subsection must be held in unallotted status until: Surface transportation block grant population funding has been offered to the state, the department determines that a federalized project or projects funded in section 305 or 306 of this act, is eligible to spend the surface transportation block grant population funding, and state funds appropriated in section 305 or 306 of this act, for the eligible state project or projects in an amount equal to 100 percent of the offered surface transportation block grant population funding have been placed in unallotted status. A report on the effectiveness of the exchange program, the total estimated cost of program administration, and recommendations for continuing the pilot program is due to the governor and transportation committees of the legislature by December 1, 2026. The department may issue additional calls for projects with any remaining funds provided in this subsection. The legislature intends to evaluate utilization and efficacy of this program, and if underutilized, the program is intended not to continue into future biennia.

(7) \$33,200,000 of the carbon emissions reduction account—state appropriation is provided solely for the Sandy Williams connecting communities pilot program (L1000308) to deliver projects to reconnect communities that have been bifurcated by state highways. Priority must be given to historically marginalized or overburdened communities. The department may consult with the Cooper Jones active transportation safety council to identify geographic locations where there are high incidences of serious injuries and fatalities of active transportation users among vulnerable populations. Of the amounts appropriated in this subsection, up to one percent may be used for program support.

(8) \$500,000 of the multimodal transportation account—state appropriation is provided solely for the department to award grants to local jurisdictions to implement network-wide traffic conflict screening programs using video analytics in controlled intersections with a disproportionate number of traffic violations and injuries to active transportation users (L2021149). Grants must be awarded proportionally across the state and include controlled intersections in both urban and rural environments and along state highways and county roads. Grant recipients must report back to the department all traffic violation and active transportation facility data acquired during the grant period and provide the department with appropriate next steps for the state and the local jurisdiction to improve traffic safety for active transportation users in such intersections. The department must report such findings and recommendations to the transportation committees of the legislature by December 1, 2026.

(9)(a) \$7,000,000 of the carbon emissions reduction account—state appropriation is provided solely for the department to continue providing rebates to qualifying persons who purchase e-bikes and qualifying equipment and services from a qualifying retailer in accordance with rebate program qualification, application, retailer, and reimbursement requirements under section 310(16)(a), chapter 472, Laws of 2023. Of this amount, \$4,000,000 is for rebate amounts as described under (a)(i) of this subsection and \$3,000,000 is for rebate amounts as described under (a)(ii) of this subsection.

(i) For persons who are at least 16 years of age and reside in households with incomes at or below 80 percent of the county area median income, the amount of the rebate is up to \$1,200 on the sale of an e-bike and any qualifying equipment and services.

(ii) For all other persons who are at least 16 years of age, the amount of the rebate is up to \$300 on the sale of an e-bike and any qualifying equipment and services.

(b) \$3,568,000 of the carbon emissions reduction account—state appropriation is provided solely for the department to continue its e-bike lending library and ownership grant program in accordance with program requirements under section 310(16)(b), chapter 472, Laws of 2023.

(c) The department may not collect more than five percent of appropriated amounts to administer the programs under (a) and (b) of this subsection.

(10) \$19,335,000 of the freight mobility investment account—state appropriation and \$24,952,000 of the freight mobility multimodal account—state appropriation are provided solely for freight mobility strategic investment board projects listed in the LEAP transportation document referenced in subsection (1) of this section.

(11) \$170,000 of the multimodal transportation account—state appropriation is provided solely for the Seattle office of planning and community development to finish updating the 2020 I-5 Lid Feasibility Study (L2021140).

(12) The legislature intends to fund the Ballard and Magnolia Bridge project (L4000123), as described in section 911(18), chapter 472, Laws of 2023.

(13) \$5,100,000 of the move ahead WA flexible account—state appropriation is provided solely for development of an applied sustainable aviation evaluation center (L2021135). Snohomish county, in partnership with Washington State University, shall plan and establish facilities to evaluate, qualify or certify, and research technologies that can minimize the impact of aviation on human health and the environment. Funds may be used for, but are not limited to, planning, construction, and land acquisition for sustainable aviation fuel (SAF) qualification testing (ASTM D4054), research on the impact of SAF on the environment and human health, and SAF storage for the purpose of advancing sustainable aviation. At a minimum, three sustainable aviation platforms must be considered:

- (a) Sustainable aviation fuel;
- (b) Hydrogen; and
- (c) Battery electric energy storage mechanisms.

(14) \$5,000,000 of the multimodal transportation account—state appropriation is provided solely for the department to assist local jurisdictions in addressing emergent issues related to safety for pedestrians and bicyclists (LXXXPBF). Funds may only be spent after approval from the office of financial management. By December 15th of each odd-numbered year, the department shall provide a report to the legislature listing all emergent issues addressed in the prior fiscal biennium. Reporting may be done in conjunction with the transportation operations division.

(15) \$45,000,000 of the move ahead WA account—state appropriation is provided solely for the Confluence Parkway Infra Match project (L2021180). The legislature intends that in the 2027-2029 fiscal biennium, \$35,000,000 of the move ahead WA account—state account funds will be provided for the project only if federal project funding for Phase 2 of the Confluence Parkway project is secured.

(16) \$40,000,000 of the move ahead WA account—state appropriation is provided solely for Columbia River Bridge Replacement/Hood River to White Salmon (L4000046). The legislature intends that in the 2027-2029 fiscal biennium and future biennia, \$30,000,000 of the move ahead WA account—state account funds will be provided for the project only if federal project funding and a match from the state of Oregon are secured for construction.

NEW SECTION. Sec. 312. ANNUAL REPORTING REQUIREMENTS FOR CAPITAL PROGRAM

As part of its annual budget submittal, the department of transportation shall provide an update to the report provided to the legislature in the prior fiscal year in a manner consistent with past practices as specified in section 312, chapter 333, Laws of 2021.

NEW SECTION. Sec. 313. QUARTERLY REPORTING REQUIREMENTS FOR CAPITAL PROGRAM

On a quarterly basis, the department of transportation shall provide to the office of financial management and the legislative transportation committees a report for all capital projects in a manner consistent with past practices as specified in section 313, chapter 186, Laws of 2022.

NEW SECTION. Sec. 314. NOTIFICATION REQUIREMENTS FOR PAUSES AND CANCELLATIONS

(1) The department of transportation shall notify the transportation committees of the legislature when it intends to pause for a significant length of time or not proceed with operating items or capital projects included as budget provisos or on project lists. When feasible, this notification shall be provided prior to the pause or cancellation and at least seven days in advance of any public announcement related to such a pause or cancellation.

(2) At the time of notification, the department shall provide an explanation for the reason or reasons for the pause or cancellation for each operating budget item and capital project. The explanation shall include specific reasons for each pause or cancellation, in addition to a statement of the broad rationale for the pause or cancellation.

(3) When feasible, the department shall make best efforts to keep the transportation committees of the legislature informed of an evaluation process underway for selecting operating budget items and capital projects to be paused or canceled, providing updates as its selection efforts proceed.

(4) When exigent circumstances prevent prior notice of a pause or cancellation from being provided to the transportation committees of the legislature, the department shall provide the information required under this section to the transportation committees of the legislature as soon as is practicable.

NEW SECTION. Sec. 315. FOR THE WASHINGTON STATE DEPARTMENT OF TRANSPORTATION—FUNDS MANAGEMENT

As part of the department's 2026 supplemental and 2027-2029 biennial budget requests, the department shall also report on:

- (1) The federal grant programs it has applied for; and
- (2) The federal competitive grant programs it could have applied for but did not and the reason or reasons it did not apply.

TRANSFERS AND DISTRIBUTIONS

NEW SECTION. Sec. 401. FOR THE STATE TREASURER—STATE REVENUES FOR DISTRIBUTION

Motor Vehicle Account—State Appropriation: For motor vehicle fuel tax statutory distributions to cities and counties		\$443,860,000
Multimodal Transportation Account—State Appropriation: For distribution to cities and counties		\$26,786,000
Motor Vehicle Account—State Appropriation: For distribution to cities and counties		\$23,438,000
TOTAL APPROPRIATION		\$494,084,000

NEW SECTION. **Sec. 402. FOR THE STATE TREASURER—TRANSFERS**

Motor Vehicle Account—State Appropriation: For motor vehicle fuel tax refunds and statutory transfers\$1,877,014,000

NEW SECTION. **Sec. 403. FOR THE DEPARTMENT OF LICENSING—TRANSFERS**

Motor Vehicle Account—State Appropriation: For motor vehicle fuel tax refunds and transfers \$206,302,000

NEW SECTION. **Sec. 404. FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALES DISCOUNTS AND DEBT TO BE PAID BY MOTOR VEHICLE ACCOUNT AND TRANSPORTATION FUND REVENUE**

Transportation Partnership Account—State Appropriation..... \$4,061,000
Motor Vehicle Account—State Appropriation \$150,000
Connecting Washington Account—State Appropriation \$15,234,000
Special Category C Account—State Appropriation\$510,000
Puget Sound Gateway Facility Account—State Appropriation..... \$350,000
Highway Bond Retirement Account—State Appropriation \$1,604,659,000
Transportation Improvement Board Bond Retirement Account—State Appropriation \$5,619,000
Nondebt-Limit Reimbursable Bond Retirement Account—State Appropriation \$28,212,000
Toll Facility Bond Retirement Account—State Appropriation..... \$90,015,000
Transportation 2003 Account (Nickel Account)—State Appropriation..... \$934,000
Interstate 405 and State Route Number 167 Express Toll Lanes Account—State Appropriation \$1,877,000
TOTAL APPROPRIATION\$1,751,621,000

The appropriations in this section are subject to the following conditions and limitations: The toll facility bond retirement account—state appropriation includes up to \$5,500,000 in proceeds from the sale of bonds authorized in RCW 47.10.896.

NEW SECTION. **Sec. 405. FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR DEBT TO BE PAID BY STATUTORILY PRESCRIBED REVENUE**

Toll Facility Bond Retirement Account—State Appropriation..... \$39,742,000

NEW SECTION. **Sec. 406. FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES AND FISCAL AGENT CHARGES**

Transportation Partnership Account—State

Appropriation.	\$812,000
Motor Vehicle Account—State Appropriation	\$30,000
Connecting Washington Account—State Appropriation	\$3,046,000
Special Category C Account—State Appropriation	\$230,000
Puget Sound Gateway Facility Account—State	
Appropriation.	\$450,000
Transportation 2003 Account (Nickel Account)—State	
Appropriation.	\$187,000
Interstate 405 and State Route Number 167 Express	
Toll Lanes Account—State Appropriation	\$375,000
TOTAL APPROPRIATION	\$5,130,000

NEW SECTION. Sec. 407. FOR THE STATE TREASURER—ADMINISTRATIVE TRANSFERS

(1)(a) Transportation Partnership Account—State
Appropriation: For transfer to the Move Ahead WA

Account—State \$879,000,000

(b) The amount authorized in this subsection is a maximum amount allowed and represents proceeds from the sale of bonds authorized in RCW 47.10.873. Transfers under this subsection are deemed for projects or improvements identified as transportation partnership projects or improvements for purposes of RCW 47.10.873. Appropriations in the amount of this transfer are made in this act to reflect proceeds from the sale of bonds authorized in RCW 47.10.873.

(2) Transportation Partnership

Account—State Appropriation: For transfer to the

Tacoma Narrows Toll Bridge Account—State \$4,436,000

(3)(a) Connecting Washington Account—State
Appropriation: For transfer to the Move Ahead WA

Account—State \$164,000,000

(b) The amount authorized in this subsection is a maximum amount allowed and represents proceeds from the sale of bonds authorized in RCW 47.10.889. Transfers under this subsection are deemed for projects or improvements identified as connecting Washington projects or improvements for purposes of RCW 47.10.889. Appropriations in the amount of this transfer are made in this act to reflect proceeds from the sale of bonds authorized in RCW 47.10.889.

(4)(a) Transportation 2003 Account (Nickel Account)—State
Appropriation: For transfer to the

Move Ahead WA Account—State \$212,000,000

(b) The amount authorized in this subsection is a maximum amount allowed and represents proceeds from the sale of bonds authorized in RCW 47.10.861. Transfers under this subsection are deemed for projects or improvements identified as transportation 2003 (nickel) projects or improvements for purposes of RCW 47.10.861. Appropriations in the amount of this transfer are made in this act to reflect proceeds from the sale of bonds authorized in RCW 47.10.861.

(5) Move Ahead WA Account—State Appropriation:

For transfer to the Puget Sound Capital Construction

Account—State \$40,000,000

(6) Move Ahead WA Account—State

Appropriation: For transfer to the Puget Sound Ferry

Operations Account—State.	\$172,000,000
(7) Move Ahead WA Account—State	
Appropriation: For transfer to the Transportation	
Partnership Account—State	\$40,000,000
(8) Move Ahead WA Flexible Account—State	
Appropriation: For transfer to the Move Ahead	
WA Account—State	\$192,000,000
(9) Pilotage Account—State Appropriation:	
For transfer to the Multimodal Transportation	
Account—State	\$320,000
(10) Transportation Infrastructure Account—State	
Appropriation: For transfer to the	
Multimodal Transportation Account—State.	\$9,000,000
(11) Regional Mobility Grant Program Account—State	
Appropriation: For transfer to the Multimodal	
Transportation Account—State.	\$9,000,000
(12) Electric Vehicle Account—State	
Appropriation: For transfer to Move Ahead WA	
Flexible Account—State.	\$3,600,000
(13)(a) Alaskan Way Viaduct Replacement Project	
Account—State Appropriation: For transfer to the	
Transportation Partnership Account—State	\$22,896,000
(b) The amount transferred in this subsection represents repayment of debt	
service incurred for the construction of the SR 99/Alaskan Way Viaduct	
Replacement project (809936Z).	
(14) Highway Safety Account—State Appropriation:	
For transfer to the State Patrol Highway	
Account—State	\$88,000,000
(15) Motor Vehicle Account—State Appropriation:	
For transfer to the County Arterial Preservation	
Account—State	\$4,844,000
(16) Motor Vehicle Account—State Appropriation:	
For transfer to the Freight Mobility Investment	
Account—State	\$8,511,000
(17) Motor Vehicle Account—State	
Appropriation: For transfer to the Rural Arterial	
Trust Account—State	\$4,844,000
(18) Motor Vehicle Account—State	
Appropriation: For transfer to the Transportation	
Improvement Account—State.	\$9,688,000
(19) Motor Vehicle Account—State	
Appropriation: For transfer to the State Patrol	
Highway Account—State	\$130,000,000
(20) Motor Vehicle Account—State	
Appropriation: For transfer to the Capital Vessel	
Replacement Account—State	\$5,000,000
(21) Motor Vehicle Account—State	
Appropriation: For transfer to the Puget Sound	
Capital Construction Account—State.	\$6,500,000

(22) Motor Vehicle Account—State Appropriation: For transfer to the Puget Sound Ferry Operations Account—State	\$15,000,000
(23) Puget Sound Ferry Operations Account—State Appropriation: For transfer to the Puget Sound Capital Construction Account—State	\$115,315,000
(24) State Route Number 520 Civil Penalties Account—State Appropriation: For transfer to the Motor Vehicle Account—State	\$3,000,000
(25) State Route Number 520 Civil Penalties Account—State Appropriation: For transfer to the State Route Number 520 Corridor Account—State	\$1,752,000
(26) Multimodal Transportation Account—State Appropriation: For transfer to the Move Ahead WA Flexible Account—State	\$18,770,000
(27) Multimodal Transportation Account—State Appropriation: For transfer to the Puget Sound Ferry Operations Account—State	\$64,000,000
(28) Multimodal Transportation Account—State Appropriation: For transfer to the Complete Streets Grant Program Account—State	\$14,670,000
(29) Multimodal Transportation Account—State Appropriation: For transfer to the Freight Mobility Multimodal Account—State	\$8,511,000
(30) Multimodal Transportation Account—State Appropriation: For transfer to the Puget Sound Capital Construction Account—State	\$105,000,000
(31) Multimodal Transportation Account—State Appropriation: For transfer to the Regional Mobility Grant Program Account—State	\$27,679,000
(32) Multimodal Transportation Account—State Appropriation: For transfer to the Rural Mobility Grant Program Account—State	\$12,223,000
(33) Multimodal Transportation Account—State Appropriation: For transfer to the Transportation Partnership Account—State	\$25,000,000
(34) Carbon Emissions Reduction Account—State Appropriation: For transfer to the Puget Sound Ferry Operations Account—State	\$4,200,000
(35)(a) General Fund Account—State Appropriation: For transfer to the State Patrol Highway Account—State	\$625,000
(b) The state treasurer shall transfer the funds under this subsection only after receiving notification from the Washington state patrol under section 207 of this act.	
(36)(a) Highway Safety Account—State Appropriation: For transfer to the Driver Education Safety Improvement Account—State for fiscal year 2026	\$2,000,000

(b) Driver Education Safety Improvement
Account—State Appropriation: For transfer to
the Highway Safety Account—State for fiscal year 2027 \$2,000,000

COMPENSATION

NEW SECTION. Sec. 501. COLLECTIVE BARGAINING AGREEMENTS NOT IMPAIRED

Nothing in this act prohibits the expenditure of any funds by an agency or institution of the state for benefits guaranteed by any collective bargaining agreement in effect on the effective date of this section.

NEW SECTION. Sec. 502. COLLECTIVE BARGAINING AGREEMENTS

(1) In accordance with chapters 41.80, 41.56, and 47.64 RCW, agreements have been reached between the governor and employee organizations representing state employee bargaining units for the 2025-2027 fiscal biennium and funding is provided in this act for agreement with the following organizations:

- (a) Washington federation of state employees, general government;
- (b) Professional and technical engineers, local 17;
- (c) The coalition of unions;
- (d) Washington state patrol troopers association;
- (e) Washington state patrol lieutenants and captains association;
- (f) Office and professional employees international union local 8;
- (g) Ferry agents, supervisors, and project administrators association;
- (h) Service employees international union local 6;
- (i) Pacific Northwest regional council of carpenters;
- (j) Puget Sound metal trades council;
- (k) Marine engineers' beneficial association unlicensed engine room employees;
- (l) Marine engineers' beneficial association licensed engineer officers;
- (m) Marine engineers' beneficial association port engineers;
- (n) Masters, mates, and pilots - mates;
- (o) Masters, mates, and pilots - masters;
- (p) Masters, mates, and pilots - watch center supervisors; and
- (q) Inlandboatmen's union of the Pacific;

(2) Expenditures for agreements in this section may also be funded from nonappropriated accounts. If positions are funded with lidded grants or dedicated fund sources with insufficient revenue, additional funding from other sources is not provided.

NEW SECTION. Sec. 503. COMPENSATION—INSURANCE BENEFITS

(1)(a) An agreement was reached for the 2025-2027 fiscal biennium between the governor and the health care coalition under the provisions of chapter 41.80 RCW. Appropriations in this act for state agencies are sufficient to implement the provisions of the 2025-2027 collective bargaining agreement.

(b) Appropriations for state agencies in this act are sufficient for represented employees outside the coalition and for nonrepresented state employee health benefits.

(2) The appropriations for state agencies in this act for benefits provided by the public employees' benefits board are subject to conditions and limitations as provided in the omnibus operating appropriations act.

NEW SECTION. Sec. 504. GENERAL WAGE INCREASES

Appropriations for state agency employee compensation in this act are sufficient to provide general wage increases to state agency employees and employees of institutions of higher education, who are not represented or who bargain under statutory authority other than chapter 41.80 or 47.64 RCW or RCW 41.56.473 or 41.56.475, as described in the omnibus operating appropriations act.

NEW SECTION. Sec. 505. COMPENSATION—PENSION CONTRIBUTIONS

Appropriations in this act for state agencies are adjusted to reflect pension contribution rates adopted by the pension funding council and the law enforcement officers' and firefighters' retirement system plan 2 board and as otherwise provided in the omnibus operating appropriations act.

IMPLEMENTING PROVISIONS

NEW SECTION. Sec. 601. MANAGEMENT OF TRANSPORTATION FUNDS WHEN THE LEGISLATURE IS NOT IN SESSION

(1) The 2005 transportation partnership projects or improvements, 2015 connecting Washington projects or improvements, and move ahead WA projects or improvements are listed in the LEAP Transportation Document 2025-1 as developed April 26, 2025, which consists of a list of specific projects by fund source and amount over multiple biennia. Current fiscal biennium funding for each project is a line-item appropriation, while the outer year funding allocations represent a six-year plan. The department of transportation is expected to use the flexibility provided in this section to assist in the delivery and completion of all transportation partnership account, connecting Washington account, and move ahead WA account projects on the LEAP transportation document referenced in this subsection. For the 2023-2025 and 2025-2027 project appropriations, unless otherwise provided in this act, the director of the office of financial management may provide written authorization for a transfer of appropriation authority between projects funded with transportation partnership account appropriations, connecting Washington account appropriations, or move ahead WA account appropriations to manage project spending and efficiently deliver all projects in the respective program under the following conditions and limitations:

(a) Transfers may only be made within each specific fund source referenced on the respective project list;

(b) Transfers from a project may not be made as a result of the reduction of the scope of a project or be made to support increases in the scope of a project;

(c) Transfers from a project may be made if the funds appropriated to the project are in excess of the amount needed in the current fiscal biennium;

(d) Transfers may not occur for projects not identified on the applicable project list;

(e) Transfers to a project may not occur if that project is a programmatic funding item described in broad general terms on the applicable project list without referencing a specific state route number;

(f) Transfers may not be made while the legislature is in session;

(g) Transfers to a project may not be made with funds designated as attributable to practical design savings as described in RCW 47.01.480;

(h) The total amount of transfers under this section may not exceed \$100,000,000;

(i) Except as otherwise provided in (k) of this subsection, transfers made to a single project may not cumulatively total more than \$50,000,000 per fiscal biennium, and may not total more than the amount identified for a project within the six-year plan;

(j) Each transfer between projects may only occur if the director of the office of financial management finds that any resulting change will not hinder the completion of the projects as approved by the legislature; and

(k) Transfers between projects may be made by the department of transportation without the formal written approval provided under this subsection (1), provided that the transfer amount to a single project does not exceed \$250,000 or 10 percent of the total project per fiscal biennium, whichever is less. These transfers must be reported quarterly to the director of the office of financial management and the chairs of the house of representatives and senate transportation committees.

(2) The department of transportation must submit quarterly all transfers authorized under this section in the transportation executive information system. The office of financial management must maintain a legislative baseline project list identified in the LEAP transportation documents referenced in this act, and update that project list with all authorized transfers under this section, including any effects to the total project budgets and schedules beyond the current fiscal biennium.

(3) At the time the department submits a request to transfer funds under this section, a copy of the request must be submitted to the chairs and ranking members of the transportation committees of the legislature.

(4) Before approval, the office of financial management shall work with legislative staff of the house of representatives and senate transportation committees to review the requested transfers in a timely manner and address any concerns raised by the chairs and ranking members of the transportation committees.

(5) No fewer than 10 days after the receipt of a project transfer request, the director of the office of financial management must provide written notification to the department of any decision regarding project transfers, with copies submitted to the transportation committees of the legislature.

(6) The department must submit annually as part of its budget submittal a report detailing all transfers made pursuant to this section, including any effects to the total project budgets and schedules beyond the current fiscal biennium.

NEW SECTION. Sec. 602. BOND REIMBURSEMENT

To the extent that any appropriation authorizes expenditures of state funds from the motor vehicle account, special category C account, Tacoma Narrows toll bridge account, transportation 2003 account (nickel account), transportation partnership account, transportation improvement account, Puget Sound capital construction account, multimodal transportation account, state route number 520 corridor account, connecting Washington account, or other transportation capital project account in the state treasury for a state transportation program that is specified to be funded with proceeds from the sale of bonds authorized in

chapter 47.10 RCW, the legislature declares that any such expenditures made before the issue date of the applicable transportation bonds for that state transportation program are intended to be reimbursed from proceeds of those transportation bonds in a maximum amount equal to the amount of such appropriation.

NEW SECTION. Sec. 603. BELATED CLAIMS

The agencies and institutions of the state may expend moneys appropriated in this act, upon approval of the office of financial management, for the payment of supplies and services furnished to the agency or institution in prior fiscal biennia.

NEW SECTION. Sec. 604. REAPPROPRIATIONS REPORTING

(1) As part of its 2026 supplemental budget submittal, the department of transportation shall provide a report to the legislature and the office of financial management that:

(a) Identifies, by capital project, the amount of state funding that has been reappropriated from the 2023-2025 fiscal biennium into the 2025-2027 fiscal biennium; and

(b) Identifies, for each project, the amount of cost savings or increases in funding that have been identified as compared to the 2023 enacted omnibus transportation appropriations act.

(2) As part of the agency request for capital programs, the department shall load reappropriations separately from funds that were assumed to be required for the 2025-2027 fiscal biennium into budgeting systems.

NEW SECTION. Sec. 605. WEBSITE REPORTING REQUIREMENTS

The department of transportation shall post on its website every report that is due from the department to the legislature during the 2025-2027 fiscal biennium on one web page in a manner consistent with past practices as specified in section 605, chapter 333, Laws of 2021.

NEW SECTION. Sec. 606. TRANSIT, BICYCLE, AND PEDESTRIAN ELEMENTS REPORTING

By November 15th of each year, the department of transportation must report on amounts expended to benefit transit, bicycle, or pedestrian elements within all connecting Washington projects in programs I, P, and Z identified in LEAP Transportation Document 2025-2 ALL PROJECTS as developed April 26, 2025, in a manner consistent with past practices as specified in section 602, chapter 186, Laws of 2022.

NEW SECTION. Sec. 607. PROJECT SCOPE CHANGES

(1) During the 2025-2027 fiscal biennium, while the legislature is not in session, the director of the office of financial management may approve project scope change requests to connecting Washington projects and move ahead WA projects in the highway improvements program, provided that the requests meet the criteria outlined in RCW 47.01.480 if a connecting Washington project, and are subject to the limitations in this section.

(2) At the time the department of transportation submits a request for a project scope change under this section, a copy of the request must be submitted to the transportation committees of the legislature.

(3) Before approval, the office of financial management shall work with legislative staff of the house of representatives and senate transportation committees to review the requested project scope changes.

(4) No fewer than 10 days after the receipt of a scope change request, the director of the office of financial management must provide written notification to the department of any decision regarding project scope changes, with copies submitted to the transportation committees of the legislature.

(5) As part of its annual budget submittal, the department of transportation must report on all approved scope change requests from the prior year, including a comparison of the scope before and after the requested change.

NEW SECTION. Sec. 608. TOLL CREDITS

(1) The department of transportation, and any local partner on a project that may receive state funds, must indicate on any application for federal grants for eligible transportation projects, if and when possible, that toll credits may be used to fulfill state and local match requirements for any federal grant award amount.

(2) The department of transportation may provide up to \$5,000,000 in toll credits to Kitsap transit for its role in delivering capital projects related to Kitsap transit public transportation services including, but not limited to, ferry service. The number of toll credits provided must be equal to, but no more than, the number sufficient to meet federal match requirements for grant funding for passenger-only ferry service, but must not exceed the amount authorized in this section.

NEW SECTION. Sec. 609. LOCAL PARTNER COOPERATIVE AGREEMENTS

(1) If a transportation project, where the Washington state department of transportation is the lead and the project is scheduled to be delivered or completed in the 2025-2027 fiscal biennium as shown on the LEAP Transportation Document 2025-2 ALL PROJECTS as developed April 26, 2025, is in jeopardy of being delayed because the department is unable to deliver or complete the project within the 2025-2027 fiscal biennium and other local jurisdictions are able to deliver or complete the work, the department must coordinate with the appropriate local jurisdictions to determine if a potential local partner is ready, willing, and able to execute delivery and completion of the project within the 2025-2027 fiscal biennium.

(2) The department must compile a list of projects under this section, including the timing under which the local partner agency can deliver or complete the projects within the 2025-2027 and 2027-2029 fiscal biennia. The department must submit the compiled list of projects to the governor and the transportation committees of the legislature by November 1, 2025.

MISCELLANEOUS 2025-2027 FISCAL BIENNIUM

NEW SECTION. Sec. 701. INFORMATION TECHNOLOGY OVERSIGHT

The following transportation projects are subject to the conditions, limitations, and review provided in section 701 (2) through (12), chapter . . . , Laws of 2025 (Substitute Senate Bill No. 5167) (omnibus operating appropriations act): For the department of transportation: Washington state

ferries dispatch system replacement and Washington state ferries ticketing and reservations modernization.

Sec. 702. RCW 36.79.020 and 1997 c 81 s 2 are each amended to read as follows:

There is created in the motor vehicle fund the rural arterial trust account. All moneys deposited in the motor vehicle fund to be credited to the rural arterial trust account shall be expended for (1) the construction and improvement of county rural arterials and collectors, (2) the construction of replacement bridges funded by the federal bridge replacement program on access roads in rural areas, and (3) those expenses of the board associated with the administration of the rural arterial program. During the 2025-2027 fiscal biennium, the rural arterial trust account may also be used for staffing-related expenses of the board, contracting costs, and grants associated with bridge ratings.

Sec. 703. RCW 46.09.540 and 2021 c 333 s 720 are each amended to read as follows:

(1) The multiuse roadway safety account is created in the motor vehicle fund. All receipts from vehicle license fees under RCW 46.17.350(1)(r) must be deposited into the account. Moneys in the account may be spent only after appropriation. ~~((Expenditures))~~ Except as provided in (e) of this subsection and subsection (3) of this section, expenditures from the account may be used only for grants administered by the department of transportation to: (a) Counties to perform safety engineering analysis of mixed vehicle use on any road within a county; (b) local governments to provide funding to erect signs providing notice to the motoring public that (i) wheeled all-terrain vehicles are present or (ii) wheeled all-terrain vehicles may be crossing; (c) the state patrol or local law enforcement for purposes of defraying the costs of enforcement of chapter 23, Laws of 2013 2nd sp. sess.; (d) law enforcement to investigate accidents involving wheeled all-terrain vehicles; and (e) during the ~~((2021-2023))~~ 2025-2027 biennium grants may be made to counties and cities to (i) enhance or maintain any segment of a road within the ~~((county))~~ jurisdiction in which the segment has been designated as part of a travel or tourism route for use by wheeled all-terrain vehicles; and (ii) purchase, print, develop, or use educational brochures or mapping technology that aids in the safety and direction of users of wheeled all-terrain vehicle routes.

(2) The department of transportation must prioritize grant awards in the following priority order:

(a) For the purpose of marking highway crossings with signs warning motorists that wheeled all-terrain vehicles may be crossing when an ORV recreation facility parking lot is on the other side of a public roadway from the actual ORV recreation facility; and

(b) For the purpose of marking intersections with signs where a wheeled all-terrain vehicle may cross a public road to advise motorists of the upcoming intersection. Such signs must conform to the manual on uniform traffic control devices.

(3)(a) During the 2025-2027 fiscal biennium, expenditures from the account may be used for interagency transfers to the departments of natural resources and fish and wildlife, during the second year of the fiscal biennium, with respect to

roads that are comanaged by the agencies and which are open for use by wheeled all-terrain vehicles, for the purposes of:

(i) Mitigating impacts to road surfaces caused by wheeled all-terrain vehicles on public roadways authorized for wheeled all-terrain vehicle travel;

(ii) Erecting signage to identify the designation of public roadways as either open or closed to wheeled all-terrain vehicles, depending on whether the roadway has been authorized for wheeled all-terrain vehicle travel; or

(iii) Purchasing, printing, developing, or using educational brochures or mapping technology that aids in the safety and direction of users of wheeled all-terrain vehicle routes.

(b) The department of transportation must limit the interagency transfers to the departments of natural resources and fish and wildlife under this subsection (3) such that a minimum of \$80,000 is available to be allocated for grants to eligible local governments during the biennium.

(c) Prior to an interagency transfer to either the department of natural resources or the department of fish and wildlife under this subsection (3), the county or counties in which the proposed project will take place must first submit a letter of support to the implementing department and to the department of transportation.

Sec. 704. RCW 46.20.745 and 2023 c 472 s 704 are each amended to read as follows:

(1) The ignition interlock device revolving account program is created within the department to assist in covering the monetary costs of installing, removing, and leasing an ignition interlock device, and applicable licensing, for indigent persons who are required under RCW 46.20.385, 46.20.720, and 46.61.5055 to install an ignition interlock device in all vehicles owned or operated by the person. For purposes of this subsection, "indigent" has the same meaning as in RCW 10.101.010, as determined by the department. During the ~~((2021-2023 and))~~ 2023-2025 and 2025-2027 fiscal biennia, the ignition interlock device revolving account program also includes ignition interlock enforcement work conducted by the Washington state patrol.

(2) A pilot program is created within the ignition interlock device revolving account program for the purpose of monitoring compliance by persons required to use ignition interlock devices and by ignition interlock companies and vendors.

(3) The department, the state patrol, and the Washington traffic safety commission shall coordinate to establish a compliance pilot program that will target at least one county from eastern Washington and one county from western Washington, as determined by the department, state patrol, and Washington traffic safety commission.

(4) At a minimum, the compliance pilot program shall:

(a) Review the number of ignition interlock devices that are required to be installed in the targeted county and the number of ignition interlock devices actually installed;

(b) Work to identify those persons who are not complying with ignition interlock requirements or are repeatedly violating ignition interlock requirements; and

(c) Identify ways to track compliance and reduce noncompliance.

(5) As part of monitoring compliance, the Washington traffic safety commission shall also track recidivism for violations of RCW 46.61.502 and 46.61.504 by persons required to have an ignition interlock driver's license under RCW 46.20.385 and 46.20.720.

Sec. 705. RCW 46.68.063 and 2023 c 472 s 706 are each amended to read as follows:

The department of licensing technology improvement and data management account is created in the highway safety account. All receipts from fees collected under RCW 46.12.630(5) must be deposited into the account. Expenditures from the account may be used only for investments in technology and data management at the department. During the ~~((2021-2023 and))~~ 2023-2025 and 2025-2027 fiscal biennia, the account may also be used for responding to public records requests. Moneys in the account may be spent only after appropriation.

Sec. 706. RCW 46.68.090 and 2015 3rd sp.s. c 44 s 105 are each amended to read as follows:

(1) All moneys that have accrued or may accrue to the motor vehicle fund from the fuel tax must be first expended for purposes enumerated in (a) and (b) of this subsection. The remaining net tax amount must be distributed monthly by the state treasurer in accordance with subsections (2) through (8) of this section.

(a) For payment of refunds of fuel tax that has been paid and is refundable as provided by law;

(b) For payment of amounts to be expended pursuant to appropriations for the administrative expenses of the offices of state treasurer, state auditor, and the department of licensing of the state of Washington in the administration of the fuel tax, which sums must be distributed monthly.

(2) All of the remaining net tax amount collected under RCW 82.38.030(1) must be distributed as set forth in (a) through (j) of this subsection.

(a) For distribution to the motor vehicle fund an amount equal to 44.387 percent to be expended for highway purposes of the state as defined in RCW 46.68.130;

(b)(i) For distribution to the special category C account, hereby created in the motor vehicle fund, an amount equal to 3.2609 percent to be expended for special category C projects. Special category C projects are category C projects that, due to high cost only, will require bond financing to complete construction.

(ii) The following criteria, listed in order of priority, must be used in determining which special category C projects have the highest priority:

(A) Accident experience;

(B) Fatal accident experience;

(C) Capacity to move people and goods safely and at reasonable speeds without undue congestion; and

(D) Continuity of development of the highway transportation network.

(iii) Moneys deposited in the special category C account in the motor vehicle fund may be used for payment of debt service on bonds the proceeds of which are used to finance special category C projects under this subsection (2)(b);

(c) For distribution to the Puget Sound ferry operations account in the motor vehicle fund an amount equal to 2.3283 percent;

(d) For distribution to the Puget Sound capital construction account in the motor vehicle fund an amount equal to 2.3726 percent;

(e) For distribution to the transportation improvement account in the motor vehicle fund an amount equal to 7.5597 percent;

(f) For distribution to the transportation improvement account in the motor vehicle fund an amount equal to 5.6739 percent and expended in accordance with RCW 47.26.086;

(g) For distribution to the cities and towns from the motor vehicle fund an amount equal to 10.6961 percent in accordance with RCW 46.68.110;

(h) For distribution to the counties from the motor vehicle fund an amount equal to 19.2287 percent: (i) Out of which there must be distributed from time to time, as directed by the department of transportation, those sums as may be necessary to carry out the provisions of RCW 47.56.725; and (ii) less any amounts appropriated to the county road administration board to implement the provisions of RCW 47.56.725(4), with the balance of such county share to be distributed monthly as the same accrues for distribution in accordance with RCW 46.68.120;

(i) For distribution to the county arterial preservation account, hereby created in the motor vehicle fund an amount equal to 1.9565 percent. These funds must be distributed by the county road administration board to counties in proportions corresponding to the number of paved arterial lane miles in the unincorporated area of each county and must be used for improvements to sustain the structural, safety, and operational integrity of county arterials. The county road administration board must adopt reasonable rules and develop policies to implement this program and to assure that a pavement management system is used. During the 2025-2027 fiscal biennium, the county arterial preservation account may also be used for staffing-related expenses of the board, contracting costs, and grants associated with bridge ratings;

(j) For distribution to the rural arterial trust account in the motor vehicle fund an amount equal to 2.5363 percent and expended in accordance with RCW 36.79.020.

(3) The remaining net tax amount collected under RCW 82.38.030(2) must be distributed to the transportation 2003 account (nickel account).

(4) The remaining net tax amount collected under RCW 82.38.030(3) must be distributed as follows:

(a) 8.3333 percent must be distributed to the incorporated cities and towns of the state in accordance with RCW 46.68.110;

(b) 8.3333 percent must be distributed to counties of the state in accordance with RCW 46.68.120; and

(c) The remainder must be distributed to the transportation partnership account created in RCW 46.68.290.

(5) The remaining net tax amount collected under RCW 82.38.030(4) must be distributed as follows:

(a) 8.3333 percent must be distributed to the incorporated cities and towns of the state in accordance with RCW 46.68.110;

(b) 8.3333 percent must be distributed to counties of the state in accordance with RCW 46.68.120; and

(c) The remainder must be distributed to the transportation partnership account created in RCW 46.68.290.

(6) The remaining net tax amount collected under RCW 82.38.030 (5) and (6) must be distributed to the transportation partnership account created in RCW 46.68.290.

(7) The remaining net tax amount collected under RCW 82.38.030 (7) and (8) must be distributed to the connecting Washington account created in RCW 46.68.395.

(8) Nothing in this section or in RCW 46.68.130 may be construed so as to violate any terms or conditions contained in any highway construction bond issues now or hereafter authorized by statute and whose payment is by such statute pledged to be paid from any excise taxes on fuel.

Sec. 707. RCW 46.68.280 and 2019 c 416 s 706 are each amended to read as follows:

(1) The transportation 2003 account (nickel account) is hereby created in the motor vehicle fund. Money in the account may be spent only after appropriation. Expenditures from the account must be used only for projects or improvements identified as transportation 2003 projects or improvements in the omnibus transportation budget and to pay the principal and interest on the bonds authorized for transportation 2003 projects or improvements. Upon completion of the projects or improvements identified as transportation 2003 projects or improvements, moneys deposited in this account must only be used to pay the principal and interest on the bonds authorized for transportation 2003 projects or improvements, and any funds in the account in excess of the amount necessary to make the principal and interest payments may be used for maintenance on the completed projects or improvements.

~~(2) ((During the 2015-2017 fiscal biennium, the legislature may transfer from the transportation 2003 account (nickel account) to the connecting Washington account such amounts as reflect the excess fund balance of the transportation 2003 account (nickel account)).~~

~~(3) During the 2017-2019 and the 2019-2021 fiscal biennia, the legislature may direct the state treasurer to make transfers of moneys in the transportation 2003 account (nickel account) to the connecting Washington account, the Puget Sound capital construction account, and the Tacoma Narrows toll bridge account.))~~ During the 2025-2027 fiscal biennium, the legislature may direct the state treasurer to make transfers of moneys in the transportation 2003 account (nickel account) to the move ahead WA account.

~~((4))~~ (3) The "nickel account" means the transportation 2003 account.

Sec. 708. RCW 46.68.290 and 2023 c 472 s 707 are each amended to read as follows:

(1) The transportation partnership account is hereby created in the motor vehicle account. All distributions to the account from RCW 46.68.090 must be deposited into the account. Money in the account may be spent only after appropriation. Expenditures from the account must be used only for projects or improvements identified as 2005 transportation partnership projects or improvements in the omnibus transportation appropriations act, including any principal and interest on bonds authorized for the projects or improvements.

(2) The legislature finds that:

(a) Citizens demand and deserve accountability of transportation-related programs and expenditures. Transportation-related programs must continuously improve in quality, efficiency, and effectiveness in order to increase public trust;

(b) Transportation-related agencies that receive tax dollars must continuously improve the way they operate and deliver services so citizens receive maximum value for their tax dollars; and

(c) Fair, independent, comprehensive performance audits of transportation-related agencies overseen by the elected state auditor are essential to improving the efficiency, economy, and effectiveness of the state's transportation system.

(3) For purposes of chapter 314, Laws of 2005:

(a) "Performance audit" means an objective and systematic assessment of a state agency or agencies or any of their programs, functions, or activities by the state auditor or designee in order to help improve agency efficiency, effectiveness, and accountability. Performance audits include economy and efficiency audits and program audits.

(b) "Transportation-related agency" means any state agency, board, or commission that receives funding primarily for transportation-related purposes. At a minimum, the department of transportation, the transportation improvement board or its successor entity, the county road administration board or its successor entity, and the traffic safety commission are considered transportation-related agencies. The Washington state patrol and the department of licensing shall not be considered transportation-related agencies under chapter 314, Laws of 2005.

(4) Within the authorities and duties under chapter 43.09 RCW, the state auditor shall establish criteria and protocols for performance audits. Transportation-related agencies shall be audited using criteria that include generally accepted government auditing standards as well as legislative mandates and performance objectives established by state agencies. Mandates include, but are not limited to, agency strategies, timelines, program objectives, and mission and goals as required in RCW 43.88.090.

(5) Within the authorities and duties under chapter 43.09 RCW, the state auditor may conduct performance audits for transportation-related agencies. The state auditor shall contract with private firms to conduct the performance audits.

(6) The audits may include:

(a) Identification of programs and services that can be eliminated, reduced, consolidated, or enhanced;

(b) Identification of funding sources to the transportation-related agency, to programs, and to services that can be eliminated, reduced, consolidated, or enhanced;

(c) Analysis of gaps and overlaps in programs and services and recommendations for improving, dropping, blending, or separating functions to correct gaps or overlaps;

(d) Analysis and recommendations for pooling information technology systems used within the transportation-related agency, and evaluation of information processing and telecommunications policy, organization, and management;

(e) Analysis of the roles and functions of the transportation-related agency, its programs, and its services and their compliance with statutory authority and

recommendations for eliminating or changing those roles and functions and ensuring compliance with statutory authority;

(f) Recommendations for eliminating or changing statutes, rules, and policy directives as may be necessary to ensure that the transportation-related agency carry out reasonably and properly those functions vested in the agency by statute;

(g) Verification of the reliability and validity of transportation-related agency performance data, self-assessments, and performance measurement systems as required under RCW 43.88.090;

(h) Identification of potential cost savings in the transportation-related agency, its programs, and its services;

(i) Identification and recognition of best practices;

(j) Evaluation of planning, budgeting, and program evaluation policies and practices;

(k) Evaluation of personnel systems operation and management;

(l) Evaluation of purchasing operations and management policies and practices;

(m) Evaluation of organizational structure and staffing levels, particularly in terms of the ratio of managers and supervisors to nonmanagement personnel; and

(n) Evaluation of transportation-related project costs, including but not limited to environmental mitigation, competitive bidding practices, permitting processes, and capital project management.

(7) Within the authorities and duties under chapter 43.09 RCW, the state auditor must provide the preliminary performance audit reports to the audited state agency for comment. The auditor also may seek input on the preliminary report from other appropriate officials. Comments must be received within 30 days after receipt of the preliminary performance audit report unless a different time period is approved by the state auditor. The final performance audit report shall include the objectives, scope, and methodology; the audit results, including findings and recommendations; the agency's response and conclusions; and identification of best practices.

(8) The state auditor shall provide final performance audit reports to the citizens of Washington, the governor, the joint legislative audit and review committee, the appropriate legislative committees, and other appropriate officials. Final performance audit reports shall be posted on the internet.

(9) The audited transportation-related agency is responsible for follow-up and corrective action on all performance audit findings and recommendations. The audited agency's plan for addressing each audit finding and recommendation shall be included in the final audit report. The plan shall provide the name of the contact person responsible for each action, the action planned, and the anticipated completion date. If the audited agency does not agree with the audit findings and recommendations or believes action is not required, then the action plan shall include an explanation and specific reasons.

The office of financial management shall require periodic progress reports from the audited agency until all resolution has occurred. The office of financial management is responsible for achieving audit resolution. The office of financial management shall annually report by December 31st the status of performance audit resolution to the appropriate legislative committees and the state auditor.

The legislature shall consider the performance audit results in connection with the state budget process.

The auditor may request status reports on specific audits or findings.

(10) For the period from July 1, 2005, until June 30, 2007, the amount of \$4,000,000 is appropriated from the transportation partnership account to the state auditors office for the purposes of subsections (2) through (9) of this section.

(11) During the ((2021-2023 and)) 2023-2025 and 2025-2027 fiscal biennia, the legislature may direct the state treasurer to make transfers of moneys in the transportation partnership account to the motor vehicle account, the move ahead WA account, and the Tacoma Narrows toll bridge account.

Sec. 709. RCW 46.68.300 and 2024 c 310 s 603 are each amended to read as follows:

The freight mobility investment account is hereby created in the state treasury. Money in the account may be spent only after appropriation. Expenditures from the account may be used only for freight mobility projects that have been recommended by the freight mobility strategic investment board in RCW 47.06A.020 and may include any principal and interest on bonds authorized for the projects or improvements. During the ((2021-2023 and)) 2023-2025 and 2025-2027 fiscal biennia, the expenditures from the account may also be used for the administrative expenses of the freight mobility strategic investment board.

Sec. 710. RCW 46.68.320 and 2024 c 310 s 604 are each amended to read as follows:

(1) The regional mobility grant program account is hereby created in the state treasury. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only for the grants provided under RCW 47.66.030.

(2) Beginning with September 2007, by the last day of September, December, March, and June of each year, the state treasurer shall transfer from the multimodal transportation account to the regional mobility grant program account \$5,000,000.

(3) Beginning with September 2015, by the last day of September, December, March, and June of each year, the state treasurer shall transfer from the multimodal transportation account to the regional mobility grant program account \$6,250,000.

(4) During the 2023-2025 and 2025-2027 fiscal ((biennium)) biennia, the legislature may direct the state treasurer to make transfers of moneys from the regional mobility grant program account to the multimodal transportation account.

Sec. 711. RCW 46.68.370 and 2023 c 472 s 709 are each amended to read as follows:

The license plate technology account is created in the state treasury. All receipts collected under RCW 46.17.015 must be deposited into this account. Expenditures from this account must support current and future license plate technology and systems integration upgrades for both the department and correctional industries. Moneys in the account may be spent only after appropriation. Additionally, the moneys in this account may be used to

reimburse the motor vehicle (~~(account [fund])~~) fund for any appropriation made to implement the digital license plate system. During the 2011-2013 and 2013-2015 fiscal biennia, the legislature may transfer from the license plate technology account to the highway safety fund such amounts as reflect the excess fund balance of the license plate technology account. During the (~~(2021-2023 and)~~) 2023-2025 and 2025-2027 fiscal biennia, the account may also be used for the maintenance of recently modernized information technology systems for vehicle registrations.

Sec. 712. RCW 46.68.395 and 2023 c 472 s 710 are each amended to read as follows:

(1) The connecting Washington account is created in the motor vehicle account. Moneys in the account may be spent only after appropriation. Expenditures from the account must be used only for projects or improvements identified as connecting Washington projects or improvements in a transportation appropriations act, including any principal and interest on bonds authorized for the projects or improvements.

(2) Moneys in the connecting Washington account may not be expended on the state route number 99 Alaskan Way viaduct replacement project.

(3) During the 2023-2025 and 2025-2027 fiscal (~~(biennium)~~) biennia, the legislature may direct the state treasurer to make transfers of moneys in the connecting Washington account to the move ahead WA account.

Sec. 713. RCW 46.68.510 and 2024 c 310 s 605 are each amended to read as follows:

The move ahead WA account is created in the motor vehicle fund. Moneys in the account may be spent only after appropriation. Expenditures from the account must be used only for projects or improvements identified as move ahead WA projects or improvements in an omnibus transportation appropriations act, including any principal and interest on bonds authorized for the projects or improvements. During the 2023-2025 and 2025-2027 fiscal (~~(biennium)~~) biennia, the legislature may direct the state treasurer to make transfers of moneys from the move ahead WA account to the motor vehicle fund, the Puget Sound ferry operations account, the Puget Sound capital construction account, the transportation 2003 account (nickel account), and the transportation partnership account.

Sec. 714. RCW 47.56.876 and 2023 c 472 s 713 are each amended to read as follows:

(1) A special account to be known as the state route number 520 civil penalties account is created in the state treasury. All state route number 520 bridge replacement and HOV program civil penalties generated from the nonpayment of tolls on the state route number 520 corridor must be deposited into the account, as provided under RCW 47.56.870(4)(b)(vii). Moneys in the account may be spent only after appropriation. Expenditures from the account must be used to fund legal obligations associated with bonds and loans associated with the construction and operation of state route number 520 under circumstances where the toll revenue collections at the time are not sufficient to fully cover such legal obligations, and then may be used to fund any project within the state route number 520 bridge replacement and HOV program, including mitigation. The legislature may direct the state treasurer to make

transfers of moneys in the state route number 520 civil penalties account to the state route number 520 corridor account. During the ~~((2021-2023 and))~~ 2023-2025 and 2025-2027 fiscal biennia, the legislature may direct the state treasurer to transfer moneys in the state route number 520 civil penalties account to the motor vehicle ~~((account [fund]))~~ fund.

(2) For purposes of this section, "legal obligations associated with bonds and loans" includes, but is not limited to, debt service and all other activities necessary to comply with financial covenants associated with state route number 520, costs associated with the civil penalties program, and operation and maintenance costs.

Sec. 715. RCW 47.60.315 and 2023 c 472 s 714 are each amended to read as follows:

(1) The commission shall adopt fares and pricing policies by rule, under chapter 34.05 RCW, according to the following schedule:

(a) Each year the department shall provide the commission a report of its review of fares and pricing policies, with recommendations for the revision of fares and pricing policies for the ensuing year;

(b) By September 1st of each year, beginning in 2008, the commission shall adopt by rule fares and pricing policies for the ensuing year.

(2) The commission may adopt by rule fares that are effective for more or less than one year for the purposes of transitioning to the fare schedule in subsection (1) of this section.

(3) The commission may increase ferry fares included in the schedule of charges adopted under this section by a percentage that exceeds the fiscal growth factor.

(4) The chief executive officer of the ferry system may authorize the use of promotional, discounted, and special event fares to the general public and commercial enterprises for the purpose of maximizing capacity use and the revenues collected by the ferry system. The department shall report to the commission a summary of the promotional, discounted, and special event fares offered during each fiscal year and the financial results from these activities.

(5) Fare revenues and other revenues deposited in the Puget Sound ferry operations account created in RCW 47.60.530 may not be used to support the Puget Sound capital construction account created in RCW 47.60.505, unless the support for capital is separately identified in the fare or except as provided in ~~((section 715, chapter 333, Laws of 2021 during the 2021-2023 biennium and))~~ section 716, chapter 472, Laws of 2023 during the 2023-2025 fiscal biennium and section 716, chapter . . . , Laws of 2025 (this act) during the 2025-2027 fiscal biennium.

(6) The commission may not raise fares until the fare rules contain pricing policies developed under RCW 47.60.290, or September 1, 2009, whichever is later.

(7) The commission shall impose a vessel replacement surcharge of 25 cents on every one-way and round-trip ferry fare sold, including multiride and monthly pass fares. This surcharge must be clearly indicated to ferry passengers and drivers and, if possible, on the fare media itself.

(8) Except as provided in subsection (10) of this section, beginning May 1, 2020, the commission shall impose an additional vessel replacement surcharge in an amount sufficient to fund 25 year debt service on one 144-auto hybrid

vessel taking into account funds provided in chapter 417, Laws of 2019 or chapter . . . (SSB 5419), Laws of 2019. The department of transportation shall provide to the commission vessel and debt service cost estimates. Information on vessels constructed or purchased with revenue from the surcharges must be publicly posted including, but not limited to, the commission website.

(9) The vessel replacement surcharges imposed in this section may only be used for the construction or purchase of ferry vessels and to pay the principal and interest on bonds authorized for the construction or purchase of new ferry vessels.

(10) The commission shall not impose the additional vessel replacement surcharge in subsection (8) of this section if doing so would increase fares by more than 10 percent.

(11) For the 2023-2025 and 2025-2027 fiscal (~~(biennium)~~) biennia, any ferry fuel surcharge imposed by the commission may not go into effect until after the ensuing regular legislative session. If a fuel surcharge is imposed as provided under this subsection, the commission must reevaluate the need for the surcharge on at least a quarterly basis to determine if the surcharge is still needed to cover increased fuel costs, and revoke the surcharge if the determination is that the surcharge is no longer needed for this purpose.

Sec. 716. RCW 47.60.530 and 2023 c 472 s 716 are each amended to read as follows:

(1) The Puget Sound ferry operations account is created in the motor vehicle account.

(2) The following funds must be deposited into the account:

- (a) All moneys directed by law;
- (b) All revenues generated from ferry fares; and
- (c) All revenues generated from commercial advertising, concessions, parking, and leases as allowed under RCW 47.60.140.

(3) Moneys in the account may be spent only after appropriation.

(4) Expenditures from the account may be used only for the maintenance, administration, and operation of the Washington state ferry system.

(5) During the (~~(2021-2023 and)~~) 2023-2025 and 2025-2027 fiscal biennia, the legislature may direct the state treasurer to make transfers of moneys in the Puget Sound ferry operations account to the Puget Sound capital construction account.

Sec. 717. RCW 47.66.120 and 2024 c 104 s 1 are each amended to read as follows:

(1)(a) The department's public transportation division shall establish a green transportation capital grant program. The purpose of the grant program is to aid any transit authority in funding cost-effective capital projects to reduce the carbon intensity of the Washington transportation system, examples of which include: Electrification of vehicle fleets, including battery and fuel cell electric vehicles; modification or replacement of capital facilities in order to facilitate fleet electrification and/or hydrogen refueling; necessary upgrades to electrical transmission and distribution systems; and construction of charging and fueling stations. The department's public transportation division shall identify projects and shall submit a prioritized list of all projects requesting funding to the legislature by December 1st of each even-numbered year.

(b) The department's public transportation division shall select projects based on a competitive process that considers the following criteria:

(i) The cost-effectiveness of the reductions in carbon emissions provided by the project; and

(ii) The benefit provided to transitioning the entire state to a transportation system with lower carbon intensity.

(c) During the 2023-2025 and 2025-2027 fiscal (~~(biennium)~~) biennia, the department must incorporate principles into the grant selection process with the goal of increasing the distribution of funding to communities based on addressing environmental harms and providing environmental benefits for overburdened communities, as defined in RCW 70A.02.010, and vulnerable populations.

(2) The department's public transportation division must establish an advisory committee to assist in identifying projects under subsection (1) of this section. The advisory committee must include representatives from the department of ecology, the department of commerce, the utilities and transportation commission, and at least one transit authority.

(3) In order to receive green transportation capital grant program funding for a project, a transit authority must provide matching funding at the level deemed appropriate by the department.

(4) The department's public transportation division must report annually to the transportation committees of the legislature on the status of any grant projects funded by the program created under this section.

(5) For purposes of this section, "transit authority" means a city transit system under RCW 35.58.2721 or chapter 35.95A RCW, a county public transportation authority under chapter 36.57 RCW, a metropolitan municipal corporation transit system under chapter 36.56 RCW, a public transportation benefit area under chapter 36.57A RCW, an unincorporated transportation benefit area under RCW 36.57.100, a regional transit authority under chapter 81.112 RCW, or any special purpose district formed to operate a public transportation system.

(6) During the 2021-2023 fiscal biennium, the department may provide up to 20 percent of the total green transportation capital grant program funding for zero emissions capital transition planning projects. During the 2023-2025 fiscal biennium, the department may provide up to 10 percent of the total green transportation capital grant program funding for zero emissions capital transition planning projects. During the 2025-2027 fiscal biennium, the department may provide up to five percent of the total green transportation capital grant program funding for zero emissions capital transition planning projects.

Sec. 718. RCW 82.44.200 and 2023 c 472 s 718 are each amended to read as follows:

The electric vehicle account is created in the transportation infrastructure account. Proceeds from the principal and interest payments made on loans from the account must be deposited into the account. Expenditures from the account may be used only for the purposes specified in RCW 47.04.350, 82.08.9999, and 82.12.9999, and the support of other transportation electrification and alternative fuel related purposes, including RCW 47.01.520. Moneys in the account may be spent only after appropriation. During the (~~(2021-2023 and)~~) 2023-2025 and 2025-2027 fiscal biennia, the legislature may direct the state treasurer to make

transfers of moneys in the electric vehicle account to the move ahead WA flexible account, the move ahead WA account, and multimodal transportation account.

Sec. 719. RCW 47.28.030 and 2015 c 282 s 1 are each amended to read as follows:

(1)(a) A state highway shall be constructed, altered, repaired, or improved, and improvements located on property acquired for right-of-way purposes may be repaired or renovated pending the use of such right-of-way for highway purposes, by contract or state forces. The work or portions thereof may be done by state forces when the estimated costs thereof are less than ~~((fifty thousand dollars))~~ \$50,000 and effective July 1, 2005, ~~((sixty thousand dollars))~~ \$60,000.

(b) When delay of performance of such work would jeopardize a state highway or constitute a danger to the traveling public, the work may be done by state forces when the estimated cost thereof is less than ~~((eighty thousand dollars))~~ \$80,000 and effective July 1, 2005, ~~((one hundred thousand dollars))~~ \$100,000.

(c) When the department of transportation determines to do the work by state forces, it shall enter a statement upon its records to that effect, stating the reasons therefor.

(d) To enable a larger number of small businesses and veteran, minority, and women contractors to effectively compete for department of transportation contracts, the department may adopt rules providing for bids and award of contracts for the performance of work, or furnishing equipment, materials, supplies, or operating services whenever any work is to be performed and the engineer's estimate indicates the cost of the work would not exceed ~~((eighty thousand dollars))~~ \$80,000 and effective July 1, 2005, ~~((one hundred thousand dollars))~~ \$100,000.

(2) The rules adopted under this section:

(a) Shall provide for competitive bids to the extent that competitive sources are available except when delay of performance would jeopardize life or property or inconvenience the traveling public; and

(b) Need not require the furnishing of a bid deposit nor a performance bond, but if a performance bond is not required then progress payments to the contractor may be required to be made based on submittal of paid invoices to substantiate proof that disbursements have been made to laborers, material suppliers, mechanics, and subcontractors from the previous partial payment; and

(c) May establish prequalification standards and procedures as an alternative to those set forth in RCW 47.28.070, but the prequalification standards and procedures under RCW 47.28.070 shall always be sufficient.

(3) The department of transportation shall comply with such goals and rules as may be adopted by the office of minority and women's business enterprises to implement chapter 39.19 RCW with respect to contracts entered into under this chapter. The department may adopt such rules as may be necessary to comply with the rules adopted by the office of minority and women's business enterprises under chapter 39.19 RCW.

(4)(a) Work for less than ~~((one hundred thousand dollars))~~ \$100,000 may be performed on ferry vessels and terminals by state forces. During the 2025-2027 fiscal biennium, work for less than \$400,000 may be performed on ferry vessels and terminals by state forces.

(b) When the estimated cost of work to be performed on ferry vessels and terminals is between ~~((one hundred thousand dollars))~~ \$100,000 and ~~((two hundred thousand dollars))~~ \$200,000, or between \$400,000 and \$500,000 during the 2025-2027 fiscal biennium, the department shall contact, by mail or ~~((electronic mail))~~ email, contractors that appear on the department's small works roster as created pursuant to procedures in chapter 39.04 RCW to do specific work the contractors are qualified to do to determine if any contractor is interested and capable of doing the work. If there is a response of interest within ~~((seventy-two))~~ 72 hours, the small works roster procedures commence. If no qualified contractors respond with interest and availability to do the work, the department may use its regular contracting procedures. If the secretary determines that the work to be completed is an emergency, procedures governing emergencies apply.

(c) The department shall hire a disinterested, third party to conduct an independent analysis to identify methods of reducing out-of-service times for vessel maintenance, preservation, and improvement projects. The analysis must include options that consider consolidating work while vessels are at shipyards by having state forces perform services traditionally performed at Eagle Harbor at the shipyard and decreasing the allowable time at shipyards. The analysis must also compare the out-of-service vessel times of performing services by state forces versus contracting out those services which in turn must be used to form a recommendation as to what the threshold of work performed on ferry vessels and terminals by state forces should be. This analysis must be presented to the transportation committees of the senate and house of representatives by December 1, 2010.

(d) The department shall develop a proposed ferry vessel maintenance, preservation, and improvement program and present it to the transportation committees of the senate and house of representatives by December 1, 2010. The proposed program must:

(i) Improve the basis for budgeting vessel maintenance, preservation, and improvement costs and for projecting those costs into a ~~((sixteen-year))~~ 16-year financial plan;

(ii) Limit the amount of planned out-of-service time to the greatest extent possible, including options associated with department staff as well as commercial shipyards; and

(iii) Be based on the service plan in the capital plan, recognizing that vessel preservation and improvement needs may vary by route.

(e) In developing the proposed ferry vessel maintenance, preservation, and improvement program, the department shall consider the following, related to reducing vessel out-of-service time:

(i) The costs compared to benefits of Eagle Harbor repair and maintenance facility operations options to include staffing costs and benefits in terms of reduced out-of-service time;

(ii) The maintenance requirements for on-vessel staff, including the benefits of a systemwide standard;

(iii) The costs compared to benefits of staff performing preservation or maintenance work, or both, while the vessel is underway, tied up between sailings, or not deployed;

(iv) A review of the department's vessel maintenance, preservation, and improvement program contracting process and contractual requirements;

(v) The costs compared to benefits of allowing for increased costs associated with expedited delivery;

(vi) A method for comparing the anticipated out-of-service time of proposed projects and other projects planned during the same construction period;

(vii) Coordination with required United States coast guard dry dockings;

(viii) A method for comparing how proposed projects relate to the service requirements of the route on which the vessel normally operates; and

(ix) A method for evaluating the ongoing maintenance and preservation costs associated with proposed improvement projects.

Sec. 720. RCW 88.16.061 and 2018 c 107 s 13 are each amended to read as follows:

The pilotage account is created in the state treasury. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only for the purposes of the board of pilotage commissioners as prescribed under this chapter and by the utilities and transportation commission for purposes related to pilotage tariff rate setting. The account is subject to allotment procedures under chapter 43.88 RCW. During the 2025-2027 fiscal biennium, the legislature may direct the state treasurer to make transfers of moneys in the pilotage account to the multimodal transportation account.

Sec. 721. RCW 47.66.070 and 2000 2nd sp.s. c 4 s 2 are each amended to read as follows:

The multimodal transportation account is created in the state treasury. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only for transportation purposes. During the 2025-2027 fiscal biennium, the legislature may direct the state treasurer to make transfers of moneys in the multimodal transportation account to the general fund.

Sec. 722. RCW 14.40.020 and 2024 c 310 s 601 are each amended to read as follows:

The state commercial aviation work group shall submit a progress report to the governor and the transportation committees of the legislature by December 1, ((2024)) 2025, December 1, 2026, and annually every July 1st thereafter. The first report of the work group shall include a list of areas that will not have further review as the areas are in conflict with the operations of a military installation. The 2025 report must also identify unsuitable geographies due to either environmental impacts or impacts to overburdened communities. Additionally, during the 2025-2027 biennium, the work group must:

(1) Work to understand what studies currently exist on state transportation needs and capacities and identify any gaps of information; and

(2) Conduct meaningful community engagement with overburdened and vulnerable populations with a focus on the environmental justice impact of aviation on communities.

Sec. 723. RCW 46.20.--- and 2025 c ... (ESHB 1878) s 20 are each amended to read as follows:

(1) The driver education safety improvement account is created in the state treasury. The portion of the driver's application fee prescribed under RCW 46.68.041(4)(a), the portion of the driver's instruction permit application fee

prescribed under RCW 46.68.041(4)(b), and the portion of the license service fee prescribed under RCW 46.17.025 must be deposited in the account. The account may also receive a portion of the revenue from traffic infraction fines as described under RCW 46.63.200(9). Moneys in the account may be spent only after appropriation. Expenditures from the account may only be used for expanding and improving driver's education programs and activities including, but not limited to, the online work zone and first responder safety course under section 2(3), chapter . . . (ESHB 1878), Laws of 2025, the driver training school instructor education opportunities program established in section 10, chapter . . . (ESHB 1878), Laws of 2025, the driver training education course voucher program established in section 11, chapter . . . (ESHB 1878), Laws of 2025, and the tribal partnership program established in section 13, chapter . . . (ESHB 1878), Laws of 2025.

(2) During the 2025-2027 fiscal biennium, the legislature may direct the state treasurer to make transfers of moneys in the driver education safety improvement account to the highway safety fund.

NEW SECTION. Sec. 724. Appropriations in this act from the natural climate solutions account, carbon emissions reduction account, climate transit programs account, and climate active transportation account are subject to the requirements of RCW 70A.65.030.

NEW SECTION. Sec. 725. DEVELOPMENT OF CLIMATE COMMITMENT ACT EVALUATION TOOLS

The department of transportation shall cooperate and provide assistance, as requested, in the joint transportation committee's development of program delivery evaluation tools and methodologies provided under section 204 of this act for programs, projects, and other activities related to emission reductions resulting from fuel conversion activities that receive funding from the carbon emissions reduction account.

2023-2025 FISCAL BIENNIUM

GENERAL GOVERNMENT AGENCIES—OPERATING

Sec. 801. 2024 c 310 s 103 (uncodified) is amended to read as follows:
FOR THE DEPARTMENT OF COMMERCE

Carbon Emissions Reduction Account—State

Appropriation.	(((\$5,000,000))
	\$80,000
Electric Vehicle Account—State Appropriation.	\$220,000
TOTAL APPROPRIATION	(((\$5,220,000))
	\$300,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$220,000 of the electric vehicle account—state appropriation is provided solely to the department to commission an independent study, based on the findings of the transportation electrification strategy authorized under RCW 43.392.040, of costs of installation, maintenance, and operation of electrical distribution infrastructure on the utility's side of the meter to commercial customers installing electric vehicle supply equipment. The department shall gather data from at least five electric utilities serving retail customers in the state

for purposes of completing the study. The department shall submit a report of study findings and an explanation of how those findings will support implementation of the transportation electrification strategy authorized under RCW 43.392.040 to the governor and appropriate legislative committees by November 1, 2024.

(2) (~~((Beginning January 1, 2025, \$5,000,000))~~) \$80,000 of the carbon emissions reduction account—state appropriation is provided solely for a tribal electric boat grant program. Federally recognized tribes, tribal enterprises, and tribal members are eligible to apply for grant funds for the purchase of or conversion to electric motors and engines for fishing vessels.

Sec. 802. 2024 c 310 s 105 (uncodified) is amended to read as follows:

FOR THE UNIVERSITY OF WASHINGTON

Motor Vehicle Account—State Appropriation \$1,000,000

Multimodal Transportation Account—State

Appropriation. (~~(\$5,000,000)~~)

\$2,700,000

TOTAL APPROPRIATION (~~(\$6,000,000)~~)

\$3,700,000

The appropriations in this section are subject to the following conditions and limitations:

(1) (~~(\$5,000,000)~~) \$2,700,000 of the multimodal transportation account—state appropriation is provided solely for the University of Washington's sidewalk inventory and accessibility mapping project to develop a public dataset under an open license and develop the tools needed to publish that data according to an open data specification. The project must include, but is not limited to, utilization of existing data sources, imagery, detailed surveys, and manually collected, detailed data for city streets, county rural and urban local access roads and collectors/arterials, state roads of all types, and roads owned by other entities. The project may draw on partially developed sidewalk data for all state facilities. To the extent practicable, the final product must be suitable for use by the department of transportation, local and regional agencies, tribal governments, and the general public. For the 2023-2025 fiscal biennium, the project will produce a base active transportation data layer for all counties, with priority given to counties with high proportions of overburdened communities. A project status report is due to the transportation committees of the legislature on December 1st of each year until the work is completed. The legislature intends that in the 2025-2027 fiscal biennium, \$5,000,000 of multimodal transportation account funds be provided to complete a second phase of work on the active transportation data.

(2)(a) \$1,000,000 of the motor vehicle account—state appropriation is provided solely for the Washington state transportation center to fund:

(i) Intern programs with the department of transportation;

(ii) A road scholars short-term training program; and

(iii) Professional master's degree fellowships between the department of transportation and the University of Washington within a program in civil and environmental engineering.

(b) Of the amounts provided in this subsection, \$81,000 is provided solely for the center to consult with the board of registration for professional engineers

and land surveyors to conduct a statewide survey and analysis assessing workforce shortages of civil engineers, civil engineering technicians, land surveyors, land surveyor technicians, and related disciplines. The center shall create a recommended action plan, with input from the legislative transportation committees, to address engineering workforce shortages and to meet the increased demand for services. The analysis and recommended action plan must include, for civil engineers, civil engineering technicians, land surveyors, land surveyor technicians, and related disciplines, at a minimum:

- (i) Opportunities to create diverse and equitable engineering workforce;
- (ii) Workforce data and gaps;
- (iii) Current education pathways and licensure processes;
- (iv) Current programs focused on workforce development and position skill-up opportunities;
- (v) Strategies to retain workforce within the state;
- (vi) Outreach opportunities and interinstitutional partnerships with middle schools, high schools, postsecondary institutions, and postgraduate programs; and
- (vii) Recommendations for additional scholarships, internship and apprenticeship opportunities, undergraduate and graduate fellowship opportunities, and industry partnership opportunities.

(c) The center shall provide a preliminary plan with proposed actions, budgets, and outcomes to the transportation committees of the legislature by November 2024. The center shall provide a final action plan report with relevant recommendations to the transportation committees of the legislature by December 31, 2024.

Sec. 803. 2024 c 310 s 106 (uncodified) is amended to read as follows:
FOR THE DEPARTMENT OF ENTERPRISE SERVICES
Carbon Emissions Reduction Account—State

Appropriation.((~~\$18,000,000~~))
\$6,000,000

The appropriation in this section is subject to the following conditions and limitations:

- (1)(a) ~~\$6,000,000 of the carbon emissions reduction account—state appropriation((, and beginning January 1, 2025, \$12,000,000 of the carbon emissions reduction account—state appropriation, are))~~ is provided solely for zero emission electric vehicle supply equipment infrastructure at facilities to accommodate charging station installations. The electric vehicle charging equipment must be coordinated with the state efficiency and environmental performance program. The department must prioritize locations based on state efficiency and environmental performance location priorities and where zero emission fleet vehicles are located or are scheduled to be purchased.
- (b) The department must report when and where the equipment was installed and the state agencies and facilities that benefit from the installation of the charging station to the fiscal committees of the legislature by June 30, 2025, with an interim report due January 2, 2024. The department shall collaborate with the interagency electric vehicle coordinating council to implement this section and must work to meet benchmarks established in chapter 182, Laws of 2022 (transportation resources).

(2) In carrying out this section, the department shall cooperate and provide assistance, as requested, in the joint transportation committee's development of program delivery evaluation tools and methodologies provided under section 204, chapter 472, Laws of 2023 for programs that receive funding from the carbon emissions reduction account.

(3) The department, with the assistance of designated staff in the Washington state department of transportation, must register for the clean fuels credit program and start tracking revenue generation pursuant to chapter 70A.535 RCW for investments funded in an omnibus transportation appropriations act.

(4) The department must provide a report to the transportation committees of the legislature that estimates current biennial and future carbon reduction impacts resulting from zero-emission electric vehicles and supply equipment infrastructure funded in this section by June 30, 2025.

Sec. 804. 2024 c 310 s 110 (uncodified) is amended to read as follows:

FOR THE EVERGREEN STATE COLLEGE

Aeronautics Account—State Appropriation ~~(\$188,000)~~
\$94,000

The appropriation in this section is subject to the following conditions and limitations: ~~(\$188,000)~~ \$94,000 of the aeronautics account—state appropriation is provided solely for the Washington state institute for public policy to:

(1) Conduct an independent assessment of the passenger and air cargo forecasts cited in the Puget Sound regional council regional aviation baseline study, including an evaluation of the underlying data, assumptions, methodologies, and calculation of the level of uncertainty around the forecast;

(2) Conduct a comprehensive literature review to identify effective national and international strategies to reduce demand for air travel, including diverting such demand to other modes and whether such diversion avoids net environmental impacts to overburdened communities and vulnerable populations;

(3) Conduct a review of existing operational and technological enhancements to address environmental impacts from commercial aviation activities, including, but not limited to, climate friendly routing of aircraft, innovations intended to address the climate change effects of noncarbon dioxide emissions from aviation activities, simulation models applied to congested airports, and online tools to track, analyze, and improve carbon footprints related to aviation activities. The review should identify the feasibility of enhancements to be deployed in the state of Washington; and

(4) Provide a report to the office of the governor and the transportation committees of the legislature by December 31, 2025.

TRANSPORTATION AGENCIES—OPERATING

Sec. 901. 2024 c 310 s 201 (uncodified) is amended to read as follows:

FOR THE WASHINGTON TRAFFIC SAFETY COMMISSION

Highway Safety Account—State Appropriation \$7,842,000
 Highway Safety Account—Federal Appropriation ~~(\$35,745,000)~~
\$39,745,000
 Highway Safety Account—Private/Local Appropriation \$60,000

Cooper Jones Active Transportation Safety Account—	
State Appropriation	\$836,000
School Zone Safety Account—State Appropriation	\$850,000
TOTAL APPROPRIATION	<u>(\$45,333,000)</u>
	<u>\$49,333,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) Within existing resources, the commission must examine national safety reports and recommendations on alcohol and drug impaired driving and report to the transportation committees of the legislature, by December 15, 2023, any recommendations for legislative or policy changes to improve traffic safety in Washington state.

(2)(a) \$235,500 of the Cooper Jones active transportation safety account—state appropriation is provided solely for the commission to conduct research pertaining to the issue of street lighting and safety, including a public input component and learning from counties, cities, the state, and other impacted entities. Research may include the following:

(i) Interviewing additional local and regional roads departments, water-sewer districts, and other utility services to gather a holistic data set or further input on which authority assumes primary responsibility for street illumination in various underserved areas throughout the state;

(ii) Systematically soliciting information from communities with poor street illumination and lighting to gather input as to whether this is an issue the community would like to see improved;

(iii) Conferring with regional and state-level police, fire, and emergency medical services to assess and document potential delays in emergency response times due to poor street illumination;

(iv) Further assessing the impact of using LED lights in roadway and pedestrian scale lighting in reducing carbon emissions and light pollution throughout the United States; and

(v) Subject to more in-depth findings, convening a meeting with appropriate state, regional, and local stakeholders and community partners.

(b) The commission must report research results and provide any recommendations for legislative or policy action to the transportation committees of the legislature by January 1, 2025.

(3) Within existing resources, the commission, through the Cooper Jones active transportation safety council, must prioritize the review of pedestrian, bicyclist, or nonmotorist fatality and serious injury review when the victim is a member of a federally recognized tribe. Consistent with RCW 43.59.156(5), the commission may recommend any policy or legislative changes to improve traffic safety for tribes through such review.

(4) Within existing resources, the commission must review and report to the transportation committees of the legislature, by December 15, 2023, on strategies and technologies used in other states to prevent and respond to wrong-way driving crashes.

(5)(a) The Washington traffic safety commission shall coordinate with each city that implements a pilot program as authorized in RCW 46.63.170(6) to

provide the transportation committees of the legislature with the following information by June 30, 2025:

(i) The number of warnings and infractions issued to first-time violators under the pilot program;

(ii) The number of warnings and infractions issued to the registered owners of vehicles that are not registered with an address located in the city conducting the pilot program; and

(iii) The frequency with which warnings and infractions are issued on weekdays versus weekend days.

(b) If chapter 307, Laws of 2024 is enacted by June 30, 2024, the requirement in this subsection lapses.

(6) \$50,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter 471, Laws of 2023 (negligent driving). If chapter 471, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

(7) The Washington traffic safety commission may oversee a pilot program in up to three cities implementing the use of automated vehicle noise enforcement cameras in zones that have been designated by ordinance as "Stay Out of Areas of Racing."

(a) Any programs authorized by the commission must be authorized by December 31, 2024.

(b) If a city has established an authorized automated vehicle noise enforcement camera pilot program under this section, the compensation paid to the manufacturer or vendor of the equipment used must be based upon the value of the equipment and services provided or rendered in support of the system.

(c) Any city administering a pilot program overseen by the traffic safety commission shall use the following guidelines to administer the program:

(i) Automated vehicle noise enforcement camera may record photographs or audio of the vehicle and vehicle license plate only while a violation is occurring. The picture must not reveal the face of the driver or of passengers in the vehicle;

(ii) The law enforcement agency of the city or county government shall install two signs facing opposite directions within 200 feet, or otherwise consistent with the uniform manual on traffic control devices, where the automated vehicle noise enforcement camera is used that state "Street Racing Noise Pilot Program in Progress";

(iii) Cities testing the use of automated vehicle noise enforcement cameras must post information on the city website and notify local media outlets indicating the zones in which the automated vehicle noise enforcement cameras will be used;

(iv) A city may only issue a warning notice with no penalty for a violation detected by automated vehicle noise enforcement cameras in a Stay Out of Areas of Racing zone. Warning notices must be mailed to the registered owner of a vehicle within 14 days of the detected violation;

(v) A violation detected through the use of automated vehicle noise enforcement cameras is not part of the registered owner's driving record under RCW 46.52.101 and 46.52.120;

(vi) Notwithstanding any other provision of law, all photographs, videos, microphotographs, audio recordings, or electronic images prepared under this subsection (7) are for the exclusive use of law enforcement in the discharge of

duties under this section and are not open to the public and may not be used in a court in a pending action or proceeding. No photograph, microphotograph, audio recording, or electronic image may be used for any purpose other than the issuance of warnings for violations under this section or retained longer than necessary to issue a warning notice as required under this subsection (7); and

(vii) By June 30, 2025, the participating cities shall provide a report to the commission and appropriate committees of the legislature regarding the use, public acceptance, outcomes, warnings issued, data retention and use, and other relevant issues regarding automated vehicle noise enforcement cameras demonstrated by the pilot projects.

(8) \$200,000 of the Cooper Jones active transportation safety account—state appropriation is provided solely for the commission, in consultation with the Cooper Jones active transportation safety council, to research and develop a pilot program for the use of light meters by law enforcement to measure lighting levels at locations where a serious injury or fatality involving a vehicle has occurred. However, the funds must be held in unallotted status until the commission submits a spending plan for the pilot program to the transportation committees of the legislature and the office of the governor.

(9) \$300,000 of the highway safety account—state appropriation is provided solely for the commission to purchase telematics data from a qualified vendor that provides anonymized information on vehicle speeds and driver behaviors, such as hard braking, on a statewide basis and in selected geographical areas based upon demographic characteristics and crash history. The commission must provide an annual report summarizing findings from the telematics data to the transportation committees of the legislature beginning by June 30, 2025, and until June 30, 2027.

(10) \$750,000 of the highway safety account—state appropriation is provided solely for a pilot program for dedicated probation or compliance officers at the local level to improve compliance with ignition interlock device installation requirements associated with impaired driving offenses. The commission must select locations based on an assessment of ignition interlock device compliance rates, and the willingness and ability to have staff dedicated to this activity. ~~((By June 30, 2025, the commission must provide to the transportation committees of the legislature a status report on the specific locations selected and any outcome information.))~~

(11) \$1,000,000 of the highway safety account—state appropriation is provided solely to implement a multifaceted approach to supplement existing funding targeted at impaired driving and other enforcement. The areas of emphasis expected to be funded include additional high visibility enforcement and indigenous knowledge-informed tribal traffic safety support. Funding is also provided for the commission to administer and provide oversight of these activities. The commission must provide a preliminary report to the transportation committees of the legislature on these funded activities and any outcome information by December 1, 2025, with a final report due by December 1, 2026.

Sec. 902. 2024 c 310 s 202 (uncodified) is amended to read as follows:
FOR THE COUNTY ROAD ADMINISTRATION BOARD
Rural Arterial Trust Account—State Appropriation. \$1,615,000

Motor Vehicle Account—State Appropriation	(((\$3,524,000))
	\$3,402,000
County Arterial Preservation Account—State	
Appropriation.	\$1,839,000
TOTAL APPROPRIATION	(((\$6,978,000))
	\$6,856,000

The appropriations in this section are subject to the following conditions and limitations: Within appropriated funds, the county road administration board may opt in as provided under RCW 70A.02.030 to assume all of the substantive and procedural requirements of covered agencies under chapter 70A.02 RCW. The board shall include in its 2023 and 2024 annual reports to the legislature a progress report on opting into the healthy environment for all act and a status report on diversity, equity, and inclusion within the board's jurisdiction. The county road administration board may revise program standards, as needed, with legislative consultation.

Sec. 903. 2024 c 310 s 204 (uncodified) is amended to read as follows:
FOR THE JOINT TRANSPORTATION COMMITTEE

Carbon Emissions Reduction Account—State	
Appropriation.	(((\$3,477,000))
	\$1,207,000
Multimodal Transportation Account—State	
Appropriation.	(((\$552,000))
	\$480,000
Motor Vehicle Account—State Appropriation	(((\$5,100,000))
	\$5,028,000
((Puget Sound Ferry Operations Account—State	
Appropriation.	\$100,000))
TOTAL APPROPRIATION	(((\$9,229,000))
	\$6,715,000

The appropriations in this section are subject to the following conditions and limitations:

(1)(a) \$300,000 of the motor vehicle account—state appropriation is for the joint transportation committee, from amounts set aside out of statewide fuel taxes distributed to cities according to RCW 46.68.110(2), to convene a study of a statewide retail delivery fee on orders of taxable retail items delivered by motor vehicles within the state. The study must:

(i) Determine the annual revenue generation potential of a range of fee amounts;

(ii) Examine options for revenue distributions to state and local governments based upon total deliveries, lane miles, or other factors;

(iii) Estimate total implementation costs, including start-up and ongoing administrative costs; and

(iv) Evaluate the potential impacts to consumers, including consideration of low-income households and vulnerable populations and potential impacts to businesses.

(b) The study should document and evaluate similar programs adopted in other states. The joint transportation committee must submit a report on the study to the transportation committees of the legislature by June 30, 2024.

(2)(a) \$400,000 of the motor vehicle account—state appropriation is for the joint transportation committee, in collaboration with the department of transportation, to convene a work group to study and recommend a new statutory framework for the department's public-private partnership program. The committee may contract with a third-party consultant for work group support and drafting the new statutory framework.

(b)(i) The work group must consist of, but is not limited to, the following members:

(A) The secretary of transportation or their designee;

(B) Joint transportation committee executive committee members or their designees;

(C) The state treasurer or the state treasurer's designee;

(D) A representative of a national nonprofit organization specializing in public-private partnership program development;

(E) A representative of the construction trades; and

(F) A representative from an organization representing general contractors.

(ii) The work group must also consult with the Washington state transportation commission and the department of commerce.

(c)(i) The work group must review the 2012 joint transportation committee's "Evaluation of Public-Private Partnerships" study, consisting of an evaluation of the recommendations for replacing chapter 47.29 RCW and development of a process for implementing public-private partnerships that serve the defined public interest, including, but not limited to:

(A) Protecting the state's ability to retain public ownership of assets constructed or managed under a public-private partnership contract;

(B) Allowing for the most transparency during the negotiation of terms of a public-private partnership agreement; and

(C) Addressing the state's ability to oversee the private entity's management of the asset.

(ii)(A) The work group must identify any barriers to the implementation of funding models that best protect the public interest, including statutory and constitutional barriers.

(B) The work group may also evaluate public-private partnership opportunities for required fish passage and culvert work on state highways, for the construction of, replacement of, or commercial retail options within Washington state ferries' terminals, and for other projects as determined by the work group.

(iii) The work group must update the 2012 recommendations and devise an implementation plan for the state.

(d) The work group must submit a preliminary report, including any recommendations or draft legislation, to the office of the governor and the transportation committees of the legislature by December 15, 2023. The work group must submit a final report with draft legislation to the office of the governor and the transportation committees of the legislature by July 1, 2024.

(3) \$300,000 of the motor vehicle account—state appropriation is for the joint transportation committee, from amounts set aside out of statewide fuel taxes distributed to cities according to RCW 46.68.110(2), to contract with the municipal research and services center to convene a department of transportation-local government partnership work group to create a procedure in

which the department of transportation can partner with a local jurisdiction to perform preservation and maintenance and construct projects on state highways.

(a) The work group must consist of, but is not limited to, the following members:

(i) One representative from a city with a population of more than 5,000 and fewer than 50,000;

(ii) One representative from a city with a population of more than 50,000;

(iii) One representative from a county with a population of more than 100,000 and fewer than 400,000;

(iv) One representative from a county with a population of more than 400,000;

(v) At least one representative of a public port;

(vi) A representative from the county road administration board;

(vii) A representative of the transportation improvement board;

(viii) At least one representative from the department of transportation's local programs division;

(ix) At least two representatives from the department of transportation with expertise in procurement and legal services; and

(x) At least one member from the house of representatives transportation committee and at least one member from the senate transportation committee.

(b) Of the members described in (a) of this subsection, at least one of the city representatives and one of the county representatives must have public works contracting experience, and at least one of the city representatives and one of the county representatives must have public works project management experience.

(c) The work group must make recommendations of how the department of transportation could better work in partnership with local jurisdictions to ensure that roadway construction projects can be performed when funds are made available in the omnibus transportation appropriations act even if the department of transportation does not have the capacity to be the project manager on a project and a local jurisdiction is ready, willing, and able to implement the project within the time frames envisioned in the omnibus transportation appropriations act. In developing its recommendations, the work group must consider, at a minimum:

(i) Differing roadway and construction standards between state and local agencies;

(ii) Revenue, reimbursement, and financial agreements between state and local agencies;

(iii) Differing procurement processes between state and local agencies;

(iv) Liability; and

(v) Other issues as determined by the work group.

(d) The work group must submit a preliminary report, including any recommendations, to the office of the governor and the transportation committees of the legislature by December 15, 2023. The work group must submit a final report to the office of the governor and the transportation committees of the legislature by July 1, 2024.

(4)(a) ((~~\$2,000,000~~)) \$404,000 of the carbon emissions reduction account—state appropriation is for the joint transportation committee to oversee:

(i) The design of an infrastructure and incentive strategy to drive the purchase and use of zero emission medium and heavy duty vehicles, as well as cargo handling and off-road equipment, in the state including, but not limited to, programs for tractor trucks, box trucks, drayage trucks, refuse trucks, step and panel vans, heavy and medium-duty buses, school buses, on and off-road terminal tractors, transport refrigeration units, forklifts, container handling equipment, airport cargo loaders, and railcar movers; and

(ii) A review of the passenger vehicle tax incentive in current law and evaluation of its utility, to include possible modification of the criteria for eligibility and tax incentive amount maximums, as applicable.

(b) Design development must include recommendations for encouraging vehicle conversions for smaller commercial vehicle fleets and owner-operators of commercial vehicles, as well as tools for facilitating carbon emission reductions to benefit vulnerable populations and overburdened communities. Infrastructure and incentive programs recommended may include, but are not limited to, grant, rebate, tax incentive, and financing assistance programs.

(c) Consultation with legislative members identified by the chair and ranking members of the transportation committees of the legislature throughout design of the infrastructure and incentive strategy is required. A report is due to the transportation committees of the legislature by January 2, 2024.

(5) (~~(\$125,000)~~) \$53,000 of the motor vehicle account—state appropriation and (~~(\$125,000)~~) \$53,000 of the multimodal transportation account—state appropriation are for the joint transportation committee to evaluate potential options and make recommendations for a statewide household travel survey and additional analytical capacity regarding transportation research.

(a) The recommendation on the statewide household travel survey must be based on how well a statewide survey investment would: Address policy questions related to household travel; address gaps between separate regional and local transportation models; and create a dataset to allow both for analysis and response to policymakers' questions relating to household travel and for transportation modeling and development. In evaluating potential survey options, the committee shall consider opportunities for the state to partner and expand on developed established household travel surveys, including surveys conducted at both the Puget Sound regional council and the federal highway administration. In its recommendation, the committee shall outline the process required for a statewide survey, including the costs and timing of each option.

(b) The committee shall recommend an agency or agencies to perform ongoing analysis of a statewide household travel survey and other transportation research. The committee shall consider the ability of an agency or agencies to meet shorter timeline policy needs, as well as longer timeline research projects. The recommendation must include the timing and costs associated with the development of such analytical capacity.

(6) (~~(\$1,000,000)~~) \$600,000 of the carbon emissions reduction account—state appropriation is for the joint transportation committee to oversee the development of tools and methodologies to assist in program delivery evaluation for programs that receive appropriations from the carbon emissions reduction account. Program delivery evaluation must include carbon emissions reduction estimates by program and by unit of time, program cost per unit of emission reduction, quantified benefits to vulnerable populations and overburdened

communities by program cost, any additional appropriate qualitative and quantitative metrics, and actionable recommendations for improvements in program delivery. A report is due to the transportation committees of the legislature by October 1, 2024.

(7) \$500,000 of the motor vehicle account—state appropriation is for the joint transportation committee to engage an independent review team to work in coordination with the Washington state department of transportation's analysis, funded in section 217(10), chapter 472, Laws of 2023, of highway, road, and freight rail transportation needs, options, and impacts from shifting the movement of freight and goods that currently move by barge through the lower Snake river dams to highways, other roads, and rail.

(a) The department shall include the independent review team in all phases of the analysis to enable the team to develop an independent assessment of the analysis, assumptions, stakeholder engagement, and cost and impact estimates. Summary findings from the independent assessment must be provided to the department, the governor's office, and the transportation committees of the legislature on a quarterly basis, with an end of biennium report due to the governor and the transportation committees of the legislature by June 30, 2025. The end of biennium report must include a detailed summary of stakeholder views expressed during the independent review process and an analysis of how these views can be addressed in the overall findings of the analysis.

(b) The independent review team must conduct an independent stakeholder engagement effort. The river transportation work group must be formed to provide data and guidance to the independent review team for the independent stakeholder engagement effort. The river transportation work group must be made up of stakeholders, including farming and agricultural production, fishing industry, tug and barge operators, shippers and receivers, public ports, railroad operators, cruise lines, the federal highway administration, and the army corps of engineers. Consultations with federally recognized tribes must also occur in coordination with the Washington state department of transportation.

(c) The independent review team shall make regular presentations to the joint transportation committee and, by request, to the transportation committees of the legislature.

(8) The joint transportation committee shall also convene a work group that includes, but is not limited to, the executive committee of the joint transportation committee, the office of financial management, the Washington state department of transportation, and the Washington state treasurer's office to develop recommendations, by October 15, 2023, to meet the challenge of identifying an achievable delivery schedule for completing transportation projects across the state.

(9)(a) \$450,000 of the motor vehicle account—state appropriation is for the joint transportation committee to conduct a study and make recommendations on alternative project delivery methods that may be used by the Washington state department of transportation in public works contracting. The study must review use of design-build, design-bid-build, progressive design build, general contractor/construction manager, public-private partnerships, and other contracting methods, including the alliance contracting procedure, and how choice of project delivery method impacts cost, contract competition, and project delivery schedule.

(b) The study must also evaluate other innovative project delivery practices utilized around the country and Washington state-specific possibilities such as: (i) Increased use of the advanced environmental mitigation revolving account and advance right-of-way revolving fund as cost containment strategies; and (ii) benefits and costs associated with the bundling of bridge, culvert, or other groups of projects into single procurement packages.

(c) The study must specifically examine contracting methods, alternative bundling concepts, and other options to manage costs as the Washington state department of transportation continues to make progress on meeting the requirements of the federal *U.S. v. Washington* court injunction.

(d) The study must include recommendations on any changes to current practices and statutory requirements.

(e) In developing project delivery method recommendations, the joint transportation committee must engage with industry stakeholders including, but not limited to, engineering, contracting, environmental, and women and minority-owned business communities.

(f) A preliminary report is due to the office of the governor and the transportation committees of the legislature by December 15, 2024. A final report is due to the office of the governor and the transportation committees of the legislature by June 30, 2025.

(10)(a) \$375,000 of the motor vehicle account—state appropriation is for the joint transportation committee to contract with the municipal research and services center to convene a project delivery streamlining work group to review streamlining options and recommend practices that support expedited project delivery.

(b) The work group must consist of, but is not limited to, the following members:

(i) One representative from a city with a population of more than 5,000 and fewer than 50,000;

(ii) One representative from a city with a population of more than 50,000;

(iii) One representative from a county with a population of more than 100,000 and fewer than 400,000;

(iv) One representative from a county with a population of more than 400,000;

(v) At least one representative of a transit agency serving a rural county;

(vi) At least one representative of a transit agency serving an urban county;

(vii) At least one representative of a regional transit authority;

(viii) At least one representative of a public port;

(ix) A representative from the county road administration board;

(x) A representative of the transportation improvement board;

(xi) A representative of the freight mobility strategic investment board;

(xii) At least one representative from the department of transportation's local programs division with experience in federal funding oversight; and

(xiii) At least two representatives from the department of transportation with expertise in procurement and the multiagency permit program.

(c) Of the members described in (b) of this subsection, at least one of the city representatives and one of the county representatives must have public works contracting experience, and at least one of the city representatives and one

of the county representatives must have public works project management experience.

(d) The work group must review options for project streamlining to expedite project delivery that include, but are not limited to: Preapplication communication; partnership agreements; contracting processes; fund sources; mitigation; land use; rights-of-way; permitting; and shared technology; and must identify opportunities for pilot projects to test some of these recommendations.

(e) The work group must submit a preliminary report to the office of the governor and the transportation committees of the legislature by December 15, 2024. The work group must submit a final report to the office of the governor and the transportation committees of the legislature by June 30, 2025.

~~(11) ((\$100,000 of the Puget Sound ferry operations account—state appropriation is for the joint transportation committee to convene a work group in advance of the 75th anniversary of the Washington state ferries on June 1, 2026, to review Washington state ferry funding requirements and options to increase dedicated funding sources for the ferry system. The executive committee of the joint transportation committee may appoint relevant stakeholders as part of the work group. A preliminary report must be submitted to the governor and transportation committees of the legislature by December 15, 2024, and the legislature intends that a final report will be submitted to the governor and transportation committees of the legislature by June 1, 2026.~~

~~(12) Beginning January 1, 2025, \$477,000))~~ \$203,000 of the carbon emissions reduction account—state appropriation is for the joint transportation committee to conduct a study of the impacts of implementing California's emissions standards for ocean-going vessels at berth in Titles 13 and 17 of the California Code of Regulations in Washington. The study must include estimates of greenhouse gas emissions reductions, criteria air pollutant reductions, potential labor impacts, potential impacts on shipping costs and port competitiveness, and shore power infrastructure needs and costs. The joint transportation committee must, at a minimum, coordinate with the department of ecology, department of transportation, representatives from Washington ports, shippers, utilities, and the trucking industry, impacted labor unions, and environmental organizations. The joint transportation committee must report to the transportation committees of the legislature by June 30, 2025.

~~((43)))~~ (12)(a) \$250,000 of the multimodal transportation account—state appropriation is for the joint transportation committee to contract with a national expert on developing inclusive, mixed-income, mixed-use transit-oriented housing to complete a review of transit-oriented development conditions in cities in King, Pierce, Spokane, Clark, and Snohomish counties that (i) have populations of more than 12,500; and (ii) have at least one major transit stop, as defined in RCW 36.70A.030. The contracted party must have demonstrated expertise in understanding the impact of housing development on racially diverse communities, as well as expertise in, and existing peer-reviewed research on, developing housing near transit that is inclusive of low-income, workforce, and market rate housing.

(b) The review must look at any comprehensive plans, housing-focused local tax and fee programs, and development regulations required to be adopted on or before December 31, 2024. The review must include examples of local and national best practices for developing affordable housing and workforce housing

near transit, and allow for comparison on a city-by-city basis. The review must also include a report with recommendations for state-level policy to expand housing and mixed-use transit-oriented development in Washington state, in a manner that minimizes displacement of existing communities and ensures housing near transit remains affordable to low-income Washingtonians. ~~((The contracted party shall provide its review to the appropriate committees of the legislature by June 30, 2025.))~~

Sec. 904. 2024 c 310 s 207 (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE PATROL

Alaskan Way Viaduct Replacement Project Account—

State Appropriation	\$43,000
State Patrol Highway Account—State Appropriation	(\$629,476,000))
	<u>\$621,421,000</u>
State Patrol Highway Account—Federal Appropriation	(\$19,360,000))
	<u>\$23,360,000</u>
State Patrol Highway Account—Private/Local	
Appropriation.	\$4,594,000
Highway Safety Account—State Appropriation.	\$1,736,000
Ignition Interlock Device Revolving Account—State	
Appropriation.	\$2,208,000
Multimodal Transportation Account—State	
Appropriation.	\$316,000
State Route Number 520 Corridor Account—State	
Appropriation.	\$89,000
Tacoma Narrows Toll Bridge Account—State	
Appropriation.	\$275,000
I-405 and SR 167 Express Toll Lanes Account—State	
Appropriation.	\$2,895,000
TOTAL APPROPRIATION	(\$660,992,000))
	<u>\$656,937,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$580,000 of the state patrol highway account—state appropriation is provided solely for the operation of and administrative support to the license investigation unit to enforce vehicle registration laws in southwestern Washington. The Washington state patrol, in consultation with the department of revenue, shall maintain a running estimate of the additional vehicle registration fees, sales and use taxes, and local vehicle fees remitted to the state pursuant to activity conducted by the license investigation unit. Beginning October 1, 2023, and semiannually thereafter, the Washington state patrol shall submit a report detailing the additional revenue amounts generated since July 1, 2023, to the director of the office of financial management and the transportation committees of the legislature. At the end of the fiscal quarter in which it is estimated that more than \$625,000 in state sales and use taxes have been remitted to the state since July 1, 2023, the Washington state patrol shall notify the state treasurer and the state treasurer shall transfer funds pursuant to section 406, chapter 472, Laws of 2023.

(2) Washington state patrol officers engaged in off-duty uniformed employment providing traffic control services to the department of transportation or other state agencies may use state patrol vehicles for the purpose of that employment, subject to guidelines adopted by the chief of the Washington state patrol. The Washington state patrol must be reimbursed for the use of the vehicle at the prevailing state employee rate for mileage and hours of usage, subject to guidelines developed by the chief of the Washington state patrol.

(3)(a) By December 1st of each year during the 2023-2025 fiscal biennium, the Washington state patrol must report to the transportation committees of the legislature on the status of recruitment and retention activities as follows:

- (i) A summary of recruitment and retention strategies;
- (ii) The number of transportation funded staff vacancies by major category;
- (iii) The number of applicants for each of the positions by these categories;
- (iv) The composition of workforce;
- (v) Other relevant outcome measures with comparative information with recent comparable months in prior years; and
- (vi) Activities related to the implementation of the agency's workforce diversity plan, including short-term and long-term, specific comprehensive outreach, and recruitment strategies to increase populations underrepresented within both commissioned and noncommissioned employee groups.

(b) During the 2023-2025 fiscal biennium, the office of financial management, with assistance of the Washington state patrol, must conduct two surveys regarding the competitiveness with law enforcement agencies within the boundaries of the state of Washington pursuant to RCW 43.43.380, with the first survey being informational regarding the change since the last survey was conducted and the second survey used as part of the collective bargaining process. Prior to the 2024 legislative session, the office of financial management, with assistance of the Washington state patrol, must also provide comparison information regarding recruitment bonus amounts currently being offered by local law enforcement agencies in the state.

(4)(a) \$6,575,000 of the state patrol highway account—state appropriation is provided solely for the land mobile radio system replacement, upgrade, and other related activities.

(b) Beginning January 1, 2024, the Washington state patrol must report semiannually to the office of the chief information officer on the progress related to the projects and activities associated with the land mobile radio system, including the governance structure, outcomes achieved in the prior six-month time period, and how the activities are being managed holistically as recommended by the office of the chief information officer. At the time of submittal to the office of the chief information officer, the report must be transmitted to the office of financial management and the transportation committees of the legislature.

(5)(a) \$2,688,000 of the state patrol highway account—state appropriation is provided solely for enhancing the state patrol's diversity, equity, and inclusion program, a community engagement program to improve relationships with historically underrepresented communities and to recruit and retain a diverse workforce, and contracting with an external psychologist to perform exams. The state patrol will work with the governor's office of equity and meet all reporting

requirements and responsibilities pursuant to RCW 43.06D.060. Funds provided for the community engagement program must ensure engagement with communities throughout the state.

(b) The state patrol may revise program standards, as needed, with legislative consultation.

(6)(a) \$10,000 of the state patrol highway account—state appropriation is provided solely for the Washington state patrol to administer a pilot program that implements a yellow alert system notifying the public when a hit-and-run accident resulting in a fatality or substantial bodily harm has occurred and been reported to the state patrol or other local law enforcement entity. The Washington state patrol must post on traffic message boards or share on public communication systems any identifying information acquired including, but not limited to, a complete or partial license plate number or a description of the vehicle. Each alert must be posted or shared as such for at least 24 hours.

(b) The Washington state patrol must report the following to the transportation committees of the legislature annually until June 30, 2025:

(i) The number of yellow alerts received;

(ii) The number of arrests made from accidents reported on the yellow alert system;

(iii) The number of hit-and-run accidents resulting in a fatality or substantial bodily harm statewide;

(iv) The number of arrests made from accidents described under (b)(iii) of this subsection; and

(v) The number of hit-and-run accidents reported statewide.

(c) The Washington state patrol must also report on the efficacy of the program and recommend in its final report if the pilot program should continue or be enacted on a permanent basis and implemented statewide, based on the results of the report.

(7)(a) ~~(((\$2,243,000))~~ \$2,918,000 of the state patrol highway account—state appropriation is provided solely for administrative costs, advertising, outreach, and bonus payments associated with developing and implementing a state trooper expedited recruitment incentive program for the purpose of recruiting and filling vacant trooper positions in the 2023-2025 fiscal biennium. The legislature is committed to continuing the state trooper expedited recruitment incentive program until the vacancy levels are significantly reduced from current levels. The recruitment, advertising, and outreach associated with this program must continue efforts to create a more diverse workforce and must also provide an accelerated pathway for joining the state patrol for high quality individuals who have previously been employed as a general authority peace officer.

(b) The state trooper expedited recruitment incentive program established by the Washington state patrol must include:

(i) Thorough hiring procedures to ensure that only the highest quality candidates are selected as cadets and as lateral hires, including extensive review of past law enforcement employment history through extensive reference checks, Brady list identification, and any other issues that may impact the performance, credibility, and integrity of the individual.

(ii) An accelerated training program for lateral hires from other agencies that recognizes the knowledge and experience of candidates previously employed in law enforcement; and

(iii) A sign-on bonus for each trooper hired through the expedited recruitment incentive program as follows:

(A) \$5,000 for each cadet after completion of the Washington state patrol academy;

(B) \$5,000 for each successful graduating cadet after completion of a one-year probation period;

(C) \$8,000 for each lateral hire after completion of the accelerated training program for lateral hires;

(D) \$6,000 for each lateral hire after completion of a one-year probation period; and

(E) \$6,000 for each lateral hire after completion of two years of service.

(c) The expenditure on the state trooper expedited recruitment incentive program is contingent upon execution of an appropriate memorandum of understanding between the governor or the governor's designee and the exclusive bargaining representative, consistent with the terms of this section. Expenditures and eligibility for the state trooper expedited recruitment incentive program established in this section are subject to the availability of amounts appropriated for this specific purpose.

(d) For the purposes of this subsection:

(i) "Cadet" means a person employed for the express purpose of receiving the on-the-job training required for attendance at the Washington state patrol academy and for becoming a commissioned trooper.

(ii) "Lateral hire" means an eligible employee previously employed as a general authority peace officer.

(8) (~~(\$3,896,000)~~) \$3,033,000 of the state patrol highway account—state appropriation is provided solely for implementation of chapter 17, Laws of 2023 (speed safety cameras). If chapter 17, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

(9) \$500,000 of the state patrol highway account—state appropriation is provided solely for bonuses and other recruitment and retention-related compensation adjustments for communication officers and other noncommissioned staff of the Washington state patrol who are covered by a collective bargaining agreement. Funding in this subsection must first be used for targeted adjustments for communication officers. Remaining amounts may be used for compensation adjustments for other noncommissioned staff. Funding provided in this subsection is contingent upon the governor or the governor's designee reaching an appropriate memorandum of understanding with the exclusive bargaining representative. Agreements reached for compensation adjustments under this section may not exceed the amounts provided. If any agreement or combination of agreements exceed the amount provided in this subsection, all the agreements are subject to the requirements of RCW 41.80.010(3).

(10) (~~(\$3,226,000)~~) \$1,690,000 of the state patrol highway account—state appropriation is provided solely for (~~two~~) accelerated training programs for lateral hires. It is the intent of the legislature that the (~~second~~) accelerated training (~~(program)~~) programs for lateral hires offered in fiscal year 2025 achieves at least 40 qualified graduates based on the Washington state patrol aggressively recruiting, advertising bonus policies, and taking other steps to achieve this outcome.

(11) \$98,000 of the state patrol highway account—state appropriation is provided solely for the implementation of chapter 26, Laws of 2023 (nonconviction data). If chapter 26, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

(12) \$76,000 of the state patrol highway account—state appropriation is provided solely for the implementation of chapter 471, Laws of 2023 (negligent driving). If chapter 471, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

(13) \$107,000 of the state patrol highway account—state appropriation is provided solely for the implementation of chapter 462, Laws of 2023 (domestic violence). If chapter 462, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

(14) By December 1, 2024, the Washington state patrol must provide a report to the governor and appropriate committees of the legislature on the status of *McClain v. Washington State Patrol* and an update on legal expenses associated with the case.

(15) \$32,000 of the state patrol highway account—state appropriation is provided solely for the implementation of chapter 283, Laws of 2023 (illegal racing). If chapter 283, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

(16) (~~(\$5,905,000)~~) \$9,563,000 of the state patrol highway account—state appropriation is provided solely for a third arming and third trooper basic training class, the initiation of a fourth arming and fourth trooper basic training class, and other additional academy costs. The third cadet class is expected to graduate in June 2025, and the fourth cadet class is expected to graduate in January 2026.

(17) (~~(\$2,381,000)~~) \$1,758,000 of the state patrol highway account—state appropriation is provided solely for the Washington state patrol to implement the provisions of the settlement agreement under *Washington State Patrol Troopers Association v. Washington State Patrol*, Public Employment Relations Commission Case No. 134557-U-21.

(18) \$2,307,000 of the state patrol highway account—state appropriation is provided solely for the migration of the agency's active directory into the state enterprise active directory.

(19) \$250,000 of the state patrol highway account—state appropriation is provided solely to expand the activities of the license investigation unit to King county on a pilot basis beyond the unit's current activities in southwestern Washington. By February 15, 2025, the Washington state patrol must provide a status report on the pilot implementation.

(20) (~~(\$2,222,000)~~) \$2,640,000 of the state patrol highway account—state appropriation is provided solely for the first planned replacement of an aging Cessna aircraft, including infrared cameras, and \$100,000 of the state patrol highway account—state appropriation is provided solely for the downpayment and related costs of the second planned replacement of another aging Cessna aircraft. It is the intent of the legislature to fund the second planned Cessna replacement without financing the acquisition as soon as the aircraft can be received in the 2025-2027 fiscal biennium, and therefore, the Washington state patrol may take the necessary steps to ensure delivery of the aircraft as soon as possible in the 2025-2027 fiscal biennium.

(21) \$300,000 of the state patrol highway account—state appropriation is provided solely for individual gun safes for troopers and other staff to allow the safe storage of firearms used in the performance of their duties.

(22) \$35,000 of the state patrol highway account—state appropriation is provided solely for implementation of chapter 207, Laws of 2024 (tribal warrants). If chapter 207, Laws of 2024 is not enacted by June 30, 2024, the amount provided in this subsection lapses.

(23) \$250,000 of the ignition interlock device revolving account—state appropriation is provided solely to improve compliance with ignition interlock device requirements associated with impaired driving offenses. By June 30, 2025, the Washington state patrol must provide a report detailing the staff hired, the activities undertaken, and outcome information associated with improving ignition interlock device compliance rates.

(24) \$691,000 of the state patrol highway account—state appropriation is provided solely for the implementation of chapter 237, Laws of 2024 (state patrol longevity bonus). If chapter 237, Laws of 2024 is not enacted by June 30, 2024, the amount provided in this subsection lapses.

(25) \$46,000 of the state patrol highway account—state appropriation is provided solely for the implementation of chapter 301, Laws of 2024 (catalytic converters). If chapter 301, Laws of 2024 is not enacted by June 30, 2024, the amount provided in this subsection lapses.

Sec. 905. 2024 c 310 s 208 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LICENSING

Driver Licensing Technology Support Account—State

Appropriation.((~~\$1,743,000~~))
\$1,740,000

Marine Fuel Tax Refund Account—State Appropriation. \$34,000

Motorcycle Safety Education Account—State

Appropriation.((~~\$5,319,000~~))
\$5,292,000

Limited Fish and Wildlife Account—State

Appropriation.((~~\$768,000~~))
\$632,000

Highway Safety Account—State Appropriation((~~\$283,109,000~~))
\$285,803,000

Highway Safety Account—Federal Appropriation \$2,371,000

Motor Vehicle Account—State Appropriation((~~\$101,823,000~~))
\$100,523,000

Motor Vehicle Account—Private/Local Appropriation \$1,336,000

Ignition Interlock Device Revolving Account—State

Appropriation.((~~\$6,415,000~~))
\$6,509,000

Department of Licensing Services Account—State

Appropriation.((~~\$9,150,000~~))
\$8,741,000

License Plate Technology Account—State Appropriation((~~\$4,398,000~~))
\$4,369,000

Abandoned Recreational Vehicle Account—State	
Appropriation.	((\$3,091,000))
	<u>\$4,591,000</u>
Limousine Carriers Account—State Appropriation	((\$126,000))
	<u>\$134,000</u>
Electric Vehicle Account—State Appropriation.	\$443,000
DOL Technology Improvement & Data Management	
Account—State Appropriation	\$943,000
Agency Financial Transaction Account—State	
Appropriation.	((\$16,998,000))
	<u>\$16,430,000</u>
Move Ahead WA Flexible Account—State Appropriation	((\$2,096,000))
	<u>\$1,779,000</u>
TOTAL APPROPRIATION	((\$440,163,000))
	<u>\$441,670,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,100,000 of the highway safety account—state appropriation and \$1,100,000 of the move ahead WA flexible account—state appropriation are provided solely for the department to provide an interagency transfer to the department of children, youth, and families for the purpose of providing driver's license support. In addition to support services required under RCW 74.13.338(2), support services may include reimbursement of:

- (a) The cost for a youth in foster care of any eligible age to complete a driver training education course, as outlined in chapter 46.82 or 28A.220 RCW;
- (b) The costs incurred by foster youth in foster care for a motor vehicle insurance policy;
- (c) The costs of roadside assistance, motor vehicle insurance deductibles, motor vehicle registration fees, towing services, car maintenance, comprehensive car insurance, and gas cards; and
- (d) Any other costs related to obtaining a driver's license and driving legally and safely.

(2) \$150,000 of the highway safety account—state appropriation is provided solely for the department to conduct a study on the feasibility of implementing a mobile application for driver licensing. The department must submit a report of the study findings and any recommendations to the governor and the transportation committees of the legislature by December 1, 2024. The study must:

- (a) Review the adoption actions in other states, including successes and lessons learned;
- (b) Examine existing technical infrastructure and potential changes needed to maximize interoperability, utility, and privacy protection;
- (c) Identify the technical investments and other costs associated with issuing digital drivers' licenses through a mobile application;
- (d) Identify how the technology may impact and can be used by external stakeholders, such as law enforcement;
- (e) Recommend any process changes required to implement the program successfully and ensure customer satisfaction; and

(f) Recommend any statutory changes required to allow for the usage of digital drivers' licenses, including recognition of interstate travelers.

(3)(a) \$350,000 of the highway safety account—state appropriation is provided solely for the department, in consultation with the Washington traffic safety commission, the department of health, the elder law section of the Washington state bar association, organizations representing older drivers, and driver rehabilitation specialists, to develop a comprehensive plan aimed at improving older driver safety. The department must submit a report on the comprehensive plan to the governor and the transportation committees of the legislature by December 1, 2024. The plan must include, but is not limited to:

(i) A comprehensive review of department policies surrounding older drivers and medically at-risk drivers, including:

(A) The medical assessment review process; and

(B) The counter assessment process in licensing service offices;

(ii) A feasibility analysis of the department establishing a medical advisory board to advise on general policy for at-risk drivers, driving privileges for individual medically at-risk drivers, and an appeals process for drivers whose privileges are revoked or restricted due to medical conditions;

(iii) A recommended assessment tool to determine a driver's potential risk to themselves or others when operating a motor vehicle so the department may make informed decisions on appropriate courses of action within the older driver program; and

(iv) Detailed information on how each component of the plan improves the safety associated with older drivers, while preserving the maximum level of older driver independence and privacy;

(b) The department may also use funds provided in this subsection to implement improvements to older driver traffic safety within existing authority.

(4) \$5,499,000 of the motor vehicle account—state appropriation is provided solely for the department to upgrade and improve its prorate and fuel tax system, and is subject to the conditions, limitations, and review requirements of section 701, chapter 472, Laws of 2023. In each phase of the project, the department must ensure and document the increase in business capabilities and customer service outcomes, the improvements in fuel tax collection related information designed to resolve historical discrepancies in reporting information, and how the implementation plan mitigates risks associated with the proposed timeline and results in the sustainability of systems and platforms for the future. Before initiating the implementation phase of the project, the department must report to the office of the chief information officer on how the project meets its FAST act modernization roadmap, and vendor management and resource plans.

(5) \$16,000 of the motorcycle safety education account—state appropriation, \$2,000 of the limited fish and wildlife account—state appropriation, \$947,000 of the highway safety account—state appropriation, \$308,000 of the motor vehicle account—state appropriation, \$14,000 of the ignition interlock device revolving account—state appropriation, and \$14,000 of the department of licensing services account—state appropriation are provided solely for the department to redesign and improve its online services and website, and are subject to the conditions, limitations, and review requirements in section 701, chapter 472, Laws of 2023.

(6) The department shall report on a quarterly basis on licensing service office operations, associated workload, and information with comparative information with recent comparable months in prior years. The report must include detailed statewide and by licensing service office information on staffing levels, average monthly wait times, the number of enhanced drivers' licenses and enhanced identicards issued and renewed, and the number of primary drivers' licenses and identicards issued and renewed. By November 1, 2024, the department must prepare a report with recommendations on the future of licensing service office operations based on the recent implementation of efficiency measures designed to reduce the time for licensing transactions and wait times, and the implementation of statutory and policy changes made during the pandemic.

(7) For the 2023-2025 fiscal biennium, the department shall charge \$1,336,000 for the administration and collection of a motor vehicle excise tax on behalf of a regional transit authority, as authorized under RCW 82.44.135. The amount in this subsection must be deducted before distributing any revenues to a regional transit authority.

(8) \$742,000 of the motor vehicle account—state appropriation is provided solely for the increased costs associated with improvements desired to resolve delays in the production of license plates, including converting all subagents to the standard ordering process as recommended in the December 2022 plate inventory report, and to provide updated annual reports detailing changes in license plate production, inventory, and other practices taken to guard against plate production delays. The reports must be submitted to the governor and the transportation committees of the legislature by December 1, 2023, and December 1, 2024.

(9) \$243,000 of the highway safety account—state appropriation is provided solely for the department to continue to provide written materials on, place signage in licensing service offices regarding, and include into new driver training curricula, the requirements of RCW 46.61.212, the slow down and move over law.

(10) (~~(\$3,082,000)~~) \$4,591,000 of the abandoned recreational vehicle disposal account—state appropriation is provided solely for providing reimbursements in accordance with the department's abandoned recreational vehicle disposal reimbursement program. It is the intent of the legislature that the department prioritize this funding for allowable and approved reimbursements and not to build a reserve of funds within the account. During the 2023-2025 fiscal biennium, the department must report any amounts recovered to the office of financial management and appropriate committees of the legislature on a quarterly basis.

(11) \$1,077,000 of the highway safety account—federal appropriation is provided solely for implementation of chapter 35, Laws of 2023 (CDL drug and alcohol clearinghouse). If chapter 35, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

(12) \$116,000 of the highway safety account—state appropriation is provided solely for implementation of chapter 57, Laws of 2023 (streamlining CDL issuance). If chapter 57, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

(13) \$845,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter 445, Laws of 2023 (improving young driver safety). If chapter 445, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

(14) \$180,000 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter 440, Laws of 2023 (open motor vehicle safety recalls). If chapter 440, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

(15) \$497,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter 466, Laws of 2023 (updating processes related to voter registration). If chapter 466, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

(16) \$29,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter 118, Laws of 2023 (driver's abstract changes). If chapter 118, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

(17) \$47,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter 453, Laws of 2023 (competency evaluations). If chapter 453, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

(18) \$23,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter 283, Laws of 2023 (illegal racing). If chapter 283, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

(19) \$155,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter 316, Laws of 2023 (jury diversity). If chapter 316, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

(20)(a) \$36,000 of the motor vehicle account—state appropriation is provided solely for the issuance of nonemergency medical transportation vehicle decals to implement the high occupancy vehicle lane access pilot program established in section 217(2), chapter 472, Laws of 2023. A for hire nonemergency medical transportation vehicle is a vehicle that is a "for hire vehicle" under RCW 46.04.190 that provides nonemergency medical transportation, including for life-sustaining transportation purposes, to meet the medical transportation needs of individuals traveling to medical practices and clinics, cancer centers, dialysis facilities, hospitals, and other care providers.

(b) As part of this pilot program, the owner of a for hire nonemergency medical transportation vehicle may apply to the department, county auditor or other agent, or subagent appointed by the director, for a high occupancy vehicle exempt decal for a for hire nonemergency medical transportation vehicle. The high occupancy vehicle exempt decal allows the for hire nonemergency medical transportation vehicle to use a high occupancy vehicle lane as specified in RCW 46.61.165 and 47.52.025 during the 2023-2025 fiscal biennium.

(c) For the exemption in this subsection to apply to a for hire nonemergency medical transportation vehicle, the decal:

(i) Must be displayed on the vehicle so that it is clearly visible from outside the vehicle;

(ii) Must identify that the vehicle is exempt from the high occupancy vehicle requirements; and

(iii) Must be visible from the rear of the vehicle.

(d) The owner of a for hire nonemergency medical transportation vehicle or the owner's representative must apply for a high occupancy vehicle exempt decal on a form provided or approved by the department. The application must include:

(i) The name and address of the person who is the owner of the vehicle;

(ii) A full description of the vehicle, including its make, model, year, and the vehicle identification number;

(iii) The purpose for which the vehicle is principally used;

(iv) An attestation signed by the vehicle's owner or the owner's representative that the vehicle's owner has a minimum of one contract or service agreement to provide for hire transportation services for medical purposes with one or more of the following entities: A health insurance company; a hospital, clinic, dialysis center, or other medical institution; a day care center, retirement home, or group home; a federal, state, or local agency or jurisdiction; or a broker who negotiates these services on behalf of one or more of these entities; and

(v) Other information as required by the department upon application.

(e) The department, county auditor or other agent, or subagent appointed by the director shall collect the fee required under (f) of this subsection when issuing or renewing a high occupancy vehicle exempt decal.

(f) The department, county auditor or other agent, or subagent must collect a \$5 fee when issuing or renewing a decal under this subsection, in addition to any other fees and taxes required by law.

(g) A high occupancy vehicle exempt decal expires June 30, 2025, and must be marked to indicate its expiration date. The decal may be renewed if the pilot program is continued past the date of a decal's expiration. The status as an exempt vehicle continues until the high occupancy vehicle exempt decal is suspended or revoked for misuse, the vehicle is no longer used as a for hire nonemergency medical transportation vehicle, or the pilot program established in section 217(2), chapter 472, Laws of 2023 is terminated.

(h) The department may adopt rules to implement this subsection.

(21)(a) \$265,000 of the highway safety account—state appropriation is provided solely for the department to provide an interagency transfer to the Washington center for deaf and hard of hearing youth, in consultation with the department and the office of the superintendent of public instruction, to fund the cost of interpreters for driver training education for deaf and hard of hearing youth to enable them to access driver training education at the same cost as their peers, and to pilot a sustainable driver training education program to determine how best to meet the driver training education needs of deaf and hard of hearing youth in the state in the future. The pilot must include:

(i) Determination of an appropriate number of instructors and an appropriate method of certification for instructors who are fluent in American Sign Language (ASL);

(ii) Determination of how best to provide driver training education statewide to deaf and hard of hearing novice drivers;

(iii) Development of a program to offer the required curriculum under RCW 28A.220.035 to deaf and hard of hearing novice drivers; and

(iv) Capped course instruction costs for deaf and hard of hearing students at the average rate of their hearing peers.

(b) The department shall submit a report to the transportation committees of the legislature developed by the Washington center for deaf and hard of hearing youth by March 1, 2024, that provides recommendations for a permanent program to make driver education equitably accessible for deaf and hard of hearing students.

(22) \$350,000 of the highway safety account—state appropriation is provided solely for the department to improve the process for commercial driver's license (CDL) holders to submit medical certification documents and update self-certification status to the department. The department shall:

(a) Update license express to improve the process and make it more user friendly;

(b) Add options for the driver to renew or replace the driver's CDL credentials as part of the medical or self-certification process;

(c) Add a customer verification step confirming the requested changes and clearly stating how this change will impact the driver's CDL; and

(d) Add improved messaging throughout the process.

In addition, the department shall make available on the driving record abstract a complete medical certificate downgrade history, and provide a one-time mailing to all current CDL holders explaining the process to update their medical certificate documents and self-certification.

(23) \$1,962,000 of the highway safety account—state appropriation is provided solely for the establishment of a pilot mobile licensing unit to provide licensing and identicard services. By December 1, 2024, the department must submit a report to the governor and the transportation committees of the legislature detailing the locations served, the number and type of documents issued, and other outcome measures associated with the mobile licensing unit. The report must include consideration of the facility needs of licensing service offices in the context of flexible mobile licensing services.

(24) \$2,750,000 of the highway safety account—state appropriation is provided solely for organizations providing driver's license assistance and support services. Of this amount:

(a) \$2,000,000 of the highway safety account—state appropriation is provided solely for driver's license assistance and support services in King county with an existing provider that is already providing these services to low-income immigrant and refugee women; and

(b) \$750,000 of the highway safety account—state appropriation is provided solely for additional contracts in fiscal year 2025 with organizations providing driver's license assistance and other related support services in other parts of the state.

(c) By December 1st of each year, the department must submit information on the contracted providers, including: The annual budget of the contracted providers in the preceding year; information regarding private and other governmental support for the activities of the providers; and a description of the number of people served, services delivered, and outcome measures. In developing its 2025-2027 biennial budget submittal, the department, after consulting with the existing organization in King county and organizations receiving funds with the fiscal year 2025 expansion, must develop a statewide

delivery plan that maximizes the number of people served, promotes efficiency in service delivery, and recognizes different models based on needs in particular areas of the state.

(25) \$8,000 of the motorcycle safety education account—state appropriation is provided solely for the implementation of chapter 137, Laws of 2023 (motorcycle safety board). If chapter 137, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

(26) \$29,000 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter 431, Laws of 2023 (transportation resources). If chapter 431, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

(27) \$282,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter 471, Laws of 2023 (negligent driving). If chapter 471, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

(28) \$4,464,000 of the highway safety account—state appropriation is provided solely for costs associated with relocating licensing service offices during the 2023-2025 fiscal biennium. This includes \$2,790,000 provided for relocations in the 2023-2025 omnibus transportation appropriations act. By June 30th of each year, the department must submit a status report on licensing service offices planned for relocation during the 2023-2025 fiscal biennium.

(29) \$1,395,000 of the motor vehicle account—state appropriation is provided solely for implementation of chapter 1, Laws of 2024 (enhancing prorate and fuel tax collections). If chapter 1, Laws of 2024 is not enacted by June 30, 2024, the amount provided in this subsection lapses.

(30) (~~(\$100,000)~~) \$65,000 of the highway safety account—state appropriation is provided solely for implementation of chapter 162, Laws of 2024 (improving access to department of licensing issued documents). If chapter 162, Laws of 2024 is not enacted by June 30, 2024, the amount provided in this subsection lapses.

(31) \$150,000 of the motor vehicle account—state appropriation is provided solely for the department to conduct a study on the feasibility of implementing a process for the electronic submittal of title and registration documents for motor vehicles, within the current vehicle licensing model. The department must submit a report of the study findings and any recommendations to the governor and the transportation committees of the legislature by September 1, 2025. The study must: (a) Review the current processes in Washington and other states, including how such processes addressed fraud prevention and document security; (b) examine existing technical infrastructure and potential changes needed to allow for completion and submittal of lien and titling documents by financial institutions and vehicle dealers to subagents, county auditors, and the department of licensing, while maximizing interoperability, utility, data security, and customer privacy; (c) identify the technical investments and other costs associated with the submission of electronic documents by financial institutions and vehicle dealers to subagents, county auditors, and the department of licensing; (d) recommend any statutory changes required to allow for the submission of electronic documentation to subagents, county auditors, and the department of licensing; and (e) examine the impact of these technology changes

on external stakeholders including, but not limited to, subagents, county auditors, financial institutions, vehicle dealers, and insurance companies.

(32) \$6,000 of the motorcycle safety education account—state appropriation, \$1,000 of the limited fish and wildlife account—state appropriation, \$406,000 of the highway safety account—state appropriation, \$137,000 of the motor vehicle account—state appropriation, \$5,000 of the ignition interlock device revolving account—state appropriation, and \$6,000 of the department of licensing services account—state appropriation are provided solely for the department of licensing for additional finance and budget staff. By December 1, 2024, the department shall submit a report to the governor and appropriate committees of the legislature on the specific steps the department has taken to address the findings of the State Auditor's Office FY2022 Accountability Audit Report No. 1032793.

(33) \$225,000 of the highway safety account—state appropriation is provided solely for the department, for incorporation into its comprehensive implementation plan required under chapter 445, Laws of 2023 (improving young driver safety), to expand driver training education requirements for driver's license purposes to persons age 18 through 24 to include: (a) An assessment of opportunities to close availability and accessibility gaps in rural and underserved areas, as specified in section 612 of this act; and (b) an analysis of the potential inclusion of a mandatory driver's education refresher course requirement consisting of in-person or virtual classroom-based instruction on risk management and hazard protections one year after licensure, as specified in section 612 of this act.

(34) \$38,000 of the motor vehicle account—state appropriation is provided solely for implementation of chapter 308, Laws of 2024 (speed safety cameras). If chapter 308, Laws of 2024 is not enacted by June 30, 2024, the amount provided in this subsection lapses.

(35) \$34,000 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter 146, Laws of 2024 (definition of veteran). If chapter 146, Laws of 2024 is not enacted by June 30, 2024, the amount provided in this subsection lapses.

(36) \$159,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter 306, Laws of 2024 (impaired driving). If chapter 306, Laws of 2024 is not enacted by June 30, 2024, the amount provided in this subsection lapses.

(37) \$300,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter 315, Laws of 2024 (state custody/ID cards). If chapter 315, Laws of 2024 is not enacted by June 30, 2024, the amount provided in this subsection lapses.

(38) \$50,000 of the motor vehicle account—state appropriation is provided solely for the department to conduct a study on the feasibility of implementing and administering a per mile fee program. The study must identify the staffing and resources needed to implement and administer the program, including possible technical investments, leveraging existing technology platforms. A preliminary report of the study findings relating to internal costs to administer the program is due to the governor and transportation committees of the legislature by December 31, 2024. The legislature intends to require a final

report that includes potential third-party costs and options to the governor and the transportation committees of the legislature by December 31, 2025.

(39) \$2,100,000 of the highway safety account—state appropriation is provided solely for the department to increase public awareness of REAL ID. Of the amounts appropriated in this subsection, \$1,000,000 is for the department to directly contract with a communications group with experience spreading awareness about REAL ID to community-based organizations and ethnic media outlets.

(40)(a) \$10,000 of the highway safety account—state appropriation is provided solely for the department to enter into an interagency agreement with the commission on Asian Pacific American Affairs to contract with one or more private nonprofit organizations with appropriate expertise and experience to provide REAL ID compliance support to residents of the state who are compact of free association citizens, comprised of citizens of the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau, by providing the following assistance using a culturally and linguistically appropriate approach:

(i) Communication and community outreach activities to inform compact of free association citizens of federally acceptable identification options that will be required and for which they are eligible for the purposes of domestic air travel once the REAL ID Act policy takes effect;

(ii) Case management assistance through the use of community navigators who can provide assistance in the process to obtain federally acceptable identification documents that will be required for the purposes of domestic air travel when the REAL ID Act policy is in effect, including in obtaining any documentation necessary for the application process; and

(iii) For those who meet the requirements of (b) of this subsection, financial assistance to obtain federally acceptable identification documents that will be required for the purposes of domestic air travel when the REAL ID Act policy is in effect, including financial assistance to obtain a foreign passport.

(b) To qualify for assistance under (a)(ii) of this subsection (40), a compact of free association citizen who resides in the state of Washington must be:

(i) A recipient of, or eligible for, public assistance under Title 74 RCW; or

(ii) A participant in, or eligible for, the Washington women, infants, and children program.

Sec. 906. 2024 c 310 s 209 (uncodified) is amended to read as follows:
FOR THE DEPARTMENT OF TRANSPORTATION—TOLL OPERATIONS AND MAINTENANCE—PROGRAM B

State Route Number 520 Corridor Account—State	
Appropriation.	(\$67,199,000)) \$55,639,000
State Route Number 520 Civil Penalties Account—State	
Appropriation.	(\$4,178,000)) \$2,378,000
Tacoma Narrows Toll Bridge Account—State	
Appropriation.	(\$34,398,000)) \$36,510,000

Alaskan Way Viaduct Replacement Project Account—

State Appropriation(((\$22,541,000))
\$24,614,000

Interstate 405 and State Route Number 167 Express

Toll Lanes Account—State Appropriation(((\$25,523,000))
\$25,764,000

TOTAL APPROPRIATION(((\$153,839,000))
\$144,905,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,300,000 of the Tacoma Narrows toll bridge account—state appropriation and \$12,820,000 of the state route number 520 corridor account—state appropriation are provided solely for the purposes of addressing unforeseen operations and maintenance costs on the Tacoma Narrows bridge and the state route number 520 bridge, respectively. The office of financial management shall place the amounts provided in this subsection, which represent a portion of the required minimum fund balance under the policy of the state treasurer, in unallotted status. The office may release the funds only when it determines that all other funds designated for operations and maintenance purposes have been exhausted.

(2) As long as the facility is tolled, the department must provide annual reports to the transportation committees of the legislature on the Interstate 405 express toll lane project performance measures listed in RCW 47.56.880(4). These reports must include:

(a) Information on the travel times and travel time reliability (at a minimum, average and 90th percentile travel times) maintained during peak and nonpeak periods in the express toll lanes and general purpose lanes for both the entire corridor and commonly made trips in the corridor including, but not limited to, northbound from Bellevue to Rose Hill, state route number 520 at NE 148th to Interstate 405 at state route number 522, Bellevue to Bothell (both NE 8th to state route number 522 and NE 8th to state route number 527), and a trip internal to the corridor (such as NE 85th to NE 160th) and similar southbound trips; and

(b) Underlying congestion measurements, that is, speeds, that are being used to generate the summary graphs provided, to be made available in a digital file format.

(3) \$535,000 of the Interstate 405 and state route number 167 express toll lanes account—state appropriation, \$1,245,000 of the state route number 520 corridor account—state appropriation, \$535,000 of the Tacoma Narrows toll bridge account—state appropriation, and \$702,000 of the Alaskan Way viaduct replacement project account—state appropriation are provided solely for the reappropriation of unspent funds on the new tolling back office system from the 2021-2023 fiscal biennium.

(4) The department shall make detailed annual reports to the transportation committees of the legislature and the public on the department's website in a manner consistent with past practices as specified in section 209(5), chapter 186, Laws of 2022.

(5) As part of the department's 2025-2027 biennial budget request, the department shall update the cost allocation recommendations that assign

appropriate costs to each of the toll funds for services provided by relevant Washington state department of transportation programs, the Washington state patrol, and the transportation commission. The recommendations shall be based on updated traffic and toll transaction patterns and other relevant factors.

(6) Up to \$16,648,000 of the amounts provided for operations and maintenance expenses on the state route number 520 facility from the state route number 520 corridor account during the 2023-2025 fiscal biennium in this act are derived from the receipt of federal American rescue plan act of 2021 funds and not toll revenues.

(7) \$500,000 of the state route number 520 corridor account—state appropriation is provided solely for the department to begin a traffic and revenue study of tolling on the state route number 520 corridor. The department, in consultation with the transportation commission, shall initiate planning work regarding updated tolling on the state route number 520 corridor.

(8) (~~(\$19,248,000)~~) \$10,188,000 of the state route number 520 corridor account—state appropriation is provided solely for the costs of insurance for the state route number 520 floating bridge.

(9) \$75,000 of the state route number 520 corridor account—state appropriation is provided solely for the department to (a) conduct an actuarial analysis of the short and long-term costs and benefits, including risk mitigation of self-insurance as compared to the commercial insurance option for the state route number 520 floating bridge, as allowed under the terms of the state route number 520 master bond resolution, and (b) develop a plan to implement a self-insurance program for the state route number 520 floating bridge. By December 15, 2024, the department shall report to the governor and the transportation committees of the legislature on the results of the actuarial analysis and the self-insurance program. It is the intent of the legislature to implement a self-insurance program for the state route number 520 floating bridge by July 1, 2025.

Sec. 907. 2024 c 310 s 210 (uncodified) is amended to read as follows:
FOR THE DEPARTMENT OF TRANSPORTATION—INFORMATION TECHNOLOGY—PROGRAM C

Transportation Partnership Account—State	
Appropriation.	\$1,494,000
Motor Vehicle Account—State Appropriation	((\$122,732,000))
	<u>\$122,714,000</u>
Puget Sound Ferry Operations Account—State	
Appropriation.	\$307,000
Multimodal Transportation Account—State	
Appropriation.	\$2,988,000
Transportation 2003 Account (Nickel Account)—State	
Appropriation.	\$1,488,000
TOTAL APPROPRIATION	((\$129,009,000))
	<u>\$128,991,000</u>

The appropriations in this section are subject to the following conditions and limitations: \$2,006,000 of the motor vehicle account—state appropriation is provided solely for hardware cost increases. Before any hardware replacement,

the department, in consultation with WaTech, must further review leasing options.

Sec. 908. 2024 c 310 s 211 (uncodified) is amended to read as follows:
**FOR THE DEPARTMENT OF TRANSPORTATION—FACILITY
 MAINTENANCE, OPERATIONS, AND CONSTRUCTION—PROGRAM
 D—OPERATING**

Motor Vehicle Account—State Appropriation	(\$40,362,000))
	<u>\$40,320,000</u>
Move Ahead WA Account—State Appropriation	\$2,532,000
State Route Number 520 Corridor Account—State Appropriation.	\$34,000
TOTAL APPROPRIATION	(\$42,928,000))
	<u>\$42,886,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$500,000 of the move ahead WA account—state appropriation is provided solely for the department to conduct a detailed space study and develop an implementation plan that builds off the findings and recommendations of the department's "Telework Impact Study" completed in September 2022. Such efforts must also incorporate office space use reduction requirements for the department in this act as well as current and planned telework levels. The detailed space study and development of the implementation plan must be conducted in consultation with the office of financial management and the department of enterprise services, and must focus on office and administrative space efficiency, providing specific recommendations, cost estimates, and cost savings. While focused on office and administrative space, the department is encouraged to review other types of facilities where efficiencies can be achieved. The final study report must include:

- (a) The development of low, medium, and high scenarios based on reducing space use, with the high space reduction scenario being based on a minimum of a 30 percent reduction by 2030;
- (b) Detailed information on any increased capital and other implementation costs under each scenario;
- (c) Detailed information on reduced costs, such as leases, facility maintenance, and utilities, under each scenario;
- (d) An analysis of opportunities to collocate with other state, local, and other public agencies to reduce costs and improve cost-efficiency while meeting utilization standards; and
- (e) An assessment of the commercial value and return to the state transportation funds associated with the sale of the property from consolidation and other space efficiency measures.

(2)(a) The department must submit the implementation plan and final report from the detailed space study to the office of financial management and the transportation committees of the legislature by October 1, 2024.

(b) Conducting the detailed space study under subsection (1) of this section must not prevent or delay the department from meeting other space use and related requirements, or where warranted by current information or opportunities.

(c) In addition to the reporting requirement under subsection (1) of this section, the department must provide information to the office of financial management in its comparative analysis of office space, leases, and relocation costs required by the omnibus operating appropriations act.

Sec. 909. 2024 c 310 s 212 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION— TRANSPORTATION EQUIPMENT FUND—PROGRAM E	
Motor Vehicle Account—State Appropriation	\$700,000
Move Ahead WA Account—State Appropriation	\$20,000,000
Multimodal Transportation Account—State Appropriation.	\$433,000
TOTAL APPROPRIATION	\$21,133,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The entire move ahead WA account—state appropriation is provided solely for the department's costs related to replacing obsolete transportation equipment and replacing fuel sites. Beginning December 1, 2024, and annually thereafter, the department must provide a report to the office of financial management and the transportation committees of the legislature detailing the current progress on replacing obsolete equipment, progress towards reaching a level purchasing state, and the status of a fuel site replacement prioritization plan. The report must also include:

- (a) A list of department owned and managed fuel sites prioritized by urgency of replacement;
- (b) A discussion of department practices that would create a sustained revenue source for capital repair and replacement of fuel sites; and
- (c) A discussion of to what extent the fuel site infrastructure can support zero emissions vehicles.

(2)(a) \$100,000 of the multimodal transportation account—state appropriation is provided solely for the department to administer a pilot program to install and test intelligent speed monitoring technology in a portion of the department's fleet of vehicles while using global positioning system technology and other mapping tools to monitor vehicle location and corresponding speed limits on traveled roadways.

(b) The pilot program must begin by January 1, 2024, for a 12-month period. By June 30, 2025, the department must report to the transportation committees of the legislature the results of the pilot program and provide any legislative or policy recommendations, including information on the potential impact of lawsuits related to vehicle operations.

Sec. 910. 2024 c 310 s 213 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—AVIATION— PROGRAM F	
Aeronautics Account—State Appropriation	(((\$17,448,000)) \$17,134,000
Aeronautics Account—Federal Appropriation	(((\$5,579,000)) \$5,129,000

Aeronautics Account—Private/Local Appropriation	\$60,000
TOTAL APPROPRIATION	(\$23,087,000))
	<u>\$22,323,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) ~~(\$2,000,000))~~ \$1,900,000 of the aeronautics account—state appropriation is provided solely for the move ahead WA aviation grants. The department shall prioritize projects eligible for federal funding.

(2) ~~(\$1,476,000))~~ \$1,376,000 of the aeronautics account—state appropriation is provided solely for sustainable aviation grants recommended by the department under the sustainable aviation grants program. The department shall submit a report to the transportation committees of the legislature by October 1, 2024, identifying a selection of sustainable aviation projects for funding by the legislature. In considering projects to recommend to fund, the department shall only consider projects that advance the state of sustainable aviation technology and lead to future innovation. Innovative sustainable aviation projects may include, but are not limited to, pilot projects demonstrating the use of:

- (a) Mobile battery charging technology;
- (b) Hydrogen electrolyzers and storage;
- (c) Electric ground equipment; and
- (d) Hanger charging technology.

(3) \$300,000 of the aeronautics account—state appropriation is provided solely for the department to develop a statewide advanced air mobility aircraft plan to develop and integrate advanced air mobility aircraft into current modal systems. The department shall submit a report by June 1, 2025, to the office of financial management and the transportation committees of the legislature including, but not limited to:

(a) Near, medium, and long-term recommendations for land use planning for advanced and urban air mobility vertiports and vertistops;

(b) An inventory of infrastructure needs to support a statewide vertiport network and a recommended program to deploy funds to local governments to share costs;

(c) Proposed state governance structures and regulatory mechanisms to adequately complement federal aviation administration oversight;

(d) Recommended policies to foster vertiport and vertistop infrastructure development that ensure open public access, efficiency in land use siting, and equitable distribution across the state; and

(e) In consultation with local jurisdictions, planning organizations, and other modal managers, recommendations on advanced air mobility aircraft integration into statewide transportation plans.

(4) \$1,931,000 of the aeronautics account—state appropriation is provided solely for the implementation of chapter 463, Laws of 2023 (commercial aviation services). Funding is provided for the activities of the work group and for support of the work group by the department. The activities of the work group include the issuance of the initial progress report, required in section 4, chapter 463, Laws of 2023, which requires the listing of areas that will not have further review as the areas are in conflict with the operations of a military

installation. The report must also identify unsuitable geographies due to either environmental impacts or impacts to overburdened communities. Additionally, within the funding provided, the work group must:

- (a) Work to understand what studies currently exist on state transportation needs and capacities and identify any gaps of information; and
- (b) Conduct meaningful community engagement with overburdened and vulnerable populations with a focus on the environmental justice impact of aviation on communities.

(5) \$300,000 of the aeronautics account—state appropriation is provided solely for the Port of Bremerton to conduct a study on the feasibility of offering commercial service at the Port of Bremerton airport. Pursuant to RCW 47.68.090(2)(c), the department may not require a match for this project.

(6) \$2,575,000 of the aeronautics account—state appropriation is provided solely for the Pullman-Moscow regional airport. Pursuant to RCW 47.68.090(2)(c), the department may not require a match for this project.

Sec. 911. 2024 c 310 s 214 (uncodified) is amended to read as follows:
FOR THE DEPARTMENT OF TRANSPORTATION—PROGRAM DELIVERY MANAGEMENT AND SUPPORT—PROGRAM H

Motor Vehicle Account—State Appropriation	(\$65,161,000)) <u>\$63,536,000</u>
Motor Vehicle Account—Federal Appropriation	\$500,000
Multimodal Transportation Account—State Appropriation.	(\$1,351,000)) <u>\$1,001,000</u>
Move Ahead WA Flexible Account—State Appropriation	\$572,000
TOTAL APPROPRIATION	(\$67,584,000)) <u>\$65,609,000</u>

The appropriations in this section are subject to the following conditions and limitations:

- (1) During the 2023-2025 fiscal biennium, if the department takes possession of the property situated in the city of Edmonds for which a purchase agreement was executed between Unocal and the department in 2005 (Tax Parcel Number 262703-2-003-0009), and if the department confirms that the property is still no longer needed for transportation purposes, the department shall provide the city of Edmonds with the first right of purchase at fair market value in accordance with RCW 47.12.063(3) for the city's intended use of the property to rehabilitate near-shore habitat for salmon and related species.
- (2) \$469,000 of the motor vehicle account—state appropriation is reappropriated and provided solely for the implementation of chapter 217, Laws of 2021 (noxious weeds).
- (3) The department shall determine the fair market value of the northern parcel of site 14 on the Puget Sound Gateway Program SR 509 Completion Project Surplus Property list, located immediately south of S. 216th Street and adjacent to the Barnes Creek Nature Trail in Des Moines, to be submitted to the transportation committees of the legislature by December 15, 2023, for an evaluation of possible next steps for use of the property that is in the public interest.

(4)(a) \$572,000 of the move ahead WA flexible account—state appropriation is provided solely to track and maximize clean fuels credits and revenue generated by state agencies pursuant to chapter 70A.535 RCW.

(b) The LEAP Transportation Document (~~((2024-2))~~ 2025-2 ALL PROJECTS as developed (~~((March 6, 2024))~~ April 26, 2025, anticipates fulfillment of the requirements under chapter 70A.535 RCW of generating credits and revenue for transportation investments funded in an omnibus transportation appropriations act, including the move ahead WA transportation package. The omnibus transportation appropriations act anticipates credits for ferry electrification for new hybrid electric vessels, active transportation, transit programs and projects, alternative fuel infrastructure, connecting communities, and multimodal investments.

(c) Pursuant to the reporting requirements of RCW 70A.535.050(5), the department must present a detailed projection of the credit revenues generated and achieved directly as a result of the funding and activities in this subsection.

(5) \$93,000 of the multimodal transportation account—state appropriation is provided solely for the implementation of chapter 169, Laws of 2023 (climate resilience strategy).

~~((7))~~ (6)(a) ~~(((\$500,000))~~ \$150,000 of the multimodal transportation account—state appropriation is provided solely for the department to explore alternative uses of the state's highway rights-of-way to address pressing public needs relating to climate change, equitable communications, renewable energy generation, electrical transmission and distribution projects, broadband projects, vegetation management, inductive charging in travel lanes, alternative fueling facilities, and other appropriate uses. In exploring alternative uses of the state's highway rights-of-way, the department shall:

(i) Review the utility accommodation policy and make recommendations to update the policy to include clean energy and connectivity projects under 23 C.F.R. Part 645. At a minimum, the recommendations for updated clean energy and connectivity projects must include renewable energy and electrical transmission and distribution;

(ii) Review and update the department's integrated roadside vegetation management plans to maximize carbon sequestration and develop habitat and forage for native pollinators, Monarch butterflies, and honeybees through plantings of native noninvasive flowering plants and grasses on the state highways rights-of-way and at safety rest areas;

(iii) Assess the state highways rights-of-way land areas most suitable for solar development by considering slope, elevation, vegetative cover, and solar radiation; and

(iv) Identify existing highway rights-of-way suitable as designated energy corridors for electric transmission and distribution and other energy infrastructure.

(b) In carrying out the requirements in (a) of this subsection, the department may consult with an organization that uses an advanced rights-of-way solar mapping tool that uses ArcGIS Pro software for faster and more precise analysis of rights-of-way solar using the state's full spatial rights-of-way data sets.

(c) The department must report its findings, recommendations, and status of its updates to the transportation committees of the legislature by January 15, 2025.

~~((8))~~ (7) To assist the department as it continues to make progress on meeting the requirements of the federal *U.S. v. Washington* court injunction and to address estimated programmatic cost increases, within the funding provided in this section, the department shall analyze contracting methods, alternative bundling concepts, and other options to manage costs. The department shall provide a report outlining recommendations to the governor and transportation committees of the legislature by December 15, 2024.

Sec. 912. 2024 c 310 s 215 (uncodified) is amended to read as follows:
FOR THE DEPARTMENT OF TRANSPORTATION—PUBLIC-PRIVATE PARTNERSHIPS—PROGRAM K

Motor Vehicle Account—State Appropriation	\$703,000
Electric Vehicle Account—State Appropriation	\$4,746,000
Multimodal Transportation Account—State Appropriation	\$4,400,000
Multimodal Transportation Account—Federal Appropriation	(((\$25,000,000)) <u>\$26,770,000</u>
Carbon Emissions Reduction Account—State Appropriation	(((\$195,025,000)) <u>\$39,323,000</u>
TOTAL APPROPRIATION	(((\$229,874,000)) <u>\$75,942,000</u>

The appropriations in this section are subject to the following conditions and limitations:

- (1) ~~\$3,746,000 of the electric vehicle account—state appropriation((:)) and \$30,000,000 of the carbon emissions reduction account—state appropriation((; and beginning January 1, 2025, \$15,000,000 of the carbon emissions reduction account—state appropriation))~~ are provided solely for the clean alternative fuel vehicle charging and refueling infrastructure program in ~~((chapter 287, Laws of 2019 (advancing green transportation adoption)))~~ RCW 47.04.350.
- (2) \$1,000,000 of the electric vehicle account—state appropriation and \$500,000 of the multimodal transportation account—state appropriation are provided solely for a colocated DC fast charging and hydrogen fueling station near the Wenatchee or East Wenatchee area near a state route or near or on a publicly owned facility to service passenger, light-duty and heavy-duty vehicles. The hydrogen fueling station must include a DC fast charging station colocated at the hydrogen fueling station site. Funds may be used for one or more fuel cell electric vehicles that would utilize the fueling stations. The department must contract with a public utility district that produces hydrogen in the area to own and/or manage and provide technical assistance for the design, planning, permitting, construction, maintenance and operation of the hydrogen fueling station. The department and public utility district are encouraged to collaborate with and seek contributions from additional public and private partners for the fueling station.
- (3) The public-private partnerships program must continue to explore retail partnerships at state-owned park and ride facilities, as authorized in RCW 47.04.295.

(4) \$1,200,000 of the multimodal transportation account—state appropriation(~~(:)~~) and \$2,000,000 of the carbon emissions reduction account—state appropriation(~~(: and beginning January 1, 2025, \$3,400,000 of the carbon emissions reduction account—state appropriation,)~~) are provided solely for the pilot program established under (~~(chapter 287, Laws of 2019 (advancing green transportation adoption))~~) RCW 47.04.355 to provide clean alternative fuel vehicle use opportunities to underserved communities and low to moderate income members of the workforce not readily served by transit or located in transportation corridors with emissions that exceed federal or state emissions standards. Consistent with the geographical diversity element described in RCW 47.04.355(4), the legislature strongly encourages the department to consider implementing the pilot in both urban and rural communities if possible, to obtain valuable information on the needs of underserved communities located in different geographical locations in Washington.

(5) (~~(\$120,000,000)~~) \$7,849,000 of the carbon emissions reduction account—state appropriation(~~(: and beginning January 1, 2025, \$10,000,000 of the carbon emissions reduction account—state appropriation, are)~~) is provided solely for implementation of zero-emission medium and heavy-duty vehicle and equipment infrastructure and incentive programs and for the replacement of school buses powered by fossil fuels with zero-emission school buses, including the purchase and installation of zero-emission school bus refueling infrastructure.

(a) Of this amount, (~~(\$20,000,000)~~) \$660,000 is for the department to administer an early action grant program to provide expedited funding for the replacement of school buses powered by fossil fuels with zero-emission school buses, including the purchase and installation of zero-emission school bus refueling infrastructure. The department must contract with the department of ecology to implement the early action grant program.

(b)(i) The remaining (~~(\$110,000,000)~~) \$4,149,000, inclusive of costs for program administration and staffing, is for a point-of-sale voucher incentive program to encourage the faster adoption of zero-emission medium and heavy-duty vehicles to further state climate goals under RCW 70A.45.020 and state equity goals under chapter 70A.02 RCW. The voucher incentive program must be administered by a third-party administrator that has experience administering voucher incentive programs, with oversight conducted by the department.

(ii) The voucher program is required to be designed based on the recommendations of the Joint Transportation Committee report *Washington State Infrastructure and Incentive Program Design for MHD ZEVs*, and to include:

(A) Simplified zero-emission vehicle eligibility requirements;

(B) Vehicle and infrastructure incentives aligned with programs in other jurisdictions, where appropriate, to streamline user planning;

(C) Financial enhancements for select populations based on equity considerations, including for vehicles in disadvantaged communities and vehicles to be purchased by small, minority-owned businesses, with consideration for support of the secondary vehicle market;

(D) A centralized user and manufacturer portal for information, application, and assistance;

(E) A fleet assistance and qualification program to assist in zero-emission vehicle and infrastructure planning, to be administered by the Washington State University extension energy program in coordination with the department and the voucher program's third-party administrator; and

(F) A voucher preapproval process to evaluate participant eligibility, readiness for fleet deployment, and infrastructure preparedness.

(iii) The following battery electric and hydrogen fuel cell electric vehicle categories and associated charging, as well as refueling infrastructure for these categories, are eligible for the voucher program, subject to additional qualification criteria to be determined by the department and the voucher program third-party administrator:

(A) On-road vehicles from class 2b, heavy work pickups and vans, through class 8, heavy tractor-trailer units and refuse trucks; and

(B) Cargo handling and off-road equipment.

(iv) School buses and transit vehicles eligible for state grant programs for the purchase of zero-emission vehicles are not eligible for vouchers under this program, but are eligible for fleet assistance provided in association with the voucher program, which must include assistance in determining state and federal grant eligibility for these vehicles.

(v) The voucher amounts selected by the department and voucher program third-party administrator must further the policy goals of the program cited in (b)(i) of this subsection by offsetting investments required for medium and heavy-duty vehicle and equipment owners to transition to zero-emission vehicles and equipment. The department and voucher program third-party administrator must condition vehicle and infrastructure voucher funding to ensure these program policy goals are furthered through the voucher funding provided.

(vi) Consistent with voucher program design, the department is required to distribute funds to the voucher program third-party administrator sufficiently in advance of final requirements for voucher distribution being met to facilitate the voucher's timely distribution by the third-party administrator to sellers of zero-emission vehicles and infrastructure.

(6) \$2,100,000 of the carbon emissions reduction account—state appropriation is provided solely to fund electric vehicle charging infrastructure for the electric charging megasite project at Mount Vernon library commons.

(7) \$2,500,000 of the multimodal transportation account—state appropriation is provided solely for the department to coordinate with cities, counties, ports, and private entities to develop actionable recommendations for state assistance in the development of specific candidate truck parking sites to be developed with amenities, identified by location. The department shall identify private land parcels for potential development of sites, which may include, but should not be limited to, a feasibility analysis of sites adjacent to Interstate 90 near North Bend for a 400 to 600 space truck parking site. The public benefit of each potential truck parking site must be included in this assessment. The department shall consider opportunities for the state to provide assistance in the development of truck parking sites, including possible opportunities to provide assistance in land acquisition and evaluating land use requirements. The department must update the transportation committees of the legislature on agency activities and their status by December 1, 2023, and to provide a final report to the transportation committees of the legislature by December 1, 2024.

(8) ~~((Beginning January 1, 2025, \$10,000,000))~~ \$14,000 of the carbon emissions reduction account—state appropriation is provided solely for grants, and to serve as a state match for secured federal funds, to finance hydrogen refueling infrastructure for medium and heavy-duty vehicles ~~((with a focus on locations in disadvantaged and overburdened communities, where possible))~~. The department, in consultation with the interagency electric vehicle coordinating council, should pursue any federal funding available through the charging and fueling infrastructure discretionary grant program and any other sources under the federal infrastructure investment and jobs act (P.L. 29 117-58).

(9) ~~((Beginning January 1, 2025, \$800,000))~~ \$400,000 of the carbon emissions reduction account—state appropriation is provided solely for the cities of Bellevue and Redmond to each purchase an electric fire engine.

~~((10) Beginning January 1, 2025, \$1,725,000 of the carbon emissions reduction account—state appropriation is provided solely for a Tacoma Public Utilities medium-duty zero-emission utility service vehicle pilot project that includes charging infrastructure and mobile battery units.))~~

Sec. 913. 2024 c 310 s 216 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—HIGHWAY MAINTENANCE—PROGRAM M

Motor Vehicle Account—State Appropriation	(((\$545,500,000))
	<u>\$557,197,000</u>
Motor Vehicle Account—Federal Appropriation	\$7,000,000
Move Ahead WA Account—State Appropriation	\$50,000,000
RV Account—State Appropriation	\$1,100,000
State Route Number 520 Corridor Account—State	
Appropriation.	\$4,841,000
Tacoma Narrows Toll Bridge Account—State	
Appropriation.	\$1,585,000
Alaskan Way Viaduct Replacement Project Account—	
State Appropriation	\$8,752,000
Interstate 405 and State Route Number 167 Express	
Toll Lanes Account—State Appropriation	\$2,624,000
TOTAL APPROPRIATION	(((\$621,402,000))
	<u>\$633,099,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$5,000,000 of the motor vehicle account—state appropriation is provided solely for a contingency pool for snow and ice removal. The department must notify the office of financial management and the transportation committees of the legislature when they have spent the base budget for snow and ice removal and will begin using the contingency pool funding.

(2)(a) \$115,000 of the state route number 520 corridor account—state appropriation is provided solely for the department to enter into a dispute resolution process with local jurisdictions to produce interagency agreements to address the ongoing facility and landscape maintenance of the three state route number 520 eastside lids and surrounding areas at the Evergreen Point Road, 84th Avenue NE, and 92nd Avenue NE.

(b) The agreements pursuant to (a) of this subsection must be executed by June 30, 2024.

(3)(a) \$9,000,000 of the motor vehicle account—state appropriation is provided solely for the department to address the risks to safety and public health associated with homeless encampments on department owned rights-of-way. The department must coordinate and work with local government officials and social service organizations who provide services and direct people to housing alternatives that are not in highway rights-of-way to help prevent future encampments from forming on highway rights-of-way and may reimburse the organizations doing this outreach assistance who transition people into treatment or housing or for debris clean up on highway rights-of-way. A minimum of \$2,000,000 of this appropriation must be used to deliver more frequent removal of litter on the highway rights-of-way that is generated by unsheltered people and may be used to hire crews specializing in collecting and disposing of garbage, clearing debris or hazardous material, and implementing safety improvements where hazards exist to the traveling public and department employees. The department may use these funds to either reimburse local law enforcement costs or the Washington state patrol if they are providing enhanced safety to department staff during debris cleanup or during efforts to prevent future encampments from forming on highway rights-of-way.

(b) Beginning November 1, 2023, and semiannually thereafter, the Washington state patrol and the department of transportation must jointly submit a report to the governor and the transportation committees of the legislature on the status of these efforts, including:

(i) A summary of the activities related to addressing encampments, including information on arrangements with local governments or other entities related to these activities;

(ii) A description of the planned activities in the ensuing two quarters to further address the emergency hazards and risks along state highway rights-of-way; and

(iii) Recommendations for executive branch or legislative action to achieve the desired outcome of reduced emergency hazards and risks along state highway rights-of-way.

(4) \$1,000,000 of the motor vehicle account—state appropriation is provided solely for a partnership program between the department and the city of Spokane, to be administered in conjunction with subsection (3) of this section. The program must address the safety and public health problems created by homeless encampments on the department's property along state highways within the city limits. \$555,000 of the motor vehicle account—state appropriation is for dedicated department maintenance staff and associated clean-up costs. The department and the city of Spokane shall enter into a reimbursable agreement to cover up to \$445,000 of the city's expenses for clean-up crews and landfill costs.

(5) \$1,025,000 of the motor vehicle account—state appropriation is provided solely for the department to implement safety improvements and debris clean up on department-owned rights-of-way in the city of Seattle at levels above that being implemented as of January 1, 2019, to be administered in conjunction with subsection (3) of this section. The department must maintain a crew dedicated solely to collecting and disposing of garbage, clearing debris or

hazardous material, and implementing safety improvements where hazards exist to the traveling public, department employees, or people encamped upon department-owned rights-of-way. The department may request assistance from the Washington state patrol as necessary in order for both agencies to provide enhanced safety-related activities regarding the emergency hazards along state highway rights-of-way in the Seattle area.

(6) \$1,015,000 of the motor vehicle account—state appropriation is provided solely for a partnership program between the department and the city of Tacoma, to be administered in conjunction with subsection (3) of this section. The program must address the safety and public health problems created by homeless encampments on the department's property along state highways within the city limits. \$570,000 of the motor vehicle account—state appropriation is for dedicated department maintenance staff and associated clean-up costs. The department and the city of Tacoma shall enter into a reimbursable agreement to cover up to \$445,000 of the city's expenses for clean-up crews and landfill costs.

(7) (~~(\$1,500,000)~~) \$1,300,000 of the motor vehicle account—state appropriation is provided solely for the department to contract with the city of Fife to address the risks to safety and public health associated with homeless encampments on department-owned rights-of-way along the SR 167/SR 509 Puget Sound Gateway project corridor in and adjacent to the city limits pursuant to section 216(10), chapter 186, Laws of 2022. However, the amount provided in this subsection must be placed in unallotted status and may not be spent prior to November 1, 2023. If, after November 1, 2023, the department, in consultation with the office of financial management, determines that the department fully spent the \$2,000,000 appropriated in section 216(10), chapter 186, Laws of 2022, within the 2021-2023 fiscal biennium for this purpose, the amount provided in this subsection must remain in unallotted status and unspent. If the department did not fully spend the \$2,000,000 within the 2021-2023 fiscal biennium, the department may only spend from the appropriation in this subsection an amount not in excess of the amount unspent from the \$2,000,000 within the 2021-2023 fiscal biennium, with any remaining amount to remain in unallotted status and unspent. In no event may the department spend more than \$2,000,000 within the 2021-2023 and 2023-2025 fiscal biennia for this purpose.

(8) To the greatest extent practicable, the department shall schedule mowing along state highways to occur after litter pickup has been performed in the area to be mowed. This subsection is not intended to prevent mowing or other similar maintenance activities from being undertaken in the event litter pickup has not been performed.

Sec. 914. 2024 c 310 s 217 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—
TRANSPORTATION OPERATIONS—PROGRAM Q—OPERATING**

Highway Safety Fund—State Appropriation (~~(\$5,529,000)~~)

\$4,897,000

Motor Vehicle Account—State Appropriation (~~(\$88,566,000)~~)

\$86,574,000

Motor Vehicle Account—Federal Appropriation \$2,050,000

Motor Vehicle Account—Private/Local Appropriation \$294,000

Move Ahead WA Account—State Appropriation \$3,090,000

Multimodal Transportation Account—State	
Appropriation.	\$5,000,000
State Route Number 520 Corridor Account—State	
Appropriation.	\$247,000
Tacoma Narrows Toll Bridge Account—State	
Appropriation.	\$44,000
Alaskan Way Viaduct Replacement Project Account—	
State Appropriation	\$1,122,000
Interstate 405 and State Route Number 167 Express	
Toll Lanes Account—State Appropriation	\$37,000
TOTAL APPROPRIATION	(\$105,979,000)
	<u>\$103,355,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$6,000,000 of the motor vehicle account—state appropriation is provided solely for low-cost enhancements. The department shall give priority to low-cost enhancement projects that improve safety or provide congestion relief. By December 15th of each odd-numbered year, the department shall provide a report to the legislature listing all low-cost enhancement projects completed in the prior fiscal biennium.

(2)(a) During the 2023-2025 fiscal biennium, the department shall continue a pilot program that expands private transportation providers' access to high occupancy vehicle lanes. Under the pilot program, when the department reserves a portion of a highway based on the number of passengers in a vehicle, the following vehicles must be authorized to use the reserved portion of the highway if the vehicle has the capacity to carry eight or more passengers, regardless of the number of passengers in the vehicle: (i) Auto transportation company vehicles regulated under chapter 81.68 RCW; (ii) passenger charter carrier vehicles regulated under chapter 81.70 RCW, except marked or unmarked stretch limousines and stretch sport utility vehicles as defined under department of licensing rules; (iii) private nonprofit transportation provider vehicles regulated under chapter 81.66 RCW; and (iv) private employer transportation service vehicles. For purposes of this subsection, "private employer transportation service" means regularly scheduled, fixed-route transportation service that is offered by an employer for the benefit of its employees. Nothing in this subsection is intended to authorize the conversion of public infrastructure to private, for-profit purposes or to otherwise create an entitlement or other claim by private users to public infrastructure.

(b) The department shall expand the high occupancy vehicle lane access pilot program to vehicles that deliver or collect blood, tissue, or blood components for a blood-collecting or distributing establishment regulated under chapter 70.335 RCW. Under the pilot program, when the department reserves a portion of a highway based on the number of passengers in a vehicle, blood-collecting or distributing establishment vehicles that are clearly and identifiably marked as such on all sides of the vehicle are considered emergency vehicles and must be authorized to use the reserved portion of the highway.

(c) The department shall expand the high occupancy vehicle lane access pilot program to for hire nonemergency medical transportation vehicles, when in

use for medical purposes, as described in section 208(20), chapter 472, Laws of 2023. Under the pilot program, when the department reserves a portion of a highway based on the number of passengers in a vehicle, nonemergency medical transportation vehicles that meet the requirements identified in section 208(20), chapter 472, Laws of 2023 must be authorized to use the reserved portion of the highway.

(d) Nothing in this subsection is intended to exempt these vehicles from paying tolls when they do not meet the occupancy requirements established by the department for express toll lanes.

(3) The appropriations in this section assume implementation of additional cost recovery mechanisms to recoup at least \$100,000 in credit card and other financial transaction costs related to the collection of fees imposed under RCW 46.17.400, 46.44.090, and 46.44.0941 for driver and vehicle fee transactions beginning January 1, 2023. The department may recover transaction fees incurred through credit card transactions.

(4) The department shall promote safety messages encouraging drivers to slow down and move over and pay attention when emergency lights are flashing on the side of the road and other suitable safety messages on electronic message boards the department operates across the state. The messages must be promoted through June 30, 2025. The department may coordinate such messaging with any statewide public awareness campaigns being developed by the department of licensing or the Washington state traffic safety commission, or both.

(5) \$5,000,000 of the multimodal transportation account—state appropriation is provided solely for the department to address emergent issues related to safety for pedestrians and bicyclists. Funds may only be spent after approval from the office of financial management. By December 15th of each odd-numbered year, the department shall provide a report to the legislature listing all emergent issues addressed in the prior fiscal biennium.

(6) (~~(\$3,529,000)~~) \$2,897,000 of the highway safety account—state appropriation is provided solely for implementation of chapter 17, Laws of 2023 (speed safety cameras).

(7) \$1,279,000 of the move ahead WA account—state appropriation is provided solely for maintenance and operations of the virtual coordination center. The department is encouraged to apply for federal grant funds for the virtual coordination center and may use state funds as a match. By December 1, 2023, the department shall report to the transportation committees of the legislature: (a) Recommendations to expand the center's operations, including specific additional jurisdictions and corridors across the state; and (b) amounts received and dates of receipt of any new cash and in-kind matches from virtual coordination center partners including, but not limited to, the city of Seattle, King county, other state and local jurisdictions, and private sector partners.

(8) \$100,000 of the motor vehicle account—state appropriation is provided solely for the department to prepare and submit a report to the transportation committees of the legislature by December 1, 2024, with a prioritized list of recommendations for improving safety and mobility on Interstate 90 between North Bend and Cle Elum during winter weather events, including estimated costs. The recommendations must include, but are not limited to, options to improve compliance with traction tire and chain requirements and reduce snow-related closures.

(9)(a) (~~(\$5,000,000)~~) \$3,100,000 of the motor vehicle account—state appropriation is provided solely for the department, in coordination with the independent review team of the joint transportation committee, to conduct an analysis of highway, road, and freight rail transportation needs, options, and impacts from shifting the movement of freight and goods that currently move by barge through the lower Snake river dams to highways, other roads, and rail. The study should generate volume estimates and evaluate scenarios for changes in infrastructure and operations that would be necessary to address those additional volumes. The assessment must include quantitative analysis based on available data in terms of both financial and carbon emission costs; and qualitative input gathered from tribal governments, local governments, freight interests, and other key stakeholders, including impacts on disadvantaged/underserved communities. The analysis must include a robust public engagement process to solicit feedback from interested stakeholders including but not limited to: Residents and officials in affected cities and counties; stakeholders involved in railroad, agriculture, fishing, trucking, shipping and other related industries; appropriate Native American tribes; representatives of advocacy and community organizations; and transportation, public works, and economic development organizations in the affected areas, federal highway administration and army corps of engineers. The analysis must be informed by the work of the joint transportation committee's independent review team, and must include the following:

- (i) Existing volumes and traffic patterns;
- (ii) Potential changes in volumes and traffic patterns immediately following the loss of freight movement by barge and over the following 20 years, including the carbon emissions impact of this mode shift;
- (iii) Identification of whether regional geography, land availability, and state and federal regulatory processes would allow for rail and road expansions and increased capacity;
- (iv) Identification of potential infrastructure and operational improvements to existing highways, other roads, and rail, including additional access to facilities, needed to accommodate the higher freight volumes and impacts and potential opportunities to mitigate impacts on shipping rates;
- (v) Identification of rail line development options, including impacts and potential opportunities to mitigate impacts on grain storage and handling facilities at regional unit train yards and port export facilities;
- (vi) An assessment of costs associated with mitigating potential slope failure and stabilization necessitated by the drawdown of the river. An assessment of impacts and potential opportunities to mitigate impacts on adjacent roads, bridges, railroads, and utility corridors shall be included;
- (vii) Both financial and carbon cost estimates for development and implementation of identified needs and options, including planning, design, and construction;
- (viii) Analysis of the impacts and potential opportunities to mitigate impacts of these infrastructure changes on environmental justice and disadvantaged/underserved communities during construction, as well as from future operations;
- (ix) Analysis of safety impacts and potential opportunities to mitigate impacts for a shift from barge transportation to rail or truck, including increases

in rural community traffic and consistency with the Washington State Strategic Highway Safety Plan: Target Zero;

(x) Impacts and potential opportunities to mitigate impacts on highly affected commodities, including agriculture, petroleum, project cargo, and wind energy components;

(xi) Analysis of the impacts and potential opportunities to mitigate impacts that reduced competition resulting from removing barging of agricultural products on the Snake river would have on Washington's agricultural industry along with impacts modal shifts would have on the entire supply chain, including export facilities and ports on the Lower Columbia River; and

(xii) Determination of the feasibility that additional east-west freight rail capacity can be achieved, particularly through Columbia River Gorge, and the alternative routes that exist in the event that adding more infrastructure on these routes is not feasible.

(b) The department shall provide status updates on a quarterly basis in coordination with the joint transportation committee. The legislature intends to require a final report to the governor and the transportation committees of the legislature by December 31, 2026.

(10) \$2,000,000 of the highway safety account—state appropriation is provided solely for the department, in consultation with the Washington traffic safety commission, to evaluate and identify geographical locations in both urban and rural highway settings to install and implement wrong-way driving prevention strategies. Such prevention strategies may include improved signage and pavement markings as recommended by the traffic safety commission's report on wrong-way driving, "Strategies and Technologies to Prevent and Respond to Wrong-Way Driving Crashes." The department must report to the legislature any crash data or wrong-way violations that occur at the selected locations by June 30, 2025.

(11) \$1,000,000 of the motor vehicle account—state appropriation is provided solely for the department to develop an automated highway speed safety camera pilot program to test two to three automated traffic safety cameras on state highways. The goals of the automated highway speed safety camera pilot program are to test speed camera technology, determine the impact on speeding behavior in areas of testing, and compile public response to the use of traffic safety cameras on highways.

(a) The department must work with the Washington state patrol and the traffic safety commission to develop the pilot program to include, but not be limited to, the following program elements:

(i) Selection of technology;

(ii) Placement of cameras in high speed, collision, or fatality locations;

(iii) Establishment of public notification and warning signs prior to entering into an area with a speed safety camera;

(iv) Outreach and public engagement about the program and site selection process; and

(v) Development and implementation of a process to collect and report relevant pilot program data, including rates of speed prior to, during, and after the use of pilot program cameras, and public response to pilot program cameras.

(b) Automated traffic safety cameras may only take pictures of the vehicle and the vehicle license plates.

(c) Ticketing of violators using vehicle speed information captured by automated traffic safety cameras authorized under the pilot program is prohibited during the pilot program.

(d) As part of the pilot program, the department may inform registered vehicle owners of a vehicle's rate of speed exceeding the posted speed limit and the amount of the fine the law would have allowed to be imposed by providing notification by mail.

(e) The department is required to provide a program progress report to the governor and transportation committees of the legislature by ~~((September 30, 2024)) June 30, 2025~~, to include a summary of public input on the use of safety cameras, including objections, evaluation of technologies used, and changes in speeding behavior.

(f) Photographs, microphotographs, electronic images, and other personally identifying data captured and collected for the purposes of the pilot program are for the exclusive use of the Washington state patrol and department of transportation in carrying out the pilot program, are not open to the public, and may not be used in court in a pending action or proceeding.

(12) \$1,000,000 of the motor vehicle account—state appropriation is provided solely for implementation of chapter 111, Laws of 2024 (graffiti abatement and reduction pilot). If chapter 111, Laws of 2024 is not enacted by June 30, 2024, the amount provided in this subsection lapses.

Sec. 915. 2024 c 310 s 218 (uncodified) is amended to read as follows: FOR THE DEPARTMENT OF TRANSPORTATION— TRANSPORTATION MANAGEMENT AND SUPPORT—PROGRAM S	
Motor Vehicle Account—State Appropriation	(((\$63,497,000)) <u>\$63,497,000</u>
Motor Vehicle Account—Federal Appropriation	\$780,000
Motor Vehicle Account—Private/Local Appropriation	\$500,000
Move Ahead WA Flexible Account—State Appropriation	\$5,400,000
Puget Sound Ferry Operations Account—State Appropriation.	\$509,000
Multimodal Transportation Account—State Appropriation.	(((\$22,723,000)) <u>\$15,932,000</u>
State Route Number 520 Corridor Account—State Appropriation.	\$220,000
Tacoma Narrows Toll Bridge Account—State Appropriation.	\$136,000
Alaskan Way Viaduct Replacement Project Account— State Appropriation	\$127,000
Interstate 405 and State Route Number 167 Express Toll Lanes Account—State Appropriation	\$114,000
TOTAL APPROPRIATION	(((\$94,006,000)) <u>\$87,215,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1)(a) \$2,000,000 of the motor vehicle account—state appropriation and \$5,400,000 of the move ahead WA flexible account—state appropriation are

provided solely for efforts to increase diversity in the transportation construction workforce through:

(i) The preapprenticeship support services (PASS) and career opportunity maritime preapprenticeship support services (COMPASS) programs, which aim to increase diversity in the highway construction and maritime workforces and prepare individuals interested in entering the highway construction and maritime workforces. In addition to the services allowed under RCW 47.01.435, the PASS and COMPASS programs may provide housing assistance for youth aging out of the foster care and juvenile rehabilitation systems to support their participation in a transportation-related preapprenticeship program and support services to obtain necessary maritime documents and coast guard certification; and

(ii) Assisting minority and women-owned businesses to perform work in the highway construction industry.

(b) The department shall report annually to the transportation committees of the legislature on efforts to increase diversity in the transportation construction workforce.

(c) The office of equity and civil rights may revise program standards, as needed, with legislative consultation.

(2) \$1,512,000 of the motor vehicle account—state appropriation and \$488,000 of the Puget Sound ferry operations account—state appropriation are provided solely for the department to develop, track, and monitor the progress of community workforce agreements, and to assist with the development and implementation of internal diversity, equity, and inclusion efforts and serve as subject matter experts on federal and state civil rights provisions. The department shall engage with relevant stakeholders, and provide a progress report on the implementation of efforts under this subsection to the transportation committees of the legislature and the governor by December 1, 2024.

(3) For Washington state department of transportation small works roster projects under RCW 39.04.155, the department may only allow firms certified as small business enterprises, under 49 C.F.R. 26.39, to bid on the contract, unless the department determines there would be insufficient bidders for a particular project. The department shall report on the effectiveness of this policy to the transportation committees of the legislature by December 1, 2024.

(4) \$21,195,000 of the motor vehicle account—state appropriation and ~~(((\$21,194,000))~~ \$14,403,000 of the multimodal transportation account—state appropriation are provided solely for the department to upgrade the transportation reporting and accounting information system to the current cloud version of the software, and is subject to the conditions, limitations, and review requirements of section 701, chapter 472, Laws of 2023.

(5) \$56,000 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter 230, Laws of 2023 (clean energy siting).

Sec. 916. 2024 c 310 s 219 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—
TRANSPORTATION PLANNING, DATA, AND RESEARCH—
PROGRAM T**

Carbon Emissions Reduction Account—State

Appropriation. \$4,000,000

Motor Vehicle Account—State Appropriation	((\$32,044,000))
	<u>\$30,459,000</u>
Motor Vehicle Account—Federal Appropriation	((\$31,527,000))
	<u>\$31,527,000</u>
Motor Vehicle Account—Private/Local Appropriation	\$400,000
Move Ahead WA Flexible Account—State Appropriation	\$11,922,000
Multimodal Transportation Account—State	
Appropriation.	((\$2,714,000))
	<u>\$2,574,000</u>
Multimodal Transportation Account—Federal	
Appropriation.	\$2,809,000
Multimodal Transportation Account—Private/Local	
Appropriation.	\$100,000
TOTAL APPROPRIATION	((\$85,516,000))
	<u>\$83,791,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$750,000 of the multimodal transportation account—state appropriation is provided solely for the department to partner with the department of commerce and regional transportation planning organizations in implementing vehicle miles traveled targets and supporting actions. As part of target setting, important factors that must be considered include land use patterns, safety, and vulnerable populations. The department shall provide an interim report by June 30, 2024, and a final report by June 30, 2025.

(2) \$150,000 of the motor vehicle account—state appropriation is provided solely for the department to continue implementation of a performance-based project evaluation model. The department must issue a report by September 1, 2024.

(3)(a) \$180,000 of the multimodal transportation account—state appropriation is provided solely for Thurston regional planning council (TRPC) to conduct a study examining options for multimodal high capacity transportation (HCT) to serve travelers on the Interstate 5 corridor between central Thurston county (Olympia area) and Pierce county.

(b) The study will include an assessment of travelsheds and ridership potential and identify and provide an evaluation of options to enhance connectivity and accessibility for the greater south Puget Sound region with an emphasis on linking to planned or existing commuter or regional light rail. The study must account for previous and ongoing efforts by transit agencies and the department. The study will emphasize collaboration with a diverse community of interests, including but not limited to transit, business, public agencies, tribes, and providers and users of transportation who because of age, income, or ability may face barriers and challenges.

(c) The study is due to the governor and transportation committees of the legislature by September 1, 2024.

(4) (~~(\$700,000)~~) \$560,000 of the multimodal transportation account—state appropriation is provided solely for the city of Seattle's office of planning and community development to support an equitable development initiative to

reconnect the South Park neighborhood, currently divided by state route number 99.

(a) The support work must include:

(i) A public engagement and visioning process led by a neighborhood-based, community organization; and

(ii) A feasibility study of decommissioning state route number 99 in the South Park neighborhood to include, but not be limited to, traffic studies, environmental impact analysis, and development of alternatives, including the transfer of the land to a neighborhood-led community land trust.

(b) The support work must be conducted in coordination and partnership with neighborhood residents, neighborhood industrial and commercial representatives, the state department of transportation, and other entities and neighborhoods potentially impacted by changes to the operation of state route number 99.

(c) The city must provide ~~((a report on the plan that includes recommendations))~~ an interim report on progress to date to the Seattle city council, state department of transportation, and the transportation committees of the legislature by June 30, 2025.

(5) ~~(((\$2,557,000))~~ \$1,000,000 of the motor vehicle account—state appropriation is provided solely for the department to upgrade the department's linear referencing system (LRS) and highway performance monitoring system (HPMS)~~((, and is subject to the conditions, limitations, and review requirements in section 701, chapter 472, Laws of 2023))~~.

(6) \$306,000 of the multimodal transportation account—state appropriation is provided solely for the department to appoint or designate a liaison to serve as a point of contact and resource for the department, local governments, and project proponents regarding land use decisions and processing development permit applications. The liaison must, as a priority, facilitate and expedite any department decisions required for project approval.

(7) \$742,000 of the motor vehicle account—federal appropriation is provided solely for remaining work on the "Forward Drive" road usage charge research project overseen by the transportation commission using the remaining amounts of the federal grant award. The remaining work of this project includes:

(a) Analysis of road usage charge simulation and participant surveys;

(b) Follow up on road usage charge experiences related to payment installments, mileage exemptions, and vehicle-based mileage reporting;

(c) Completion of technology research; and

(d) Development of the final "Forward Drive" research program report.

(8)(a) \$11,922,000 of the move ahead WA flexible account—state appropriation is provided solely for an Interstate 5 planning and environmental linkage study and a statewide Interstate 5 master plan, building upon existing work under way in the corridor. It is the intent of the legislature to provide a total of \$40,000,000 for this work by 2029.

(b) The work under (a) of this subsection must include, but is not limited to, the following:

(i) Seismic resiliency planning to refine the level of effort and develop informed cost estimates for the seismic vulnerability analysis;

(ii) HOV lane system-wide performance planning and initial steps to launch a pilot project that progresses innovative and emerging technologies;

(iii) Interstate 5 corridor planning work, including development of a framework, coordination of corridor needs, development of core evaluation criteria and a prioritization process, and identification of early action priority projects that address safety or resiliency, or both, along the corridor; and

(iv) A report to the transportation committees of the legislature by December 1, 2024, with recommendations for future phases and a detailed funding request for work planned through 2029.

(c) Of the amounts provided in this subsection, \$300,000 is provided solely for the department to conduct a Seattle Interstate 5 ramp reconfiguration study. The study must be conducted in coordination and partnership with the city of Seattle's department of transportation, informed by the input of Interstate 5 lid stakeholders, and coordinated with work under (a) and (b) of this subsection. The department must provide a study report, including recommendations, to the city of Seattle's department of transportation and the transportation committees of the legislature by December 1, 2024. The study must include an analysis of:

(i) Options and opportunities to reconfigure, relocate, or remove Interstate 5 ramps within and between Chinatown-International District and the University District for the purpose of improving through-traffic operations, enhancing multimodal transportation safety, and enabling more efficient air rights development;

(ii) Potential mitigation needs and cost estimates of ramp changes and demolitions;

(iii) Benefits of ramp changes and demolitions to pedestrian and bicycle travel, transit operations, and future lid design;

(iv) Ramps for the mainline, collector-distributor lanes and express lanes including, at a minimum, ramps connecting to and from James Street, Cherry Street, 6th Avenue, Madison Street, Seneca Street, Spring Street, University Street, Union Street, Olive Way, Yale Avenue, NE 45th Street, and NE 50th Street;

(v) Removal of the existing ramps at Seneca Street, Spring Street, and University Street; and

(vi) Removal and consolidation options of the existing NE 45th Street and NE 50th Street ramps.

(d) The department shall work with the emergency management division of the military department to identify strategic transportation corridors, opportunities to improve resilience and reinforce the corridors against natural disasters, and opportunities to secure federal funding for investments in the resilience of the transportation network. The department shall provide a report to the transportation committees of the legislature by December 1, 2023, on:

(i) Strategic transportation corridors and opportunities to improve their resilience;

(ii) Federal funding opportunities the state should pursue; and

(iii) Recommendations for actions to maximize federal funding for the state of Washington.

(9) The department shall continue to coordinate planning work focused on the transportation system in western Washington across modes with the goal of maximizing system performance toward the policy goals in RCW 47.04.280 in the most cost-effective manner. This coordination must include, but is not limited to: The Interstate 5 highway corridor, existing rail infrastructure and

future high-speed rail alignment, and commercial aviation capacity. The department must report to the joint transportation committee through existing reporting mechanisms on the status of these planning efforts including, but not limited to, a long-term strategy for addressing resilience of the transportation system in western Washington through consideration of changing demand, modal integration, and preservation needs. The coordinated work must include an analysis of different alternatives to promote system resilience, including performance and cost of each scenario.

(10) \$3,000,000 of the carbon emissions reduction account—state appropriation is provided solely for the department, in coordination with the department's HEAL act team and environmental services office, to develop and implement a community outreach, education, and technical assistance program for overburdened communities and their community partners in order to develop community-centered carbon reduction strategies to make meaningful impacts in a community, and to provide assistance in gaining access to available funding to implement these strategies, where applicable. The department may provide appropriate compensation to members of overburdened communities who provide solicited community participation and input needed by the department to implement and administer the program established in this subsection. By June 1, 2024, and by June 1, 2025, the department must submit a report to the transportation committees of the legislature and to the governor that provides an update on the department's community outreach, education, and technical assistance program development and implementation efforts.

(11) \$200,000 of the motor vehicle account—state appropriation is provided solely for planning and intersection improvements along state route number 904 and improvements to the local network that would feed intersections with state route number 904. This work must include, but is not limited to, the Medical Lake/Four Lakes Road/West 3rd Ave intersection and feeding local network. The department must collaborate with Spokane county and the city of Cheney on this work and other improvement ideas along the corridor.

(12) Beginning January 1, 2025, \$1,000,000 of the carbon emissions reduction account—state appropriation is provided solely for the department to contract with a world cup organizing committee based in Seattle to undertake low carbon transportation planning efforts that will help prepare for the increase in visitors due to the 2026 FIFA world cup soccer matches in Seattle and other venues in the state. The planning, to be developed in coordination with the department and local mobility agencies, must identify critical infrastructure and operational improvements that will support active transportation and reliability of transit, making it easier for the public to choose options other than single-occupancy vehicles. A progress report including best practices for future events must be delivered to the department, office of the governor, and transportation committees of the legislature by June 30, 2025.

Sec. 917. 2024 c 310 s 220 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—CHARGES FROM OTHER AGENCIES—PROGRAM U

Aeronautics Account—State Appropriation	\$1,000
Transportation Partnership Account—State Appropriation.	\$56,000

Motor Vehicle Account—State Appropriation . . . . .	..(((\$112,419,000))
	<u>\$122,169,000</u>
Puget Sound Ferry Operations Account—State	
Appropriation.	\$244,000
State Route Number 520 Corridor Account—State	
Appropriation.	\$69,000
Connecting Washington Account—State Appropriation	\$452,000
Multimodal Transportation Account—State	
Appropriation. . . . .	..(((\$6,335,000))
	<u>\$6,335,000</u>
Tacoma Narrows Toll Bridge Account—State	
Appropriation.	\$43,000
Alaskan Way Viaduct Replacement Project Account—	
State Appropriation	\$38,000
Interstate 405 and State Route Number 167 Express	
Toll Lanes Account—State Appropriation	\$43,000
TOTAL APPROPRIATION . . . . .	..(((\$119,700,000))
	<u>\$129,450,000</u>

The appropriations in this section are subject to the following conditions and limitations:

- (1) Consistent with existing protocol and practices, for any negotiated settlement of a claim against the state for the department that exceeds \$5,000,000, the department, in conjunction with the attorney general and the department of enterprise services, shall notify the director of the office of financial management and the transportation committees of the legislature.
- (2) On August 1, 2023, and semiannually thereafter, the department, in conjunction with the attorney general and the department of enterprise services, shall provide a report with judgments and settlements dealing with the Washington state ferry system to the director of the office of financial management and the transportation committees of the legislature. The report must include information on: (a) The number of claims and settlements by type; (b) the average claim and settlement by type; (c) defense costs associated with those claims and settlements; and (d) information on the impacts of moving legal costs associated with the Washington state ferry system into the statewide self-insurance pool.
- (3) On August 1, 2023, and semiannually thereafter, the department, in conjunction with the attorney general and the department of enterprise services, shall provide a report with judgments and settlements dealing with the nonferry operations of the department to the director of the office of financial management and the transportation committees of the legislature. The report must include information on: (a) The number of claims and settlements by type; (b) the average claim and settlement by type; and (c) defense costs associated with those claims and settlements.
- (4) When the department identifies significant legal issues that have potential transportation budget implications, the department must initiate a briefing for appropriate legislative members or staff through the office of the attorney general and its legislative briefing protocol.

Sec. 918. 2024 c 310 s 221 (uncodified) is amended to read as follows:
**FOR THE DEPARTMENT OF TRANSPORTATION—PUBLIC
TRANSPORTATION—PROGRAM V**

Carbon Emissions Reduction Account—State

Appropriation. ((~~\$30,400,000~~))
\$2,257,000

Climate Transit Programs Account—State Appropriation ((~~\$410,645,000~~))
\$378,704,000

State Vehicle Parking Account—State Appropriation \$784,000

Regional Mobility Grant Program Account—State
Appropriation. ((~~\$120,177,000~~))
\$61,730,000

Rural Mobility Grant Program Account—State

Appropriation. \$33,077,000

Multimodal Transportation Account—State

Appropriation. ((~~\$126,238,000~~))
\$119,509,000

Multimodal Transportation Account—Federal

Appropriation. \$4,374,000

Multimodal Transportation Account—Private/Local

Appropriation. \$100,000

TOTAL APPROPRIATION ((~~\$725,795,000~~))
\$600,535,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$64,906,000 of the multimodal transportation account—state appropriation and ((~~\$78,325,000~~)) \$77,900,000 of the climate transit programs account—state appropriation are provided solely for a grant program for special needs transportation provided by transit agencies and nonprofit providers of transportation. Of this amount:

(a) \$14,420,000 of the multimodal transportation account—state appropriation and ((~~\$17,963,000~~)) \$17,713,000 of the climate transit programs account—state appropriation are provided solely for grants to nonprofit providers of special needs transportation. Grants for nonprofit providers must be based on need, including the availability of other providers of service in the area, efforts to coordinate trips among providers and riders, and the cost effectiveness of trips provided.

(b) \$48,278,000 of the multimodal transportation account—state appropriation and ((~~\$60,137,000~~)) \$59,962,000 of the climate transit programs account—state appropriation are provided solely for grants to transit agencies to transport persons with special transportation needs. To receive a grant, the transit agency must, to the greatest extent practicable, have a maintenance of effort for special needs transportation that is no less than the previous year's maintenance of effort for special needs transportation. Grants for transit agencies must be prorated based on the amount expended for demand response service and route deviated service in calendar year 2021 as reported in the "2021 Summary of Public Transportation" published by the department of transportation. No transit

agency may receive more than 30 percent of these distributions. Fuel type may not be a factor in the grant selection process.

(c) \$2,208,000 of the multimodal transportation account—state appropriation and \$225,000 of the climate transit programs account—state appropriation are provided solely for the reappropriation of amounts provided for this purpose in the 2021-2023 fiscal biennium.

(2) \$33,077,000 of the rural mobility grant program account—state appropriation is provided solely for grants to aid small cities in rural areas as prescribed in RCW 47.66.100. Fuel type may not be a factor in the grant selection process.

(3) (~~(\$11,598,000)~~) \$9,925,000 of the multimodal transportation account—state appropriation is provided solely for a public transit rideshare grant program for: (a) Public transit agencies to add or replace rideshare vehicles; and (b) incentives and outreach to increase rideshare use. The grant program for public transit agencies may cover capital costs only, and costs for operating vanpools at public transit agencies are not eligible for funding under this grant program. Awards from the grant program must not be used to supplant transit funds currently funding ride share programs, or to hire additional employees. Fuel type may not be a factor in the grant selection process. Of the amounts provided in this subsection, \$1,308,000 is for the reappropriation of amounts provided for this purpose in the 2021-2023 fiscal biennium.

(4) \$48,597,000 of the regional mobility grant program account—state appropriation is reappropriated and provided solely for the regional mobility grant projects identified in LEAP Transportation Document (~~((2024-2))~~) 2025-2 ALL PROJECTS as developed ((March 6, 2024)) April 26, 2025, Program - Public Transportation Program (V).

(5)(a) (~~(\$71,581,000)~~) \$13,133,000 of the regional mobility grant program account—state appropriation is provided solely for the regional mobility grant projects identified in LEAP Transportation Document (~~((2024-2))~~) 2025-2 ALL PROJECTS as developed ((March 6, 2024)) April 26, 2025, Program - Public Transportation Program (V). The department shall review all projects receiving grant awards under this program at least semiannually to determine whether the projects are making satisfactory progress. Any project that has been awarded funds, but does not report activity on the project within one year of the grant award, must be reviewed by the department to determine whether the grant should be terminated. The department shall promptly close out grants when projects have been completed, and any remaining funds must be used only to fund projects identified in the LEAP transportation document referenced in this subsection. The department shall provide annual status reports on December 15, 2023, and December 15, 2024, to the office of financial management and the transportation committees of the legislature regarding the projects receiving the grants. It is the intent of the legislature to appropriate funds through the regional mobility grant program only for projects that will be completed on schedule. A grantee may not receive more than 25 percent of the amount appropriated in this subsection unless all other funding is awarded. Additionally, when allocating funding for the 2023-2025 fiscal biennium, no more than 30 percent of the total grant program may directly benefit or support one grantee unless all other funding is awarded. Fuel type may not be a factor in the grant selection process.

(b) In order to be eligible to receive a grant under (a) of this subsection during the 2023-2025 fiscal biennium, a transit agency must establish a process for private transportation providers to apply for the use of park and ride facilities. For purposes of this subsection, (i) "private transportation provider" means: An auto transportation company regulated under chapter 81.68 RCW; a passenger charter carrier regulated under chapter 81.70 RCW, except marked or unmarked stretch limousines and stretch sport utility vehicles as defined under department of licensing rules; a private nonprofit transportation provider regulated under chapter 81.66 RCW; or a private employer transportation service provider; and (ii) "private employer transportation service" means regularly scheduled, fixed-route transportation service that is offered by an employer for the benefit of its employees.

(c) (~~(\$1,500,000))~~ \$749,000 of the amount appropriated in this subsection is provided solely for a contingency fund to assist current regional mobility grantees with cost escalations and overages. The department shall create a system for grantees to request funds, and set a cap of contingency funds per grantee to ensure an equitable distribution among requesters.

(d) During the 2023-2025 fiscal biennium, the department shall consider applications submitted by regional transportation planning organizations and metropolitan planning organizations for the regional mobility grant program funding in the 2025-2027 fiscal biennium.

(e) \$6,195,000 of the multimodal transportation account—state appropriation, \$3,300,000 of the climate transit programs account—state appropriation, and \$784,000 of the state vehicle parking account—state appropriation are provided solely for CTR grants and activities. Fuel type may not be a factor in the grant selection process. Of this amount, \$495,000 of the multimodal transportation account—state appropriation is reappropriated and provided solely for continuation of previously approved projects under the first mile/last mile connections grant program.

(f) (~~(\$16,319,000))~~ \$12,911,000 of the multimodal transportation account—state appropriation is provided solely for connecting Washington transit projects identified in LEAP Transportation Document ((2024-2)) 2025-2 ALL PROJECTS as developed ((March 6, 2024)) April 26, 2025. It is the intent of the legislature that entities identified to receive funding in the LEAP transportation document referenced in this subsection receive the amounts specified in the time frame specified in that LEAP document. If an entity has already completed a project in the LEAP transportation document referenced in this subsection before the time frame identified, the entity may substitute another transit project or projects that cost a similar or lesser amount.

(g) The department shall not require more than a 10 percent match from nonprofit transportation providers for state grants.

(h) (~~(\$12,000,000))~~ \$12,203,000 of the multimodal transportation account—state appropriation and (~~(\$39,400,000))~~ \$28,905,000 of the climate transit programs account—state appropriation are provided solely for the green transportation capital projects identified in LEAP Transportation Document ((2024-2)) 2025-2 ALL PROJECTS as developed ((March 6, 2024)) April 26, 2025, Program - Public Transportation Program (V). Of the amount of climate transit program account funds appropriated in this subsection, up to one percent may be used for program administration and staffing.

(10) ~~(((\$5,950,000))~~ \$3,864,000 of the multimodal transportation account—state appropriation and ~~(((\$1,249,000))~~ \$144,000 of the climate transit programs account—state appropriation are reappropriated and provided solely for the green transportation capital grant projects identified in LEAP Transportation Document ~~((2024-2))~~ 2025-2 ALL PROJECTS as developed ~~((March 6, 2024))~~ April 26, 2025, Program - Public Transportation Program (V).

~~((11) ((Beginning January 1, 2025, \$7,442,000 of the carbon emissions reduction account—state appropriation is provided solely for additional green transportation capital projects identified in LEAP Transportation Document 2024-2 ALL PROJECTS as developed March 6, 2024. Of the amounts provided in this subsection, \$1,000,000 is for the Jefferson Transit—Electric Bus Replacement project (GT23250A), \$1,023,000 is for the Pacific Transit—Electrification of the Paratransit Fleet project (GT23250C), \$3,795,000 is for the C-TRAN—Hydrogen Fueling Station Infrastructure project (GT23250D), and \$1,623,000 is for the Island Transit—Fleet Expansion project (GT23250E).~~

~~((12) (\$10,267,000))~~ \$8,632,000 of the climate transit programs account—state appropriation is provided solely for tribal transit grants. Up to one percent of the amount provided in this subsection may be used for program administration and staffing.

(a) The department must establish a tribal transit competitive grant program. Grants to federally recognized tribes may be for any transit purpose, including planning, operating costs, maintenance, and capital costs. The department shall report to the transportation committees of the legislature and the office of financial management with a list of projects recommended for funding by September 1, 2024, along with recommendations on how to remove barriers for tribes to access grant funds, including removal of grant match requirements, and recommendations for how the department can provide technical assistance.

(b) Within the amount provided in this subsection, ~~(((\$10,167,000))~~ \$8,532,000 is provided solely for move ahead Washington tribal transit grant projects as listed in LEAP Transportation Document ~~((2024-2))~~ 2025-2 ALL PROJECTS as developed ~~((March 6, 2024))~~ April 26, 2025. Of this amount, \$529,000 is for the Sauk-Suiattle Commuter project (L1000318).

~~((13))~~ (12) \$188,930,000 of the climate transit programs account—state appropriation is provided solely for transit support grants for public transit agencies that have adopted a zero-fare policy for youth 18 years of age and under by October 1, 2022. The department must confirm zero-fare policies are in effect at transit agencies to be eligible for biennial distributions.

~~((14) (\$38,000,000))~~ (13) \$35,723,000 of the climate transit programs account—state appropriation is provided solely for the bus and bus facility grant program for replacement, rehabilitation, and purchase of transit rolling stock, or construction, modification, or rehabilitation of transit facilities.

~~((15) Beginning January 1, 2025, \$7,758,000 of the carbon emissions reduction account—state appropriation is provided solely for additional bus and bus facility projects. Of the amounts provided in this subsection, \$1,467,000 is for Kitsap Transit for inductive charging units for transit centers, \$1,891,000 is for Twin Transit for zero emission vehicle acquisition, \$4,400,000 is for C-TRAN for highway 99 BRT hydrogen fuel cell buses.~~

~~((16))~~ (14) \$2,000,000 of the climate transit programs account—state appropriation is provided solely for newly selected transit coordination grants.

The department shall prioritize grant proposals that promote the formation of joint partnerships between transit agencies or merge service delivery across entities.

~~((17) \$46,587,000))~~ (15) \$31,544,000 of the climate transit programs account—state appropriation is provided solely for move ahead Washington transit projects as listed in LEAP Transportation Document ~~((2024-2))~~ 2025-2 ALL PROJECTS as developed ~~((March 6, 2024))~~ April 26, 2025, Move Ahead WA - Transit Projects.

(a) For projects funded as part of this subsection, if the department expects to have substantial reappropriations for the 2023-2025 fiscal biennium, the department may, on a pilot basis, apply funding from a project with an appropriation that is unable to be used within the 2023-2025 fiscal biennium to advance one or more of the projects listed, prioritizing projects first by tier then by project readiness.

(b) In instances when projects listed in the LEAP transportation document referenced in this subsection (15) are no longer viable or have been completed, the department may recommend in its next budget submittal alternative project proposals from the local jurisdictions if the project is similar in type and scope and consistent with limitations on certain funds provided. In the event that the listed project has been completed, the local jurisdictions may, rather than submitting an alternative project, be reimbursed in the year in which it was scheduled for documented costs incurred implementing the listed project, not in excess of the amount awarded from the funding program.

(c) At least 10 business days before advancing or swapping a project pursuant to this subsection, the department must notify the office of financial management and the transportation committees of the legislature. The advancement of a project may not hinder the delivery of the projects for which the reappropriations are necessary for the 2023-2025 fiscal biennium.

~~((18))~~ (16) \$702,000 of the multimodal transportation account—state appropriation is provided solely for the department to provide a statewide vanpool benefit for all state employees. For department employees working in remote job sites, such as mountain passes, the department must ensure employees are able to access job sites via a subsidized vanpool or provide a modal alternative for the "last mile" to ensure employees can access the job site without additional charge.

~~((19))~~ (17) \$200,000 of the multimodal transportation account—state appropriation is provided solely for the department to update the 2019 feasibility study to add a fifth travel Washington intercity bus line in the Yakima Valley. The department must provide a summary report of the updated feasibility and cost estimates to the transportation committees of the legislature by December 1, 2024.

~~((20))~~ (18) \$555,000 of the multimodal transportation account—state appropriation and \$500,000 of the carbon emissions reduction account—state appropriation are provided solely for an interagency transfer to the Washington State University extension energy program to administer a technical assistance and education program for public agencies on the use of alternative fuel vehicles. The Washington State University extension energy program shall prepare a report regarding the utilization of the program and submit this report to the transportation committees of the legislature by November 15, 2023.

~~((21))~~ (19)(a) \$500,000 of the multimodal transportation account—state appropriation is provided solely for King county metro to develop a pilot program to place teams, including human services personnel, along routes that are enduring significant public safety issues and various disruptive behavior in south King county. The team would be available to deescalate disruptions, provide immediate access to transit resources, and refer customers to community resources to break cycles of inappropriate behavior. The teams must consist of individuals trained in deescalation and outreach. Team functions and duties should be cocreated with community stakeholders.

(b) King county metro must provide a report to the transportation committees of the legislature by June 30, 2024, regarding the effectiveness of the program, any suggestions for improving its efficacy, and any modifications that might be necessary for other transit providers to institute similar programs.

(c) King county metro must provide at least a 50 percent match to develop the pilot program funded under this subsection.

~~((22))~~ (20) \$500,000 of the multimodal transportation account—state appropriation is provided solely for planning to move Grays Harbor transit operation and administration facilities from the current location.

~~((23))~~ (21) As part of the department's 2025-2027 biennial budget request, the department must submit budget materials for the public transportation division separated into operating and capital budgeted programs.

~~((24) Beginning January 1, 2025, \$2,000,000))~~ (22) \$290,000 of the carbon emissions reduction account—state appropriation is provided solely for new transit coordination grants, prioritizing projects that coordinate transit service to and from Washington state ferry terminals. Program eligibility must be expanded to include proposals from transit agencies in counties with populations fewer than 700,000 that coordinate service to and from Washington state ferry terminals.

~~((25) Beginning January 1, 2025, \$900,000 of the carbon emissions reduction account—state appropriation is provided solely for the department to implement certain recommendations from the 2023 frequent transit service study. The department shall define levels and types of demand-response service and measure access to these services within Washington for the purpose of gaining a fuller picture of transit access. The department must collect ongoing transportation data and develop systems to allow for analysis of disparities in access to existing fixed route transit. The data collection should prioritize collecting information on accessibility and inclusion of people with disabilities, vulnerable populations in overburdened communities, and other underserved communities. The department shall submit a report on data collection efforts to the transportation committees of the legislature and the office of financial management by June 30, 2025.~~

~~(26) Beginning January 1, 2025, \$11,800,000 of the carbon emissions reduction account—state appropriation is provided solely for the following projects identified in LEAP Transportation Document 2024-2 ALL PROJECTS as developed March 6, 2024:~~

~~(a) Base Refurbish & Expansion for Growth/Columbia County Public Transportation (L4000182);~~

~~(b) Kitsap Transit: Design & Shore Power (G2000115);~~

~~(c) Pierce Transit—Meridian (L2021197); and~~

~~(d) King County Metro South Annex Base — Electrification Elements (L4000174).~~

~~(27)))~~ (23) \$100,000 of the multimodal transportation account—state appropriation is provided solely for King county metro to implement a pilot program to provide funds to nonprofit organizations to offer rideshare vouchers to persons who are low-income and people with disabilities who rely on paratransit to get to and from work or medical appointments. King county metro must work with a group who provides dialysis services in King county and with a group who provides employment services and supports to adults with disabilities in the four most populous counties in Washington. The department must submit a report to the office of financial management and the transportation committees of the legislature by June 1, 2025. The report must incorporate feedback from participants to the extent possible and evaluate the effectiveness of the program as an alternative to current public transportation programs.

Sec. 919. 2024 c 310 s 222 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—MARINE—PROGRAM X

Puget Sound Ferry Operations Account—State

Appropriation. ~~(((\$571,594,000))~~
\$541,178,000

Puget Sound Ferry Operations Account—Federal

Appropriation. ~~(((\$198,650,000))~~
\$197,187,000

Puget Sound Ferry Operations Account—Private/Local

Appropriation. \$121,000
TOTAL APPROPRIATION ~~(((\$770,365,000))~~
\$738,486,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The office of financial management budget instructions require agencies to recast enacted budgets into activities. The Washington state ferries shall include a greater level of detail in its 2023-2025 supplemental and 2025-2027 omnibus transportation appropriations act requests, as determined jointly by the office of financial management, the Washington state ferries, and the transportation committees of the legislature. This level of detail must include the administrative functions in the operating as well as capital programs. The data in the tables in the report must be supplied in a digital file format.

(2) ~~(((\$97,060,000))~~ \$75,020,000 of the Puget Sound ferry operations account—federal appropriation and ~~(((\$1,450,000))~~ \$29,385,000 of the Puget Sound ferry operations account—state appropriation are provided solely for auto ferry vessel operating fuel in the 2023-2025 fiscal biennium, which reflect cost savings from a reduced biodiesel fuel requirement and, therefore, is contingent upon the enactment of section 703, chapter 472, Laws of 2023. The amount provided in this subsection represents the fuel budget for the purposes of calculating any ferry fare fuel surcharge. The department shall review future use of alternative fuels and dual fuel configurations, including hydrogen.

(3) \$500,000 of the Puget Sound ferry operations account—state appropriation is provided solely for operating costs related to moving vessels for

emergency capital repairs. Funds may only be spent after approval by the office of financial management.

(4) The department must work to increase its outreach and recruitment of populations underrepresented in maritime careers and continue working to expand apprenticeship and internship programs, with an emphasis on programs that are shown to improve recruitment for positions with the state ferry system.

(5) \$175,000 of the Puget Sound ferry operations account—state appropriation is provided solely for the department to continue a study of passenger demographics. The study may be included as part of a larger origin and destination study. The department shall report study results to the transportation committees of the legislature by December 1, 2023. Following completion of the study, the department must compare study results to the composition of groups outlined in RCW 47.60.310, both by overall representation of ferry riders and by route. A summary is due to the office of the governor and transportation committees of the legislature by December 1, 2024.

(6) The department shall continue to oversee a consultant study to identify and recommend cost-effective strategies to maximize walk-on passenger ridership of the Anacortes - San Juan ferry routes. The study is due to the transportation committees of the legislature by December 1, 2023. By December 1, 2024, any feasible near to medium term solutions identified from the study must be reported to the office of the governor and transportation committees of the legislature and include cost estimates for implementation.

(7) (~~(\$16,973,000)~~) \$8,873,000 of the Puget Sound ferry operations account—state appropriation is provided solely for Washington state ferries to:

(a) Provide scholarships, coursework fees, and stipends for candidates to become licensed deck officers (mates);

(b) Improve the process for unlicensed candidates who have achieved able-bodied sailor (AB) status to earn their mate's license;

(c) Annually hire, orient, train, and develop entry level engine room staff at the wiper classification with the intention of successfully promoting to oiler classification;

(d) Create an operations project management office;

(e) Increase human resources capacity to expand recruitment efforts including to communities currently underrepresented within the Washington state ferries, and add a workforce ombuds; and

(f) Hire additional dispatch staff, or any other staff mandatory for system operations.

(8) \$169,000 of the Puget Sound ferry operations account—state appropriation is provided solely for hiring an additional service planner.

(9)(a) During negotiations of the 2025-2027 collective bargaining agreements, the department must conduct a review and analysis of the collective bargaining agreements governing state ferry employees, to identify provisions that create barriers for, or contribute to creating a disparate impact on, newly hired ferry employees, including those who are women, people of color, veterans, and other employees belonging to communities that have historically been underrepresented in the workforce. The review and analysis must incorporate, to the extent practicable, the findings and recommendations from the December 2022 joint transportation committee study on Washington state ferries' workforce, and must also include, but not be limited to, provisions

regarding seniority, work assignments, and work shifts. The review and analysis must also include consultation with the governor's office of labor relations, the governor's office of equity, and the attorney general's office.

(b) For future negotiations or modifications of the collective bargaining agreements, it is the intent of the legislature that the collective bargaining representatives for the state and ferry employee organizations may consider the findings of the review and analysis required in (a) of this subsection and negotiate in a manner to remove identified barriers and address identified impacts so as not to perpetuate negative impacts.

(10) \$1,504,000 of the Puget Sound ferry operations account—state appropriation is provided solely for the implementation of chapter 188, Laws of 2023 (state ferry workforce development issues). If chapter 188, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

(11) \$5,000,000 of the Puget Sound ferry operations account—state appropriation is provided solely for support of the Kitsap transit passenger ferry to supplement service on the Seattle-Bremerton route.

(12) \$100,000 of the Puget Sound ferry operations account—state appropriation is provided solely to assess temporary service restoration options for the Sidney, British Columbia route until Washington state ferries can resume its service. Washington state ferries must provide service options and recommendations to the office of financial management and the transportation committees of the legislature by December 15, 2023.

(13) \$2,549,000 of the Puget Sound ferry operations account—state appropriation is provided solely for security services at Colman Dock.

(14) \$13,856,000 of the Puget Sound ferry operations account—state appropriation is provided solely for overtime and familiarization expenses incurred by engine, deck, and terminal staff. The department must provide updated staffing cost estimates for fiscal years 2024 and 2025 with its annual budget submittal and updated estimates by January 1, 2024.

(15) \$1,064,000 of the Puget Sound ferry operations account—state appropriation is provided solely for traffic control at ferry terminals at Seattle, Fauntleroy, Kingston, Edmonds, Mukilteo, and Bainbridge Island, during peak ferry travel times, with a particular focus on Sundays and holiday weekends.

(16) \$93,000 of the Puget Sound ferry operations account—state appropriation is provided solely for the Washington state ferries to secure housing for workforce training sessions and to pay in advance for the costs of transportation worker identification credentials, merchant mariner credentials, and medical examinations for incoming ferry system employees and trainees.

(17) \$10,417,000 of the Puget Sound ferry operations account—state appropriation is provided solely for vessel maintenance initiatives to:

(a) Add a second shift at the Eagle Harbor maintenance facility;

(b) Establish maintenance management project controls to maximize vessel maintenance work at the Eagle Harbor facility;

(c) Expand the existing Washington state ferries Eagle Harbor apprenticeship program from two to eight apprentices; and

(d) Maintain assets in a state of good repair by investing in enterprise asset management operating capacity.

(18)(a) \$855,000 of the Puget Sound ferry operations account—state appropriation is provided solely for Washington state ferries to provide to Seattle

Central Community College for a pilot with the Seattle Maritime Academy for the 2023-2025 fiscal biennium. Funding may not be expended until Washington state ferries certifies to the office of financial management that a memorandum of agreement with Seattle Central Community College has been executed, and the office of financial management determines that funds provided in this subsection are utilized for programs that are a benefit to the Washington state ferries or the prospective workforce pipeline of the Washington state ferries. The memorandum of agreement with Seattle Central Community College must address:

(i) Prioritized use of training and other facilities and implementation of joint training opportunities for Washington state ferries' employees and trainees;

(ii) Development of a joint recruitment plan with Seattle Central Community College aimed at increasing enrollment of women and people of color, with specific strategies to recruit existing community and technical college students, maritime skills center students, high school students from maritime programs, including maritime skills center students, foster care graduates, and former juvenile rehabilitation and adult incarcerated individuals; and

(iii) Consultation between the parties on the development of the training program, recruitment plan and operational plan, with an emphasis on increasing enrollment of women and people of color.

(b) The joint training and recruitment plan must be submitted to the appropriate policy and fiscal committees of the legislature by December 1, 2023. The Washington state ferries must submit findings of program effectiveness and recommendations for continuation of the pilot, to the appropriate committees of the legislature by December 1, 2024.

(19) \$420,000 of the Puget Sound ferry operations account appropriation—state is provided solely for a contract with an organization with experience evaluating and developing recommendations for the Washington state ferries' workforce to provide expertise on short-term strategies including, but not limited to, addressing recruitment, retention, diversity, training needs, leadership development, and succession planning. The consultant shall provide additional assistance as deemed necessary by the Washington state ferries to implement recommendations from the joint transportation committee 2022 workforce study. Periodic updates must be given to the joint transportation committee and the governor.

(20) By December 31st of each year, as part of the annual ferries division performance report, the department must report on the status of efforts to increase the staff available for maintaining the customary level of ferry service, including staff for deck, engine, and terminals. The report must include data for a 12-month period up to the most recent data available, by staff group, showing the number of employees at the beginning of the 12-month period, the number of new employees hired, the number of employees separating from service, and the number of employees at the end of the 12-month period. The department report on additional performance measures must include:

(a) Numbers of trip cancellations due to crew availability or vessel mechanical issues;

(b) Current level of service compared to the full-service schedules in effect in 2019; and

(c) Retention rates of employees who have completed on the job workforce development programs and overall employee retention rates.

(21) (~~(\$10,000,000)~~) \$5,000,000 of the Puget Sound ferry operations account—state appropriation is provided solely for the department to increase deck and engine positions across the system, prioritizing positions that will mitigate crew related cancellations and reduce overtime expenditures. The department must include an update on the number of positions hired by job class as part of the annual performance report. The legislature intends to provide \$16,000,000 on an ongoing basis to support additional crew efforts.

(22) \$500,000 of the Puget Sound ferry operations account—state appropriation is provided solely for the department to evaluate options for the state to return to providing state passenger-only ferry service to support existing ferry service routes.

(a) The study must focus on the routes recommended for further study by the 2020 study of passenger-only ferry service by the Puget Sound regional council as well as San Juan county interisland passenger-only ferry service. The department must contract with a third-party entity with experience in passenger-only ferry service.

(b) The evaluation must study options for the state to return to providing state passenger-only ferry service to support existing ferry service routes. The study must include estimated ridership, operating costs including labor, vessel procurement options with prioritization given to clean fueled ferries such as electric ferries, funding options including state subsidies of passenger-only ferry districts, and schedule and timing to implement passenger-only ferry options in evaluated routes.

(c) A progress report is due to the governor and transportation committees of the legislature by October 30, 2024. A final report is due to the governor and transportation committees of the legislature by June 1, 2025.

(23) \$100,000 of the Puget Sound ferry operations account—state appropriation is provided solely for the department to reimburse walk-on customers for emergency expenses incurred as a result of a cancellation of the last sailing of the day. In consideration for receiving the reimbursement, an applicant must sign a release of claims drafted by the department. The department shall create a process for reimbursement and set a per diem limit for reimbursement per individual.

(24) \$3,170,000 of the Puget Sound ferry operations account—state appropriation is provided solely for temporary expanded weekday midday King county water taxi service support to and from Vashon Island.

Sec. 920. 2024 c 310 s 223 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—RAIL—
PROGRAM Y—OPERATING**

Carbon Emissions Reduction Account—State

Appropriation. \$2,250,000

Multimodal Transportation Account—State

Appropriation. (~~(\$83,043,000)~~)
\$82,990,000

Multimodal Transportation Account—Federal

Appropriation. \$1,335,000

Multimodal Transportation Account—Private/Local	
Appropriation.....	\$46,000
TOTAL APPROPRIATION.....	(((\$86,674,000))
	<u>\$86,621,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) The department shall continue to pursue restoring Amtrak Cascades service to pre-COVID service levels, and to the service levels committed to through the department's obligation of funding from the federal American recovery and reinvestment act. A status report must be provided to the transportation committees of the legislature and the office of financial management by September 1, 2023.

(2)(a) \$2,250,000 of the multimodal transportation account—state appropriation is provided solely for the continued coordination, engagement, and planning for a new ultra high-speed ground transportation corridor with participation from Washington state, Oregon state, and British Columbia, and is a reappropriation of funds appropriated in the 2021-2023 fiscal biennium. For purposes of this subsection, "ultra high-speed" means a maximum testing speed of at least 250 miles per hour. These efforts are to support and advance activities and must abide by the memorandum of understanding signed by the governors of Washington and Oregon states, and the premier of the province of British Columbia in November 2021. The department shall establish a policy committee with participation from Washington state, Oregon state, and British Columbia, including representation from the two largest caucuses of each chamber of the Washington state legislature, and coordinate the activities of the policy committee to include:

(i) Developing an organizational framework that facilitates input in decision-making from all parties;

(ii) Developing a public engagement approach with a focus on equity, inclusion, and meaningful engagement with communities, businesses, federal, state, provincial, and local governments including indigenous communities;

(iii) Developing and leading a collaborative approach to prepare and apply for potential future federal, state, and provincial funding opportunities, including development of strategies for incorporating private sector participation and private sector contributions to funding, including through the possible use of public-private partnerships;

(iv) Beginning work on scenario analysis addressing advanced transportation technologies, land use and growth assumptions, and an agreed to and defined corridor vision statement; and

(v) Developing a recommendation on the structure and membership of a formal coordinating entity that will be responsible for advancing the project through the project initiation stage to project development and recommended next steps for establishment of the coordinating entity. Project development processes must include consideration of negative and positive impacts on communities of color, low-income households, indigenous peoples, and other disadvantaged communities.

(b) By June 30, 2024, the department shall provide to the governor and the transportation committees of the legislature a high-level status update that

includes, but is not limited to, the status of the items included in (a)(i) through (v) of this subsection.

(c) By June 30, 2025, the department shall provide to the governor and the transportation committees of the legislature a report detailing the work conducted by the policy committee and recommendations for establishing a coordinating entity. The report must also include an assessment of current activities and results relating to stakeholder engagement, planning, and any federal funding application. As applicable, the assessment should also be sent to the executive and legislative branches of government in Oregon state and appropriate government bodies in the province of British Columbia.

(3) Consistent with the ongoing planning and service improvement for the intercity passenger rail program, \$335,000 of the multimodal transportation account—federal appropriation is provided solely for the Cascades service development plan, to be used to analyze current and future market conditions and to develop a structured assessment of service options and goals based on anticipated demand and the results of the state and federally required 2019 state rail plan, including identifying implementation alternatives to meet the future service goals for the Amtrak Cascades route. The work must be consistent with federal railroad administration guidance and direction on developing service development plans, and must be completed by June 30, 2024.

(4) The department shall continue to provide high quality intercity passenger rail service, align planning efforts for continued growth and on-time performance improvements consistent with federally recognized corridor development programs, and implement improvements consistent with planning efforts through leveraging federal funding opportunities. New passenger rail equipment is essential to service enhancements. The department shall make every effort to coordinate with service partners to prepare for the arrival of new trainsets and implementation of service enhancements. A status report must be provided to the transportation committees of the legislature and the office of financial management by December 1, 2024.

(5) \$500,000 of the multimodal transportation account—federal appropriation is provided solely for the Cascades corridor planning as part of the corridor identification and development program, in coordination with the Oregon state department of transportation. The department must continue to pursue funding opportunities for the Cascades corridor though the corridor identification and development program and the federal-state partnership programs at the federal rail administration. The department must notify the office of the governor and the transportation committees of the legislature of funding opportunities from the programs and any corresponding state match needs.

~~((6) \$50,000 of the multimodal transportation account—state appropriation is provided solely for the department to coordinate with partners on Amtrak long distance rail service.))~~

Sec. 921. 2024 c 310 s 224 (uncodified) is amended to read as follows:
FOR THE DEPARTMENT OF TRANSPORTATION—LOCAL PROGRAMS—PROGRAM Z—OPERATING

Carbon Emissions Reduction Account—State

Appropriation. \$275,000
 Motor Vehicle Account—State Appropriation ~~(\$14,282,000))~~

	<u>\$14,266,000</u>
Motor Vehicle Account—Federal Appropriation	\$2,567,000
Multiuse Roadway Safety Account—State Appropriation	(\$1,230,000)
	<u>\$750,000</u>
Multimodal Transportation Account—State	
Appropriation	\$2,000,000
TOTAL APPROPRIATION	(\$20,354,000)
	<u>\$19,858,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$500,000 of the motor vehicle account—state appropriation is provided solely for development, administration, program management, and evaluation of the federal fund exchange pilot program.

(2) \$1,063,000 of the motor vehicle account—state appropriation is provided solely for the department, from amounts set aside out of statewide fuel taxes distributed to counties according to RCW 46.68.120(3), to contract with the Washington state association of counties to:

(a) Contract with the department of fish and wildlife to identify, inventory, and prioritize county-owned fish passage barriers;

(b) Continue streamlining and updating the county road administration board's data dashboard, to provide a more detailed, more transparent, and user-friendly platform for data management, reporting, and research by the public and other interested parties;

(c) Commission a study to develop guidance for county public works departments conducting environmental justice assessments in their communities and recommend best practices for community engagement plans to address environmental health disparities for identified overburdened communities;

(d) Contract for a study to identify best practices within public works for the recruitment and retention of employees, including: Recommendations for improving outreach and recruitment to underrepresented populations, methods to partner with local community colleges and universities, methods to expand apprenticeship and internship programs, strategies to increase training and development opportunities, and recommendations for career advancement programs and better work-life balance outcomes;

(e) Update the 2020 county transportation revenue study; and

(f) By December 15, 2024, report to the office of financial management and the appropriate committees of the legislature the deliverables from and the amounts expended on the purposes enumerated in this subsection.

~~((4))~~ (3)(a) \$200,000 of the multimodal transportation account—state appropriation is provided solely for the department to develop the preliminary phase of an action plan for the establishment of cycle highways in locations that connect population centers and support mode shift.

(b) The action plan may complement and incorporate existing resources, including the state trails database maintained by the recreation and conservation office, local and regional plans, and the state active transportation plan.

(c) The action plan may also include, but is not limited to:

(i) Recommended design; geometric and operational criteria and typologies appropriate to urban, suburban, and rural settings; settings that include shared use; and incremental approaches to achieve desired facility types;

(ii) A model or methodology to project potential demand and carrying capacity based on facility quality, level of traffic stress, location, directness, land use, and other key attributes;

(iii) Examination of the feasibility of developing high-capacity infrastructure for bicycle and micromobility device use within a variety of contexts and recommendations for pilot projects;

(iv) Identification of key gaps in regional networks, including planned and aspirational routes and locations within three miles of high-capacity transit or existing shared-use paths and trails suitable for transportation;

(v) Identification of legal, regulatory, financial, collaboration, and practical barriers to development and community acceptance and support of such facilities; and

(vi) Recommended strategies to consider and address issues to avoid unintended consequences such as displacement, and to ensure equity in long-term development of such facilities.

(d) The department must provide a report with its initial findings, and recommendations for next steps, to the transportation committees of the legislature by June 30, 2025.

~~((5))~~ (4) \$750,000 of the multimodal transportation account—state appropriation is provided solely for a grant program to support local initiatives that expand or establish civilian intervention programs for nonmoving violations, focusing on nonpunitive interventions such as helmet voucher programs, fee offset programs, fix-it tickets, and repair vouchers that provide solutions for vehicle equipment failures for low-income road users.

(a) Grants must be awarded to local jurisdictions based on locally developed proposals to establish or expand existing programs, including programs with community led organizations. Eligible jurisdictions under the grant program include cities, counties, tribal government entities, tribal organizations, law enforcement agencies, or nonprofit organizations.

(b) The department shall report on its website by December 1st of each year on the recipients, locations, and types of projects funded under this subsection.

~~((6))~~ (5) \$146,000 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter 428, Laws of 2023 (Wahkiakum ferry). If chapter 428, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

~~((7))~~ (6)(a) \$50,000 of the multimodal transportation account—state appropriation is provided solely for the department to examine the feasibility of creating a new budget program for the active transportation division, including, but not limited to, examining:

(i) Estimated cost, new staffing needs, and time frame to establish the program;

(ii) A proposed budget structure, and whether both operating and capital components should be established; and

(iii) Identification of staff, capital projects, and other resources that would need to be transferred from other existing programs.

(b) By December 1, 2024, the department shall report examination findings and recommendations to the office of financial management and the transportation committees of the legislature.

~~((8))~~ (7) \$275,000 of the carbon emissions reduction account—state appropriation is provided solely to support Pierce, Skagit, Whatcom, and Wahkiakum county ferries with youth zero-fare policies.

~~((9))~~ (8) \$500,000 of the multimodal transportation account—state appropriation is provided solely for the city of Seattle department of transportation to create a digital conflict area awareness management program to provide machine-readable information for transportation operators, such as autonomous vehicle fleet operators, to be aware of conflict areas, such as emergency response zones, work zones, schools, pick up and drop off locations, and other areas where vulnerable road users may be present.

(a) Program work must include:

(i) The city of Seattle engaging with first responders and transportation management officials and other relevant stakeholders, to determine program implementation needs and processes; and

(ii) A feasibility study of implementing the program's mobility and curb data specifications to include, but not be limited to, necessary partners, data platforms, ability to integrate real-time 911 dispatch, emergency vehicles, work zones, and other areas to reduce conflicts for transportation operators of autonomous vehicle fleets on public roads and in the right-of-way.

(b) Program work must also be conducted in coordination and partnership with city of Seattle departments, the nonprofit steward of the program's mobility and curb data specifications, the Washington state department of transportation, and other entities potentially impacted by the implementation of the program.

(c) As feasible, the city of Seattle shall prepare an implementation pilot of the program to make a standardized data feed available publicly for transportation operator use.

~~((d))~~ The city of Seattle must provide a report on any findings and recommendations of the program and any implementation needs and process mapping for use by other jurisdictions to the Washington state department of transportation and the transportation committees of the legislature by June 30, 2025.

~~((10))~~ (9) \$150,000 of the motor vehicle account—state appropriation is provided solely for the department to fund one full-time equivalent liaison position within the local program multiagency permit program. Within the amounts provided in this subsection, the department shall work to enhance its multiagency permit program capabilities, with an emphasis on multiagency agreements that streamline, prioritize, and expedite project-level and programmatic permits and approvals. The department shall review current multiagency permit program practices and provide a report with recommendations on the enhancement of the program to the transportation committees of the legislature by December 1, 2024.

TRANSPORTATION AGENCIES—CAPITAL

Sec. 1001. 2023 c 472 s 303 (uncodified) is amended to read as follows:
FOR THE TRANSPORTATION IMPROVEMENT BOARD
Small City Pavement and Sidewalk Account—State
Appropriation. \$3,975,000

Transportation Improvement Account—State	
Appropriation.	(\$240,000,000)
	<u>\$220,000,000</u>
Complete Streets Grant Program Account—State	
Appropriation.	(\$14,670,000)
	<u>\$4,670,000</u>
Move Ahead WA Account—State Appropriation	\$9,333,000
Climate Active Transportation Account—State	
Appropriation.	(\$19,067,000)
	<u>\$16,567,000</u>
TOTAL APPROPRIATION	(\$287,045,000)
	<u>\$254,545,000</u>

Sec. 1002. 2024 c 310 s 301 (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE PATROL

State Patrol Highway Account—State Appropriation	(\$7,888,000)
	<u>\$6,531,000</u>

The appropriation in this section is subject to the following conditions and limitations:

(1) ~~(\$7,888,000)~~ \$6,531,000 of the state patrol highway account—state appropriation is provided solely for the following projects:

- (a) \$250,000 is for emergency repairs;
- (b) ~~(\$2,000,000)~~ \$1,443,000 is for roof replacements;
- (c) \$350,000 is for fuel tank decommissioning;
- (d) ~~(\$500,000 is for generator and electrical replacement;~~
- ~~(e) \$500,000)~~ \$200,000 is for the exterior envelope of the Yakima office;
- ~~((f))~~ (e) \$2,000,000 is for energy efficiency projects;
- ~~((g))~~ (f) \$1,000,000 is for pavement surface improvements;
- ~~((h))~~ (g) \$300,000 is for fire alarm panel replacement;
- ~~((i))~~ (h) \$188,000 is for repairs at the Bellevue district office;
- ~~((j))~~ (i) \$200,000 is for an academy master plan. As part of the academy

master plan, the Washington state patrol must review and provide an analysis on the potential to colocate some training programs with other state agencies, including the department of corrections, the department fish and wildlife, the liquor and cannabis board, and the criminal justice training commission. The Washington state patrol must consult with the other state agencies to determine where cost efficiencies and mutually beneficial shared arrangements for training delivery could occur. The funding for this academy master plan is not a commitment to fund any components related to the expansion of the academy in the future;

~~((k))~~ (j) \$500,000 reappropriation is for the Tacoma district office generator replacement project; and

~~((l))~~ (k) \$100,000 reappropriation is for the energy improvement project at the SeaTac northbound facility.

(2) The Washington state patrol may transfer funds between projects specified in subsection (1) of this section to address cash flow requirements.

(3) If a project specified in subsection (1) of this section is completed for less than the amount provided, the remainder may be transferred to another project specified in subsection (1) of this section not to exceed the total

appropriation provided in subsection (1) of this section after notifying the office of financial management and the transportation committees of the legislature 20 days before any transfer.

(4) By December 1, 2023, the Washington state patrol shall provide a report to the transportation committees of the legislature detailing utility incentives that will reduce the cost of heating, ventilating, and air conditioning systems funded in this section.

(5) By December 1, 2023, the Washington state patrol shall provide its capital improvement and preservation plan for agency facilities to the appropriate committees of the legislature.

Sec. 1003. 2024 c 310 s 303 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—FACILITIES—PROGRAM D—(DEPARTMENT OF TRANSPORTATION-ONLY PROJECTS)—CAPITAL	
((Connecting Washington Account—State	
Appropriation.....	\$3,000))
Motor Vehicle Account—State Appropriation	(((\$29,810,000))
	<u>\$15,352,000</u>
Move Ahead WA Account—State Appropriation	\$12,011,000
Multimodal Transportation Account—State	
Appropriation.....	\$1,200,000
TOTAL APPROPRIATION	(((\$43,024,000))
	<u>\$28,563,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$4,025,000 of the motor vehicle account—state appropriation is provided solely for payments of a financing contract issued pursuant to chapter 39.94 RCW for the department facility located at 15700 Dayton Ave N in Shoreline. All payments from the department of ecology pursuant to the agreement with the department to pay a share of the financing contract for this facility must be deposited into the motor vehicle account.

(2)(a) \$10,011,000 of the move ahead WA account—state appropriation is provided solely for the department to improve its ability to keep facility assets in a state of good repair. In using the funds appropriated in this subsection, the department, with periodic reporting to the joint transportation committee, must develop and implement a prioritization of facility capital preservation needs and repair projects. The legislature intends these to be reasonable, forward-thinking investments that consider potential future space efficiency measures and consolidations, including those assessed as having high commercial value and potential returns to state transportation funds associated with the sale of the property. Prioritization must be based on, but not limited to, the following criteria: (i) Employee safety and facility security; (ii) state and federal regulatory and statutory requirements and compliance issues, including clean buildings requirements; (iii) quality of work issues; (iv) facility condition assessment evaluations and scoring; (v) asset preservation; and (vi) amount of operational support provided by the facility to the achievement of the department's performance measures and outcomes, including facility utilization based on field

operations work supported at the location. "Field operations" include maintenance, transportation operations, materials testing, and construction.

(b) By October 15, 2024, covering the first 15 months of the 2023-2025 fiscal biennium, the department must provide a report based on the prioritization of facility preservation needs and repair projects developed pursuant to (a) of this subsection to the office of financial management and the transportation committees of the legislature. The report must include: (i) A by facility ranking based on the criteria implemented; (ii) detailed information on the actions taken in the previous period to address the identified issues and deficiencies; and (iii) the plan, by facility, to address issues and deficiencies for the remainder of the 2023-2025 fiscal biennium and the 2025-2027 fiscal biennium.

(c) The by facility ranking developed under (b) of this subsection must be the basis of an agency budget submittal for the 2025-2027 fiscal biennium.

(3)(a) \$1,200,000 of the multimodal transportation account—state appropriation is provided solely for the department to evaluate safety rest areas along Interstate 5 and Interstate 90 for potential truck parking expansion opportunities. The department shall also evaluate commercial vehicle inspection locations, in coordination with the Washington state patrol, for potential truck parking expansion opportunities.

(b) These evaluations must include assessments of opportunities to provide additional truck parking through rest stop and inspection location reconfiguration, expansion, and conversion, as well as evaluation of potential improvements to restroom facilities at weigh stations with truck parking. The department shall consider opportunities to expand rest stop footprints onto additional department-owned property, as well as opportunities to acquire property for rest stop expansion. Opportunities to convert a rest stop to a commercial vehicle-only rest stop must be considered if property is available to develop a new light-duty vehicle rest stop within a reasonable distance. The department shall include an evaluation of a potential truck parking site at John Hill Rest Area along the Interstate 90 corridor identified in the joint transportation committee's "Truck Parking Action Plan." Evaluations must include cost estimates for reconfiguration, expansion, and conversion, as well as other recommendations for the development of these sites.

(c) The department should consult with the federal highway administration, the Washington state patrol, the Washington trucking association, the freight mobility strategic investment board, and local communities.

(d) The department must update the transportation committees of the legislature on agency activities and their status by December 1, 2023, and to provide a final report to the transportation committees of the legislature by December 1, 2024.

(4) (~~(\$15,457,000)~~) \$1,000,000 of the motor vehicle account—state appropriation is provided solely for making improvements to the department facility located at 11018 NE 51st Cir in Vancouver to meet the Washington state clean buildings performance standard.

(5)(a) \$4,100,000 of the (~~(move ahead WA)~~) motor vehicle account—state appropriation is provided solely for preliminary engineering and design associated with the demolition and replacement of the department's vehicle repair and parts building at 6431 Corson Avenue South in Seattle. The department must include any requested construction costs of the facility as a

separate project as part of its agency budget submittal for the 2025-2027 fiscal biennium utilizing form C-100 for capital projects. The design information must also include detailed information on square footage, components of the facility, and cost comparisons with similar maintenance facilities.

(b) By September 1, 2024, the office of financial management, in consultation with the department, must develop criteria for preservation and improvement minor works lists for the department's facilities program. The criteria must incorporate, adjusted where appropriate, provisions already in use in the omnibus capital budget act for minor works, including: (i) The dollar limitation for each project to be included in the list; (ii) the types of projects appropriate to be included in the list; (iii) the project length limitation appropriate to be included in the list; and (iv) a recommended initial allotment, revision request approval, and revision notification process associated with the list. The criteria must be the basis of the preservation and improvement minor works list included in the agency budget submittal beginning with the 2025-2027 fiscal biennium.

(c) By September 1, 2024, the office of financial management, in consultation with the department, must also develop criteria for providing building related capital requests in a comparable format, adjusted where appropriate, to provisions already in use in the omnibus capital appropriations act for building projects, including the C-100 capital request form and other detail requirements for omnibus capital appropriations act building submissions.

Sec. 1004. 2024 c 310 s 304 (uncodified) is amended to read as follows:
**FOR THE DEPARTMENT OF TRANSPORTATION—IMPROVEMENTS
—PROGRAM I**

Alaskan Way Viaduct Replacement Project Account—	
State Appropriation	(\$23,794,000) \$16,388,000
<u>Carbon Emissions Reduction Account—State</u>	
Appropriation	\$250,000
Climate Active Transportation Account—State	
Appropriation	(\$2,000,000) \$1,100,000
Move Ahead WA Account—Private/Local Appropriation	\$137,500,000
State Route Number 520 Civil Penalties Account—State	
Appropriation	\$10,000,000
Transportation 2003 Account (Nickel Account)—State	
Appropriation	\$634,000
Transportation Partnership Account—State	
Appropriation	(\$46,899,000) \$94,330,000
Motor Vehicle Account—State Appropriation	(\$100,366,000) \$91,237,000
Motor Vehicle Account—Federal Appropriation	(\$480,282,000) \$342,563,000
Coronavirus State Fiscal Recovery Fund—Federal	
Appropriation	(\$337,144,000) \$282,810,000

Motor Vehicle Account—Private/Local Appropriation	(((\$74,115,000)) <u>\$75,127,000</u>
Connecting Washington Account—State Appropriation	(((\$1,960,374,000)) <u>\$2,120,407,000</u>
Special Category C Account—State Appropriation	(((\$143,917,000)) <u>\$138,199,000</u>
Multimodal Transportation Account—State Appropriation.	(((\$14,311,000)) <u>\$7,719,000</u>
Multimodal Transportation Account—Federal Appropriation.	(((\$12,287,000)) <u>\$480,000</u>
((State Route Number 520 Corridor Account— State Appropriation	(\$500,000))
Interstate 405 and State Route Number 167 Express Toll Lanes Account—State Appropriation	(((\$319,464,000)) <u>\$295,220,000</u>
Move Ahead WA Account—State Appropriation	(((\$737,961,000)) <u>\$735,504,000</u>
Move Ahead WA Account—Federal Appropriation	(((\$373,155,000)) <u>\$272,554,000</u>
JUDY Transportation Future Funding Program Account— State Appropriation	\$52,000,000
Model Toxics Control Stormwater Account—State	(((\$15,000,000)) <u>\$4,437,000</u>
TOTAL APPROPRIATION	(((\$4,841,703,000)) <u>\$4,678,459,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire connecting Washington account—state appropriation, the entire move ahead WA account—federal appropriation, the entire move ahead WA account—state appropriation, and the entire transportation partnership account—state appropriation are provided solely for the projects and activities as listed by fund, project, and amount in LEAP Transportation Document ((2024-1)) 2025-1 as developed ((March 6, 2024)) April 26, 2025, Program - Highway Improvements Program (I). However, limited transfers of specific line-item project appropriations may occur between projects for those amounts listed subject to the conditions and limitations in section 601(~~chapter 472, Laws of 2023~~) of this act.

(2) Except as provided otherwise in this section, the entire motor vehicle account—state appropriation and motor vehicle account—federal appropriation are provided solely for the projects and activities listed in LEAP Transportation Document ((2024-2)) 2025-2 ALL PROJECTS as developed ((March 6, 2024)) April 26, 2025, Program - Highway Improvements Program (I). Any federal funds gained through efficiencies, adjustments to the federal funds forecast, or the federal funds redistribution process must then be applied to highway and bridge preservation activities.

(3) Within the motor vehicle account—state appropriation and motor vehicle account—federal appropriation, the department may transfer appropriation authority between programs I and P, except for appropriation authority that is otherwise restricted in this act, as follows:

(a) Ten days prior to any transfer, the department must submit its request to the office of financial management and the transportation committees of the legislature and consider any concerns raised.

(b) The director of the office of financial management must first provide written authorization for such transfer to the department and the transportation committees of the legislature.

(c) The department shall submit a report on appropriation authority transferred in the prior fiscal year using this subsection as part of the department's annual budget submittal.

(4) The connecting Washington account—state appropriation includes up to \$1,332,926,000 in proceeds from the sale of bonds authorized in RCW 47.10.889.

(5) The special category C account—state appropriation includes up to \$111,106,000 in proceeds from the sale of bonds authorized in RCW 47.10.812.

(6) The transportation partnership account—state appropriation includes up to ~~(((\$46,899,000))~~ \$8,860,000 in proceeds from the sale of bonds authorized in RCW 47.10.873.

~~(7) ((The appropriations in this section include savings due to anticipated project underruns; however, it is unknown which projects will provide savings. The legislature intends to provide sufficient flexibility for the department to manage to this savings target. To provide this flexibility, the office of financial management may authorize, through an appropriation modification, reductions in the amounts that are provided solely for a particular purpose within this section subject to the following conditions and limitations:~~

~~(a) The department must confirm that any modification requested under this subsection of amounts provided solely for a specific purpose are not expected to be used for that purpose in this fiscal biennium;~~

~~(b) Appropriation modifications authorized under this subsection may not result in increased funding for any project beyond the amount provided for that project in the 2023-2025 fiscal biennium in LEAP Transportation Document 2024-2 ALL PROJECTS as developed March 6, 2024;~~

~~(c) Appropriation modifications authorized under this subsection apply only to amounts appropriated in this section from the following accounts: Connecting Washington account—state, and move ahead WA account—state; and~~

~~(d) The office of financial management must provide notice of appropriation modifications authorized under this subsection within 10 working days to the transportation committees of the legislature. By December 1, 2023, and December 1, 2024, the department must submit a report to the transportation committees of the legislature regarding the actions taken to date under this subsection.~~

~~(8)))~~ The department shall itemize all future requests for the construction of buildings on a project list and submit them through the transportation executive information system as part of the department's annual budget submittal. It is the intent of the legislature that new facility construction must be transparent and not appropriated within larger highway construction projects.

~~((9))~~ (8) The legislature continues to prioritize the replacement of the state's aging infrastructure and recognizes the importance of reusing and recycling construction aggregate and recycled concrete materials in our transportation system. To accomplish Washington state's sustainability goals in transportation and in accordance with RCW 70A.205.700, the legislature reaffirms its determination that recycled concrete aggregate and other transportation building materials are natural resource construction materials that are too valuable to be wasted and landfilled, and are a commodity as defined in WAC 173-350-100.

~~((10))~~ (9) By June 30, 2025, to the extent practicable, the department shall decommission the facilities for the Lacey project engineering office and the Tumwater project engineering office at the end of their lease terms and consolidate the Lacey project engineering office and the Tumwater project engineering office into the department's Olympic regional headquarters.

~~((11))~~ (10) The legislature intends that any savings realized on the following projects will not be attributable to the application of practical design, retired risk, or unused contingency funding for the purposes of RCW 47.01.480:

- (a) I-5/Marvin Road/SR 510 Interchange (L1100110); and
- (b) I-82/EB WB On and Off Ramps (L2000123).

~~((12))~~ (11)(a) ~~(((\$337,114,000))~~ \$282,810,000 of the coronavirus state fiscal recovery fund—federal appropriation, ~~(((\$110,439,000))~~ \$31,405,000 of the motor vehicle account—federal appropriation, ~~(((\$576,827,000))~~ \$525,187,000 of the move ahead WA account—state appropriation, \$191,807,000 of the connecting Washington account—state appropriation, and ~~(((\$8,329,000))~~ \$217,000 of the motor vehicle account—state appropriation are provided solely for the Fish Passage Barrier Removal project (0B14001) with the intent of fully complying with the federal *U.S. v. Washington* court injunction by 2030.

(b) The fish passage barrier removal program, in consultation with the office of innovative partnerships, shall explore opportunities to employ innovative delivery methods to ensure compliance with the court injunction including, but not limited to, public-private partnerships and batched contracts. It is the intent of the legislature that appropriations for this purpose may be used to jointly leverage state and local funds for match requirements in applying for competitive federal aid grants provided in the infrastructure investment and jobs act for removals of fish passage barriers under the national culvert removal, replacement, and restoration program. State funds used for the purpose described in this subsection must not compromise full compliance with the court injunction by 2030.

(c) The department shall coordinate with the Brian Abbott fish passage barrier removal board to use a watershed approach by replacing both state and local culverts guided by the principle of providing the greatest fish habitat gain at the earliest time. The department shall deliver high habitat value fish passage barrier corrections that it has identified, guided by the following factors: Opportunity to bundle projects, tribal priorities, ability to leverage investments by others, presence of other barriers, project readiness, culvert conditions, other transportation projects in the area, and transportation impacts. The department and Brian Abbott fish barrier removal board must provide updates on the

implementation of the statewide culvert remediation plan to the legislature by November 1, 2023, and June 1, 2024.

(d) The department must keep track of, for each barrier removed: (i) The location; (ii) the amount of fish habitat gain; and (iii) the amount spent to comply with the injunction.

(e) During the 2023-2025 fiscal biennium, the department shall provide reports of the amounts of federal funding received for this project to the governor and transportation committees of the legislature by November 1, 2023, and semiannually thereafter.

~~((13))~~ ~~(12)~~(a) ~~(((\$15,000,000))~~ \$4,437,000 of the model toxics control stormwater account—state appropriation is provided solely for the Stormwater Retrofits and Improvements project (L4000040). It is the intent of the legislature, over the 16-year move ahead WA investment program, to provide \$500,000,000 for this program.

~~(b) ((Of the amounts provided in this subsection, \$6,000,000 is provided solely for the Urban Stormwater Partnership—I-5 Ship Canal Bridge Pilot (Seattle) project.~~

~~((c))~~ The funding provided for stormwater retrofits and improvements must enhance stormwater runoff treatment from existing roads and infrastructure with an emphasis on green infrastructure retrofits. Projects must be prioritized based on benefits to salmon recovery and ecosystem health, reducing toxic pollution, addressing health disparities, and cost-effectiveness. The department of transportation must submit progress reports on its efforts to reduce the toxicity of stormwater runoff from existing infrastructure, recommendations for addressing barriers to innovative solutions, and anticipated demand for funding each fiscal biennium.

~~((14))~~ ~~(13)~~(a) ~~(((\$25,067,000))~~ \$12,011,000 of the connecting Washington account—state appropriation is provided solely for the SR 3 Freight Corridor (T30400R) project. The legislature intends to provide a total of \$78,910,000 for this project, including an increase of \$12,000,000 in future biennia to safeguard against inflation and supply/labor interruptions and ensure that:

(i) The northern terminus remains at Lake Flora Road and the southern terminus at the intersection of SR 3/SR 302; and

(ii) Multimodal safety improvements at the southern terminus remain in the project to provide connections to North Mason school district and provide safe routes to schools.

(b) With respect to right-of-way acquisition and the construction of the SR 3 Freight Corridor project (T30400R), tribal consultation with the Suquamish tribe shall begin at the earliest stage of planning, including without limitation on all funding decisions and funding programs, to provide a government-to-government mechanism for the tribe to evaluate, identify, and expressly notify governmental entities of any potential impacts to tribal cultural resources, archaeological sites, sacred sites, fisheries, or other rights and interests in tribal lands and lands within which the tribe possesses rights reserved or protected by federal treaty, statute, or executive order. The consultation is independent of, and in addition to, any public participation process required under state law, or by a state agency, including the requirements of Executive Order 21-02 related to archaeological and cultural resources, and regardless of whether the agency receives a request for consultation from the Suquamish tribe. Regularly

scheduled tribal consultation meetings with the Suquamish tribe shall continue throughout the duration of any funding or program decisions and proposed project approval.

~~((15) \$6,000,000))~~ (14) \$384,000 of the move ahead WA account—state appropriation and ~~((10,000,000))~~ \$3,342,000 of the move ahead WA account—federal appropriation are provided solely for the SR 3/Gorst Area - Widening project (L4000017). Tribal consultation with the Suquamish tribe must begin at the earliest stage of planning, including, without limitation, all funding decisions and funding programs, to provide a government-to-government mechanism for the tribe to evaluate, identify, and expressly notify governmental entities of any potential impacts to tribal cultural resources, archaeological sites, sacred sites, fisheries, or other rights and interests in tribal lands and lands within which the tribe possesses rights reserved or protected by federal treaty, statute, or executive order. The consultation is independent of, and in addition to, any public participation process required under state law, or by a state agency, including the requirements of Executive Order 21-02 related to archaeological and cultural resources, and regardless of whether the agency receives a request for consultation from the Suquamish tribe. Regularly scheduled tribal consultation meetings with the Suquamish tribe must continue throughout the duration of any funding program and proposed project approval.

~~((16))~~ (15)(a) \$94,500,000 of the move ahead WA account—federal appropriation, \$137,500,000 of the move ahead WA account—private/local appropriation, and \$43,000,000 of the move ahead WA account—state appropriation are provided solely for the I-5 Columbia river bridge project (L4000054). The legislature finds that the replacement of the I-5 Columbia river bridge is a project of national significance and is critical for the movement of freight. One span is now 105 years old, at risk for collapse in the event of a major earthquake, and no longer satisfies the needs of commerce and travel. Replacing the aging interstate bridge with a modern, seismically resilient, multimodal structure that provides improved mobility for people, goods, and services is a high priority. Therefore, the legislature intends to support the replacement of the I-5 Columbia river bridge with an investment of \$1,000,000,000 over the 16-year move ahead WA investment program.

(b) The legislature recognizes the importance of the I-5/Mill Plain Boulevard project (L2000099) and intends to provide funding for reconstruction of the existing interchange in coordination with construction of the Interstate 5 bridge over the Columbia river.

(c) The department shall provide regular updates on the status of ongoing coordination with the state of Oregon on any bistate agreements regarding sharing of revenues, use of revenues, and fiscal responsibilities of each state. Prior to finalizing any such agreement, the department shall provide a draft of the agreement to the transportation committees of the legislature for review and input. Additionally, the department shall advise on the status of any bistate agreements to the joint transportation committee beginning in September 2023 and quarterly thereafter until any agreements are finalized.

~~((17) The legislature recognizes the importance of the US-12/Walla Walla Corridor Improvements project (T20900R) and intends to advance funding to provide matching funds if competitive federal funding is awarded for the final remaining four-lane section between Wallula and Nine Mile Hill. The~~

department, in consultation with local governments in the vicinity, must pursue any federal funding available.

~~((18) \$2,642,000))~~ (16) \$94,000 of the move ahead WA account—state appropriation is provided solely for the US 101/Simdars Bypass project (L4000013).

~~((19) \$338,512,000))~~ (17) \$343,674,000 of the connecting Washington account—state appropriation, ~~((3,109,000))~~ \$1,582,000 of the multimodal transportation account—state appropriation, ~~((27,201,000))~~ \$26,735,000 of the motor vehicle account—private/local appropriation, ~~((178,543,000))~~ \$174,712,000 of the move ahead WA account—federal appropriation, ~~((36,370,000))~~ \$10,001,000 of the move ahead WA account—state appropriation, and ~~((211,131,000))~~ \$161,680,000 of the motor vehicle account—federal appropriation are provided solely for the SR 167/SR 509 Puget Sound Gateway project (M00600R).

(a) Any savings on the project must stay on the Puget Sound Gateway corridor until the project is complete.

(b) In making budget allocations to the Puget Sound Gateway project, the department shall implement the project's construction as a single corridor investment. The department shall continue to collaborate with the affected stakeholders as it implements the corridor construction and implementation plan for state route number 167 and state route number 509. Specific funding allocations must be based on where and when specific project segments are ready for construction to move forward and investments can be best optimized for timely project completion. Emphasis must be placed on avoiding gaps in fund expenditures for either project.

(c) The entire multimodal transportation account—state appropriation in this subsection is for:

(i) The design phase of the Puyallup to Tacoma multiuse trail along the state route number 167 right-of-way acquired for the project to connect a network of new and existing trails from Mount Rainier to Point Defiance Park; and

(ii) Segment 2 of the state route number 167 completion project shared-use path to provide connections to the interchange of state route number 167 at 54th to the intersection of state route number 509 and Taylor Way in Tacoma.

~~((20))~~ (18) \$2,213,000 of the motor vehicle account—state appropriation and \$14,012,000 of the connecting Washington account—state appropriation are provided solely for the SR 224/Red Mountain Vicinity Improvement project (L1000291). The department shall provide funding to the city of West Richland to complete the project within the project scope identified by the legislature and within the total amount provided by the legislature. The department shall not amend the project's scope of work to add pavement preservation on state route number 224 from the West Richland city limits to Antinori Road.

~~((21) \$409,667,000))~~ (19) \$363,020,000 of the connecting Washington account—state appropriation, ~~((500,000 of the state route number 520 corridor account—state appropriation,))~~ \$10,000,000 of the state route number 520 civil penalties account—state appropriation, \$52,000,000 of the JUDY transportation future funding program account—state appropriation, and \$5,592,000 of the motor vehicle account—private/local appropriation are provided solely for the SR 520 Seattle Corridor Improvements - West End project (M00400R) and are subject to the following conditions and limitations:

(a) The department shall immediately proceed with awarding the bid for the Portage Bay Bridge and Roanoke Lid project to the team that submitted the proposal with the apparent best value in September 2023. Consistent with negotiated timelines, the legislature expects the award to be made by March 15, 2024, and assumes that the department shall expedite executing the contract with the awarded team. Once the contract is executed for this project, the department shall seek consequential cost reduction opportunities through value engineering and prioritizing functionality and usability of the Portage Bay Bridge and Roanoke Lid. The department shall report on the status of the project and cost reduction efforts to the transportation committees of the legislature by December 15, 2024.

(b) Upon completion of the Montlake Phase of the West End project, the department shall sell or transfer that portion of the property not necessary for transportation purposes, and shall initiate a process to convey or transfer such portion of the surplus property to a subsequent owner.

~~(c) ((Of the amounts provided in this subsection, \$500,000 of the state route number 520 corridor account—state appropriation is provided solely for noise mitigation activities. It is the intent of the legislature to provide an additional \$600,000 for noise mitigation activities.~~

~~(d))~~ Pursuant to chapter 281, Laws of 2024, the department shall apply for a sales tax deferral for construction work on the SR 520 Seattle Corridor Improvements - West End project (M00400R).

~~((22) \$450,000))~~ (20) \$391,000 of the motor vehicle account—state appropriation ~~((is))~~ and \$5,562,000 of the motor vehicle account—federal appropriation are provided solely for the SR 900 Safety Improvements project (L2021118). The department must: (a) Work in collaboration with King county and the Skyway coalition to align community assets, transportation infrastructure needs, and initial design for safety improvements along state route number 900; and (b) work with the Skyway coalition to lead community planning engagement and active transportation activities.

~~((23))~~ (21) \$7,500,000 of the motor vehicle account—federal appropriation is provided solely for a federal fund exchange pilot program. The pilot program must allow exchanges of federal surface transportation block grant population funding and state funds at an exchange rate of 95 cents in state funds per \$1.00 in federal funds. The projects receiving the exchanged federal funds must adhere to all federal requirements, including the applicable disadvantaged business enterprise goals. The entirety of the appropriation in this subsection must be held in unallotted status until surface transportation block grant population funding has been offered to the state, and the department determines that a federalized project or projects funded in this section is eligible to spend the surface transportation block grant population funding. \$7,125,000 from existing state appropriations identified elsewhere within this section are available to be used as part of the exchange. Upon determination that a project or projects funded in this section is eligible to spend the offered surface transportation block grant population funding, state funds appropriated in this section for the eligible state project or projects in an amount equal to 100 percent of the offered surface transportation block grant population funding must be placed in unallotted status. The legislature intends to evaluate the utility and efficacy of the pilot program in the 2025 legislative session while reappropriating any remaining

funds into the 2025-2027 fiscal biennium. Therefore, the department may issue additional calls for projects with any remaining funds provided in this subsection.

~~((24) \$9,593,000))~~ ((22) \$9,195,000 of the motor vehicle account—state appropriation(~~(, \$552,000 of the connecting Washington account—state appropriation,))~~) and ~~((209,000))~~ \$584,000 of the move ahead WA account—state appropriation are provided solely for the SR 522/Paradise Lk Rd Interchange & Widening on SR 522 (Design/Engineering) project (NPARADI), specifically for design of, preliminary engineering, and right-of-way acquisition for the interchange and widening as a single project. The department must consider reserving portions of state route number 522, including designated lanes or ramps, for the exclusive or preferential use of public transportation vehicles, privately owned buses, motorcycles, private motor vehicles carrying not less than a specified number of passengers, or private transportation provider vehicles pursuant to RCW 47.52.025.

~~((25))~~ ((23) Prior to initiating new advertisements or requests for qualifications for the following projects: SR 9/Marsh Road to 2nd Street Vicinity (N00900R), SR 526 Corridor Improvements (N52600R), US 395 North Spokane Corridor (M00800R), and SR 18 - Widening - Issaquah/Hobart Rd to Raging River - Phase 1 (L1000199), the capital projects advisory review board shall review the planned procurement methods for these projects. The board shall provide recommendations on procurement methods to the office of financial management, the department, and the transportation committees of the legislature for project L1000199 by July 1, 2024, and projects N52600R, N00900R, and M00800R by December 1, 2024. After the board provides recommendations, the department may initiate new advertisements and requests for qualifications, incorporating the recommendations as appropriate.

The department shall structure the advertisements, requests for qualifications, and requests for proposals, for projects referenced in this subsection, in a manner that provides a high degree of certainty that bids come in as expected according to engineer estimates made through the cost estimate valuation process. The department may request bid offers with alternatives for components of a larger project so that the department may present to the legislature modified options for projects to minimize project delays and stay within appropriated funding resources. If alternatives provided are at or below the engineer estimates, the department may proceed with the project award.

~~((If bid proposals exceed engineer estimates by more than five percent or \$10,000,000, the department shall report this information to the transportation committees of the legislature within two weeks of receiving the bid proposals, and pause award and contract execution.~~

~~((26))~~ ((24) \$750,000 of the motor vehicle account—state appropriation is provided solely for the Grady Way Overpass at Rainier Avenue South I-405 BRT Access study (L1000333).

~~((27) \$1,804,000))~~ ((25) \$270,000 of the connecting Washington account—state appropriation is provided solely for the SR 164 East Auburn Access project (L1000120). The department must work with the Muckleshoot tribe to deliver the project.

~~((28))~~ ((26) \$250,000 of the motor vehicle account—state appropriation is provided solely for preliminary engineering of the SR 14/Camas Slough Bridge

project (L1000352). Funds may be used for predesign environmental assessment work, community engagement, design, and project cost estimation.

~~((29) \$1,000,000 of the multimodal transportation account state appropriation is provided solely for matching funds for the department to apply to the federal highway administration's wildlife crossings pilot program, in the 2024 grant application cycle, for wildlife crossing underpasses on U.S. 97 between Tonasket and Riverside.~~

~~(30) \$1,800,000)~~ (27) \$1,720,000 of the multimodal transportation account—state appropriation and ~~((12,287,000))~~ \$480,000 of the multimodal transportation account—federal appropriation are provided solely for the department to develop and implement a technology-based truck parking availability system along the Interstate 5 corridor in partnership with Oregon state and California state to maximize utilization of existing truck parking capacity and deliver real-time parking availability information to truck drivers (L1000375). The department may use a portion of the appropriation in this subsection for grant proposal development and as state match funding for technology-based truck parking availability system federal grant applications. The department must update the transportation committees of the legislature on agency activities and their status by December 1, 2023, and provide a final report to the transportation committees of the legislature by December 1, 2024.

~~((31))~~ (28) \$1,000,000 of the multimodal transportation account—state appropriation is provided solely for the design on the I-5 Fort Lewis weigh station and SR 906 Phase 3 truck parking improvements (L1000377).

~~((32))~~ (29) The legislature intends to provide \$4,950,000 in the 2025-2027 fiscal biennium for additional truck parking improvements ~~((L1000376))~~. As part of the department's 2025-2027 budget submittal, the department and the freight mobility strategic investment board, after consulting with appropriate entities, must provide a list of specific truck parking solutions within the amounts provided in this subsection ~~((32))~~. The list may also include additional funding recommendations beyond this amount for more immediate expansion of truck parking capacity, as well as for long-term expansion of truck parking capacity.

Sec. 1005. 2024 c 310 s 305 (uncodified) is amended to read as follows:
**FOR THE DEPARTMENT OF TRANSPORTATION—PRESERVATION
 —PROGRAM P**

Move Ahead WA Account—State Appropriation	(\$105,219,000)) \$101,593,000
Recreational Vehicle Account—State Appropriation	\$769,000
Transportation 2003 Account (Nickel Account)—State Appropriation.	\$70,411,000
Motor Vehicle Account—State Appropriation	(\$154,960,000)) \$142,494,000
Motor Vehicle Account—Federal Appropriation	\$560,102,000
Motor Vehicle Account—Private/Local Appropriation	(\$17,010,000)) \$13,121,000
Connecting Washington Account—State Appropriation	(\$48,726,000)) \$48,910,000

State Route Number 520 Corridor Account—State	
Appropriation.	(((\$7,434,000))
	<u>\$9,092,000</u>
Tacoma Narrows Toll Bridge Account—State	
Appropriation.	(((\$12,202,000))
	<u>\$9,811,000</u>
Alaskan Way Viaduct Replacement Project Account—	
State Appropriation	(((\$1,662,000))
	<u>\$1,213,000</u>
Interstate 405 and State Route Number 167 Express	
Toll Lanes Account—State Appropriation	(((\$15,183,000))
	<u>\$8,702,000</u>
Transportation Partnership Account—State	
Appropriation.	\$12,036,000
TOTAL APPROPRIATION	(((\$1,005,714,000))
	<u>\$978,254,000</u>

The appropriations in this section are subject to the following conditions and limitations:

- (1) Except as provided otherwise in this section, the entire connecting Washington account—state appropriation, the entire move ahead WA account—federal appropriation, the entire move ahead WA account—state appropriation, and the entire transportation partnership account—state appropriation are provided solely for the projects and activities as listed by fund, project, and amount in LEAP Transportation Document ((2024-1)) 2025-1 as developed ((~~March 6, 2024~~)) April 26, 2025, Program - Highway Preservation Program (P). However, limited transfers of specific line-item project appropriations may occur between projects for those amounts listed subject to the conditions and limitations in section 601(~~(chapter 472, Laws of 2023))~~ of this act.
- (2) Except as provided otherwise in this section, the entire motor vehicle account—state appropriation and motor vehicle account—federal appropriation are provided solely for the projects and activities listed in LEAP Transportation Document ((2024-2)) 2025-2 ALL PROJECTS as developed ((~~March 6, 2024~~)) April 26, 2025, Program - Highway Preservation Program (P). Any federal funds gained through efficiencies, adjustments to the federal funds forecast, or the federal funds redistribution process must then be applied to highway and bridge preservation activities.
- (3) Within the motor vehicle account—state appropriation and motor vehicle account—federal appropriation, the department may transfer appropriation authority between programs I and P, except for appropriation authority that is otherwise restricted in this act, as follows:
 - (a) Ten days prior to any transfer, the department must submit its request to the office of financial management and the transportation committees of the legislature and consider any concerns raised.
 - (b) The director of the office of financial management must first provide written authorization for such transfer to the department and the transportation committees of the legislature.

(c) The department shall submit a report on appropriation authority transferred in the prior fiscal year using this subsection as part of the department's annual budget submittal.

~~(4) ((The transportation partnership account—state appropriation includes up to \$3,280,000 in proceeds from the sale of bonds authorized in RCW 47.10.873.~~

~~(5) (\$22,000,000))~~ \$9,500,000 of the motor vehicle account—state appropriation is provided solely for extraordinary costs incurred from litigation awards, settlements, or dispute mitigation activities not eligible for funding from the self-insurance fund (L2000290). The amount provided in this subsection must be held in unallotted status until the department submits a request to the office of financial management that includes documentation detailing litigation-related expenses. The office of financial management may release the funds only when it determines that all other funds designated for litigation awards, settlements, and dispute mitigation activities have been exhausted.

~~((6))~~ (5) Within the connecting Washington account—state appropriation, the department may transfer funds from Highway System Preservation (L1100071) to other preservation projects listed in the LEAP transportation document identified in subsection (1) of this section, if it is determined necessary for completion of these high priority preservation projects. The department's next budget submittal after using this subsection must appropriately reflect the transfer.

~~((7))~~ (6) By June 30, 2025, to the extent practicable, the department shall decommission the facilities for the Lacey project engineering office and the Tumwater project engineering office at the end of their lease terms and consolidate the Lacey project engineering office and the Tumwater project engineering office into the department's Olympic regional headquarters.

~~((8))~~ (7) The appropriations in this section include funding for starting planning, engineering, and construction of the Elwha River bridge replacement. To the greatest extent practicable, the department shall maintain public access on the existing route.

~~((9))~~ (8) \$7,500,000 of the motor vehicle account—federal appropriation is provided solely for a federal fund exchange pilot program. The pilot program must allow exchanges of federal surface transportation block grant population funding and state funds at an exchange rate of 95 cents in state funds per \$1.00 in federal funds. The projects receiving the exchanged federal funds must adhere to all federal requirements, including the applicable disadvantaged business enterprise goals. The entirety of the appropriation in this subsection must be held in unallotted status until surface transportation block grant population funding has been offered to the state and the department determines that a federalized project or projects funded in this section is eligible to spend the surface transportation block grant population funding. \$7,125,000 from existing state appropriations identified elsewhere within this section are available to be used as part of the exchange. Upon determination that a project or projects funded in this section is eligible to spend the offered surface transportation block grant population funding, state funds appropriated in this section for the eligible state project or projects in an amount equal to 100 percent of the offered surface transportation block grant population funding must be placed in unallotted status. The legislature intends to evaluate the utility and efficacy of the pilot

program in the 2025 legislative session while reappropriating any remaining funds into the 2025-2027 fiscal biennium. Therefore, the department may issue additional calls for projects with any remaining funds provided in this subsection.

~~((10) \$21,000 of motor vehicle account—state appropriation is provided solely for the implementation of chapter 54, Laws of 2023 (bridge jumping signs) (G2000114).~~

~~((11) \$4,319,000 of the move ahead Washington account—state appropriation is provided solely for SR 525 Bridge Replacement—Mukilteo (L2021084). Of the amounts in this subsection, \$155,000 must be transferred to the city of Mukilteo for purposes of community planning and business engagement.))~~

(9) The appropriations in this section include funding for the following projects:

- (a) SR 241/Mabton Bridge;
- (b) SR 112 Preservation and Maintenance;
- (c) SR 155/Omak Bridge Rehabilitation;
- (d) SR 4/Abernathy Creek Bridge - Replace Bridge;
- (e) SR 525 Bridge Replacement - Mukilteo;
- (f) Land Mobile Radio (LMR) Upgrade;
- (g) SR 104/Port Angeles Graving Dock Settlement and Remediation; and
- (h) Bridge Jumping Signs.

Sec. 1006. 2024 c 310 s 306 (uncodified) is amended to read as follows:
FOR THE DEPARTMENT OF TRANSPORTATION—
TRANSPORTATION OPERATIONS—PROGRAM Q—CAPITAL

Motor Vehicle Account—State Appropriation	(((\$10,606,000)) <u>\$10,538,000</u>
Motor Vehicle Account—Federal Appropriation	(((\$12,226,000)) <u>\$12,768,000</u>
Motor Vehicle Account—Private/Local Appropriation	\$500,000
Move Ahead WA Account—State Appropriation	\$611,000
TOTAL APPROPRIATION	(((\$23,943,000)) <u>\$24,417,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) ~~(((\$5,547,000))~~ \$5,548,000 of the motor vehicle account—state appropriation, ~~(((\$8,830,000))~~ \$8,465,000 of the motor vehicle account—federal appropriation, and \$500,000 of the motor vehicle account—private/local appropriation are provided solely for Programmatic Investment for Traffic Operations Capital projects (000005Q). By December 15th of each odd-numbered year, the department shall provide a report to the legislature listing all traffic operations capital project investments completed in the prior fiscal biennium.

(2) \$3,080,000 of the motor vehicle account—state appropriation is provided solely to construct pedestrian signals at nine locations on state route number 7 from 124th Street South to 189th Street South (0000YYY).

(3) \$1,463,000 of the motor vehicle account—state appropriation is provided solely for the replacement of 22 existing traffic cameras and installation of 10 new traffic cameras, including five pole installation sites, on

the Interstate 90 corridor between mileposts 34 and 82 (L2021144). The department shall consult with news media organizations to explore options to allow such organizations access to traffic camera feeds.

Sec. 1007. 2024 c 310 s 307 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—WASHINGTON STATE FERRIES CONSTRUCTION—PROGRAM W

Carbon Emissions Reduction Account—State

Appropriation. ~~(\$116,021,000))~~
\$111,527,000

Move Ahead WA Account—State Appropriation ~~(\$49,828,000))~~
\$32,674,000

Puget Sound Capital Construction Account—State

Appropriation. ~~(\$388,304,000))~~
\$351,678,000

Puget Sound Capital Construction Account—Federal

Appropriation. ~~(\$87,047,000))~~
\$72,199,000

Puget Sound Capital Construction Account—

Private/Local Appropriation ~~(\$2,150,000))~~
\$1,636,000

Transportation 2003 Account (Nickel Account)—State

Appropriation. \$472,000

Transportation Partnership Account—State

Appropriation. ~~(\$9,705,000))~~
\$7,446,000

Connecting Washington Account—State Appropriation ~~(\$21,883,000))~~
\$12,874,000

~~((Capital Vessel Replacement Account—State~~

~~Appropriation. \$21,688,000))~~

TOTAL APPROPRIATION ~~(\$697,098,000))~~
\$590,506,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed in LEAP Transportation Document ~~((2024-2))~~ 2025-2 ALL PROJECTS as developed ~~((March 6, 2024))~~ April 26, 2025, Program - Washington State Ferries Capital Program (W).

(2) ~~(((\$24,260,000))~~ \$25,135,000 of the Puget Sound capital construction account—state appropriation is provided solely for emergency capital repair costs (999910K). Funds may only be spent after approval by the office of financial management.

(3) ~~(((\$21,688,000 of the capital vessel replacement))~~ \$18,000,000 of the carbon emissions reduction account—state appropriation is provided solely for the acquisition of a 144-car hybrid-electric vessel ((L2000329)) (L2021073). The amounts provided in this subsection are contingent upon the enactment of chapter 429, Laws of 2023.

~~(4) ((Beginning January 1, 2025, \$11,554,000 of the carbon emissions reduction account—state appropriation is provided solely for construction of the first hybrid electric Olympic class vessel (L2000329)).~~

~~(5) \$1,500,000 of the Puget Sound capital construction account—state appropriation is provided solely for the Future Hybrid Electric Ferry Class Pre-Design study (L2021131) to advance procurement of a new class of vessel that will account for changes in technology, staffing, and system needs. The department shall initiate a vessel pre-design to replace the aging Issaquah class ferries with a new automobile hybrid electric ferry intended to operate on the Vashon Southworth Fauntleroy route. The pre-design study must include a review of the benefits and costs of constructing all future new vessels based on the same design. The review may also compare and contrast the benefits and costs of utilizing the existing hybrid electric Olympic class vessel design.~~

~~(6) \$8,032,000)) \$2,032,000 of the Puget Sound capital construction account—state appropriation is provided solely for modernization of the ticketing and reservation system (990052C). ((Of this amount, \$3,032,000 must be held in unallotted status until Washington state ferries has consulted with the office of the chief information officer on the project scope and integration capabilities of the reservation system with existing Good to Go! and ORCA next generation products, and reported results to the office of financial management and the transportation committees of the legislature.~~

~~(7) \$125,000)) (5) \$302,000 of the Puget Sound capital construction account—state appropriation and (((\$125,000)) \$302,000 of the Puget sound capital construction account—federal appropriation are provided solely for development of a terminal wait times information system (998609A). Washington state ferries must consult with the office of the chief information officer on a technology solution for automated vehicle detection, and report the project scope, along with office of the chief information officer recommendations, to the office of financial management and the transportation committees of the legislature by December 1, 2024.~~

~~((8) The transportation partnership account—state appropriation includes up to \$7,195,000 in proceeds from the sale of bonds authorized in RCW 47.10.873.~~

~~(9))) (6) For the purposes of ferry and terminal electrification, the department must apply to the department of ecology for additional competitive grant funds available from Volkswagen settlement funds, and report on the status of the grant application by December 1, 2023.~~

~~((10))) (7) For the 2023-2025 fiscal biennium, the marine division shall provide to the office of financial management and the transportation committees of the legislature a report for ferry capital projects in a manner consistent with past practices as specified in section 308, chapter 186, Laws of 2022.~~

~~((11) Beginning January 1, 2025, \$6,175,000 of the carbon emissions reduction account—state appropriation is provided solely for construction of hybrid electric vessels (L2021073).~~

~~(12) Beginning January 1, 2025, \$24,265,000 of the carbon emissions reduction account—state appropriation is provided solely for terminal electrification (L1000341:))~~

Sec. 1008. 2024 c 310 s 308 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—RAIL—
PROGRAM Y—CAPITAL****Carbon Emissions Reduction Account—State**

Appropriation.((~~\$114,800,000~~))
\$3,968,000

Essential Rail Assistance Account—State

Appropriation.((~~\$1,412,000~~))
\$570,000

Motor Vehicle Account—State Appropriation((~~\$697,000~~))
\$384,000

Move Ahead WA Account—State Appropriation \$1,500,000

Move Ahead WA Flexible Account—State Appropriation((~~\$33,500,000~~))
\$20,968,000

~~(Multimodal Transportation Account—~~

~~Private/Local Appropriation \$12,000)~~

Transportation Infrastructure Account—State

Appropriation.((~~\$16,621,000~~))
\$5,826,000

Multimodal Transportation Account—State

Appropriation.((~~\$101,403,000~~))
\$46,222,000

Multimodal Transportation Account—Federal

Appropriation.((~~\$25,903,000~~))
\$19,525,000

TOTAL APPROPRIATION((~~\$295,848,000~~))
\$98,963,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed by project and amount in LEAP Transportation Document ((2024-2)) 2025-2 ALL PROJECTS as developed ((~~March 6, 2024~~)) April 26, 2025, Program - Rail Program (Y).

(2)(a) \$2,680,000 of the transportation infrastructure account—state appropriation is provided solely for new low-interest loans approved by the department through the freight rail investment bank (FRIB) program. The department shall issue FRIB program loans with a repayment period of no more than 15 years, and charge only so much interest as is necessary to recoup the department's costs to administer the loans. The department shall report annually to the transportation committees of the legislature and the office of financial management on all FRIB loans issued.

(b) The department may change the terms of existing loans in the essential rail assistance account for repayment of loans, including the repayment schedule and rate of interest, for a period of up to 15 years for any recipient with a total loan value in the program of over 10 percent as of June 30, 2023.

(3) ~~((~~\$5,000,000~~ of the transportation infrastructure account—state appropriation is provided solely for a low-interest loan for the Port of Longview Rail Corridor Expansion project (L1000347) to accommodate current and future~~

~~port cargo handling needs. The low-interest loan must comply with the requirements of RCW 47.76.460(2).~~

~~((4) \$7,567,000))~~ \$4,861,000 of the multimodal transportation account—state appropriation is provided solely for new statewide emergent freight rail assistance projects identified in the LEAP transportation document referenced in subsection (1) of this section.

~~((5))~~ (4) \$369,000 of the transportation infrastructure account—state appropriation and \$1,100,000 of the multimodal transportation account—state appropriation are provided solely for final reimbursement to Highline Grain, LLC for approved work completed on Palouse River and Coulee City (PCC) railroad track in Spokane county between the BNSF Railway Interchange at Cheney and Geiger Junction and must be administered in a manner consistent with freight rail assistance program projects.

~~((6))~~ (5) The department shall issue a call for projects for the freight rail assistance program, and shall evaluate the applications in a manner consistent with past practices as specified in section 309, chapter 367, Laws of 2011. By November 15, 2024, the department shall submit a prioritized list of recommended projects to the office of financial management and the transportation committees of the legislature.

~~((7) \$25,000,000))~~ (6) \$500,000 of the carbon emissions reduction account—state appropriation ~~((8))~~ and \$5,000,000 of the multimodal transportation account—federal appropriation are provided solely for state match contributions to support the department's application for federal grant opportunities for a new ultra high-speed ground transportation corridor. These funds are to remain in unallotted status and are available only upon award of federal funds. The department must provide periodic grant application updates to the transportation committees of the legislature, as well as anticipated state match estimates for successful grants.

~~((8) \$33,500,000))~~ (7) \$20,968,000 of the move ahead WA flexible account—state appropriation ~~((9))~~ and \$6,900,000 of the multimodal transportation account—federal appropriation are provided solely for rehabilitation of the Palouse River and Coulee City Railroad (L4000079). Up to \$433,000 of the amount in this subsection may be used for management and oversight of operation and maintenance activities.

~~((9) \$19,990,000))~~ (8) \$4,155,000 of the multimodal transportation account—federal appropriation is provided solely for the rehabilitation of the Salmon Bay drawbridge (752010A) to ensure the efficient movement of freight and passenger trains.

~~((10) \$6,300,000))~~ (9) \$1,023,000 of the carbon emissions reduction account—state appropriation is provided solely to fund a zero emission drayage truck demonstration project (L1000324) at Northwest Seaport Alliance facilities.

~~((11) \$14,000,000))~~ (10) \$500,000 of the carbon emissions reduction account—state appropriation ~~((, and beginning January 1, 2025, \$14,000,000 of the carbon emissions reduction account—state appropriation, are))~~ is provided solely to fund a zero emission shore power infrastructure demonstration project at Northwest Seaport Alliance facilities (L1000325). Local funds sufficient to fully fund this project must be contributed to the project, and any agreements required for the project must be secured.

~~((12) \$5,000,000 of the carbon emissions reduction account—state appropriation is provided solely to fund the replacement of two Tacoma rail diesel-electric switcher locomotives with zero-emission battery-electric switcher locomotives and to install on-site charging equipment at a Tacoma rail facility (L1000327). Local funds sufficient to fully fund this project must be contributed to the project, and any agreements required for the project must be secured.~~

~~((13))~~ (11) \$150,000 of the multimodal transportation account—state appropriation is provided solely for the application of durable markings along state route number 906 to create up to 20 parking spaces for larger vehicles, including trucks (L1000336).

~~((14) \$26,500,000))~~ (12) \$300,000 of the carbon emissions reduction account—state appropriation is provided solely for port electrification competitive grants (L2021182). All public ports are eligible to receive funds under this subsection. A port seeking to use funds under this subsection to install shore power must adopt a policy that requires vessels that dock at the port facility to use shore power if such vessel is capable of using such power and when such power is available at the port facility.

~~((15) \$2,000,000))~~ (13) \$1,000,000 of the carbon emissions reduction account—state appropriation is provided solely for port electrification at the port of Bremerton (L1000337), which may include the purchase and installation of zero-emission port shore power systems and other zero-emission infrastructure, equipment, and technology.

~~((16) \$500,000))~~ (14) \$145,000 of the carbon emissions reduction account—state appropriation~~((; and beginning January 1, 2025, \$1,500,000 of the carbon emissions reduction account—state appropriation, are))~~ is provided solely for port electrification at the port of Anacortes (L1000338), which may include the purchase and installation of zero-emission port shore power systems and other zero-emission infrastructure, equipment, and technology.

~~((17) \$2,000,000))~~ (15) \$1,307,000 of the transportation infrastructure account—state appropriation is provided solely for the Port of Quincy Rail Infrastructure Expansion project (L1000348), an expansion of rail infrastructure within the Port of Quincy's current rail terminal and to nearby industrial zoned properties in the port district.

~~((18) Beginning January 1, 2025, \$20,000,000))~~ (16) \$500,000 of the carbon emissions reduction account—state appropriation is provided solely for the Puyallup Tribe Port Electrification project (L1000346).

***Sec. 1009. 2024 c 310 s 309 (uncodified) is amended to read as follows:**

FOR THE DEPARTMENT OF TRANSPORTATION—LOCAL PROGRAMS—PROGRAM Z—CAPITAL

Carbon Emissions Reduction Account—State

Appropriation.~~(((\$53,944,000))~~
\$12,582,000

Climate Active Transportation Account—State

Appropriation.~~(((\$169,442,000))~~
\$107,431,000

Freight Mobility Investment Account—State

Appropriation.~~(((\$21,847,000))~~
\$16,460,000

Freight Mobility Multimodal Account—State	
Appropriation	(((\$27,216,000))
	<u>\$17,704,000</u>
((Highway Infrastructure Account—State	
Appropriation	\$1,060,000
Highway Infrastructure Account—Federal	
Appropriation	(\$1,500,000))
Move Ahead WA Account—State Appropriation	(((\$117,033,000))
	<u>\$20,824,000</u>
Move Ahead WA Flexible Account—State Appropriation	(((\$34,500,000))
	<u>\$11,500,000</u>
Motor Vehicle Account—State Appropriation	(((\$31,785,000))
	<u>\$17,318,000</u>
Motor Vehicle Account—Federal Appropriation	(((\$129,698,000))
	<u>\$98,263,000</u>
Motor Vehicle Account—Private/Local Appropriation	\$35,000,000
Connecting Washington Account—State Appropriation	(((\$117,410,000))
	<u>\$38,118,000</u>
Multimodal Transportation Account—State	
Appropriation	(((\$142,372,000))
	<u>\$74,201,000</u>
TOTAL APPROPRIATION	(((\$882,807,000))
	<u>\$449,401,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed by project and amount in LEAP Transportation Document ((2024-2)) 2025-2 ALL PROJECTS as developed ((~~March 6, 2024~~)) April 26, 2025, Program - Local Programs Program (Z).

(2) The amounts identified in the LEAP transportation document referenced under subsection (1) of this section for pedestrian safety/safe routes to school are as follows:

(a) (((\$47,707,000)) \$27,707,000 of the multimodal transportation account—state appropriation and (((\$43,058,000)) \$27,686,000 of the climate active transportation account—state appropriation are provided solely for pedestrian and bicycle safety program projects (L2000188 and L1000335). Of the amount of climate active transportation account funds appropriated in this subsection, up to one percent may be used for program administration and staffing.

(b) (((\$31,553,000)) \$26,020,000 of the motor vehicle account—federal appropriation, (((\$45,399,000)) \$24,260,000 of the climate active transportation account—state appropriation, and (((\$21,157,000)) \$15,586,000 of the multimodal transportation account—state appropriation are provided solely for safe routes to school projects (L2000189 and L1000334). Of the amount of climate active transportation account funds appropriated in this subsection, up to one percent may be used for program administration and staffing.

(c) For future rounds of grant selection, the department must reevaluate the criteria to increase geographic diversity of jurisdictions consistent with the requirements of the healthy environment for all (HEAL) act.

(3) The department shall submit a report to the transportation committees of the legislature by December 1, 2023, and December 1, 2024, on the status of projects funded as part of the pedestrian safety/safe routes to school grant program and the Sandy Williams connecting communities grant program.

(4) (~~(\$12,792,000))~~ \$8,436,000 of the multimodal transportation account—state appropriation is provided solely for connecting Washington bicycle and pedestrian projects listed in the LEAP transportation document referenced in subsection (1) of this section.

(5) (~~(\$46,580,000))~~ \$35,278,000 of the motor vehicle account—federal appropriation is provided solely for acceleration of local preservation projects that ensure the reliable movement of freight on the national highway freight system (G2000100). The department will select projects as part of its update of the state freight plan, in consultation with the freight mobility strategic investment board and other stakeholders.

(6) (~~(\$7,125,000))~~ \$1,750,000 of the motor vehicle account—state appropriation is provided solely for a federal fund exchange pilot program. The pilot program will allow exchanges of federal surface transportation block grant population funding and state funds at an exchange rate of 95 cents in state funds per \$1.00 in federal funds. The entirety of the appropriation in this subsection must be held in unallotted status until: Surface transportation block grant population funding has been offered to the state, the department determines that a federalized project or projects funded in section (~~(305 or 306, chapter 472, Laws of 2023))~~ 1004 or 1005 of this act is eligible to spend the surface transportation block grant population funding, and state funds appropriated in section (~~(305 or 306, chapter 472, Laws of 2023))~~ 1004 or 1005 of this act for the eligible state project or projects in an amount equal to 100 percent of the offered surface transportation block grant population funding have been placed in unallotted status. A report on the effectiveness of the exchange program, the total estimated cost of program administration, and recommendations for continuing the pilot program is due to the governor and transportation committees of the legislature by December 1, 2024. The legislature intends to evaluate the utility and efficacy of the pilot program in the 2025 legislative session while reappropriating any remaining funds into the 2025-2027 fiscal biennium. Therefore, the department may issue additional calls for projects with any remaining funds provided in this subsection.

(7) (~~(\$136,893,000))~~ \$40,684,000 of the move ahead WA account—state appropriation and (~~(\$25,000,000))~~ \$9,600,000 of the move ahead WA flexible account—state appropriation are provided solely for new move ahead WA road and highway projects listed in LEAP Transportation Document (~~(2024-2))~~ 2025-2 ALL PROJECTS as developed (~~(March 6, 2024))~~ April 26, 2025, Program - Local Programs Program (Z).

(a) For projects funded in this subsection, the department expects to have substantial reappropriations for the 2023-2025 fiscal biennium, the department may, on a pilot basis, apply funding from a project with an appropriation that is unable to be used in the 2023-2025 fiscal biennium to advance one or more of the projects listed in LEAP Transportation Document (~~(2024-2))~~ 2025-2 ALL

PROJECTS as developed (~~(March 6, 2024))~~ April 26, 2025, Program - Local Programs Program (Z), prioritizing projects first by project readiness.

(i) In instances when projects listed in the LEAP transportation documents referenced in (a) of this subsection are no longer viable or have been completed, the department may recommend in its next budget submittal alternative project proposals from the local jurisdictions if the project is similar in type and scope and consistent with limitations of certain funds provided. In the event that the listed project has been completed the local jurisdictions may, rather than submitting an alternative project, instead be reimbursed in the year in which it was scheduled for documented costs incurred implementing the listed project, not in excess of the amount awarded from the funding program.

(ii) At least 10 business days before advancing or swapping a project pursuant to this subsection, the department must notify the office of financial management and the transportation committees of the legislature. The advancement of a project may not hinder the delivery of the projects for which the reappropriations are necessary for the 2023-2025 fiscal biennium.

(b) Of the amounts provided in this subsection, (~~(\$25,493,000))~~ \$3,551,000 of the move ahead WA account—state appropriation is provided solely for three roundabouts to be constructed on state route number 507 in partnership with local authorities (L1000330). The roundabout at Vail is with Thurston county, the roundabout at Bald Hills is with the city of Yelm, and the roundabout at state route number 702 is with Pierce county. The department is to work cooperatively with each local jurisdiction to construct these facilities within department rights-of-way. The department must provide all project predesign and design information developed to date to the local jurisdictions and have a project implementation agreement in place with each local jurisdiction within 180 calendar days of the effective date of this act. The implementation agreement may provide full control for the local authority to construct the project. Once the roundabouts are completed, the operations and maintenance of the roundabouts are the responsibility of the department. Of the amounts provided in this subsection, (~~(\$7,000,000))~~ \$1,205,000 is for the roundabout at Vail road and state route number 507.

(c) Of the amounts provided in this subsection, \$15,000,000 of the move ahead Washington account—state appropriation is provided solely for the Columbia River Bridge Replacement/Hood River to White Salmon project (L4000046). The office of financial management shall place the amounts in this subsection in unallotted status. As funds are appropriated by the Oregon legislature, the office of financial management may release amounts provided in this subsection to match Oregon appropriations.

(8) (~~(\$39,185,000))~~ \$21,885,000 of the climate active transportation account—state appropriation, (~~(\$11,600,000))~~ \$500,000 of the multimodal transportation account—state appropriation, \$1,550,000 of the carbon emissions reduction account—state appropriation, and (~~(\$3,000,000))~~ \$500,000 of the move ahead WA flexible account—state appropriation are provided solely for move ahead WA pedestrian and bike projects listed in LEAP Transportation Document (~~(2024-2))~~ 2025-2 ALL PROJECTS as developed ((March 6, 2024)) April 26, 2025, Program - Local Programs Program (Z). For projects funded in this subsection, if the department expects to have substantial reappropriations for the 2023-2025 fiscal biennium, the department may, on a pilot basis, apply

funding from a project with an appropriation that is unable to be used in the 2023-2025 fiscal biennium to advance one or more of the projects listed in LEAP Transportation Document ((2024-2)) 2025-2 ALL PROJECTS as developed ((March 6, 2024)) April 26, 2025, Program - Local Programs Program (Z), prioritizing projects first by tier then by project readiness.

(a) In instances when projects listed in the LEAP transportation document referenced in this subsection (8) of this section are no longer viable or have been completed, the department may recommend in its next budget submittal alternative project proposals from the local jurisdictions if the project is similar in type and scope and consistent with limitations of certain funds provided. In the event that the listed project has been completed the local jurisdictions may, rather than submitting an alternative project, instead be reimbursed in the year in which it was scheduled for documented costs incurred implementing the listed project, not in excess of the amount awarded from the funding program.

(b) At least 10 business days before advancing or swapping a project pursuant to this subsection, the department must notify the office of financial management and the transportation committees of the legislature. The advancement of a project may not hinder the delivery of the projects for which the reappropriations are necessary for the 2023-2025 fiscal biennium.

(9) \$16,800,000 of the climate active transportation account—state appropriation is provided solely for the statewide school-based bicycle education grant program (L1000309). The department may partner with a statewide nonprofit to deliver programs.

(10) ((~~\$25,000,000~~)) \$16,800,000 of the climate active transportation account—state appropriation is provided solely for the Sandy Williams connecting communities pilot program (L1000308) to deliver projects to reconnect communities that have been bifurcated by state highways. Priority must be given to historically marginalized or overburdened communities. The department may consult with the Cooper Jones active transportation safety council to identify geographic locations where there are high incidences of serious injuries and fatalities of active transportation users among vulnerable populations.

(11) ((~~\$14,000,000~~)) \$1,000,000 of the carbon emissions reduction account—state appropriation((~~and beginning January 1, 2025, \$10,000,000 of the carbon emissions reduction account—state appropriation, are~~)) is provided solely for the Guemes Ferry Boat Replacement project (L4000124).

(12) ((~~\$6,500,000~~)) \$1,400,000 of the move ahead WA flexible account—state appropriation is provided solely for development of an applied sustainable aviation evaluation center (L2021135). Snohomish county, in partnership with Washington State University, shall plan and establish facilities to evaluate, qualify or certify, and research technologies that can minimize the impact of aviation on human health and the environment. Funds may be used for, but are not limited to, planning, construction, and land acquisition for sustainable aviation fuel (SAF) qualification testing (ASTM D4054), research on the impact of SAF on the environment and human health, and SAF storage for the purpose of advancing sustainable aviation. At a minimum, three sustainable aviation platforms must be considered:

- (a) Sustainable aviation fuel (SAF);
- (b) Hydrogen; and

(c) Battery electric energy storage mechanisms.

(13) The legislature intends to fund the Ballard and Magnolia Bridge project (L4000123), as described in section 911(18) (~~and (19)~~), chapter 472, Laws of 2023.

(14) (~~(\$200,000)~~) \$30,000 of the multimodal transportation account—state appropriation is provided solely for the Seattle office of planning and community development to update and add to the 2020 I-5 Lid Feasibility Study with additional test cases with ramp changes and removals in downtown Seattle and alternative assumptions with regards to parking, expansion of Freeway Park, affordable housing, and commercial real estate (L2021140). The Seattle office of planning and community development shall conduct ongoing community engagement with underrepresented constituencies to support the technical work of this study and raise public awareness of opportunities of I-5 lids. Focus should be given to low-income households living and working in the I-5 lid study areas in central Seattle.

(15) (~~(\$1,000,000)~~) \$500,000 of the multimodal transportation account—state appropriation is provided solely for the department to award grants to local jurisdictions to implement network-wide traffic conflict screening programs using video analytics in controlled intersections with a disproportionate number of traffic violations and injuries to active transportation users (L2021149). Grants must be awarded proportionally across the state and include controlled intersections in both urban and rural environments and along state highways and county roads. Grant recipients must report back to the department all traffic violation and active transportation facility data acquired during the grant period and provide the department with appropriate next steps for the state and the local jurisdiction to improve traffic safety for active transportation users in such intersections. The department must report such findings and recommendations to the transportation committees of the legislature by December 1, 2024.

(16)(a)(i) \$5,000,000 of the carbon emissions reduction account—state appropriation is provided solely for the department to establish a program for providing rebates to qualifying persons who purchase e-bikes and qualifying equipment and services from a qualifying retailer. Of this amount, \$3,000,000 is for rebate amounts as described under (a)(iii)(A) of this subsection, and \$2,000,000 is for rebate amounts as described under (a)(iii)(B) of this subsection.

(ii) To qualify for and use the rebate under this subsection, a person must be a resident of Washington state and purchase an e-bike and qualifying equipment and services, if any, from a qualifying retailer in this state. Qualifying equipment and services must be purchased as part of the same transaction as the e-bike.

(iii)(A) For persons who are at least 16 years of age and reside in households with incomes at or below 80 percent of the county area median income, the amount of the rebate is up to \$1,200 on the sale of an e-bike and any qualifying equipment and services.

(B) For all other persons who are at least 16 years of age, the amount of the rebate is up to \$300 on the sale of an e-bike and any qualifying equipment and services.

(C) No more than one rebate may be awarded per household.

(iv)(A) The department must establish application procedures for e-bike retailers to participate in the rebate program, and application and award

procedures for applicants to participate in the program. If an applicant qualifies for a rebate amount and there is sufficient funds to award the applicant with the appropriate rebate amount, the department must provide the qualifying individual the rebate amount in a format that can be redeemed at the time of purchase at a qualifying retailer.

(B) An applicant must provide contact information, including a physical address, email address, and phone number, and demographic information, including the applicant's age, gender, race, and ethnicity, to the department on a form provided by the department at the time of applying for the rebate. The department may share or provide access to such information with the University of Washington to provide the University of Washington an opportunity to ask program applicants and recipients to fill out a survey collecting information only to the extent to inform its report described under (d) of this subsection.

(v) A qualifying retailer must register with the department before participating in the rebate program. A qualifying retailer must:

(A) Verify the identity of the qualifying individual at the time of purchase; and

(B) Calculate and apply the rebate at the time of purchase.

(vi) The department must reimburse a qualifying retailer that accepts a rebate from a qualifying individual no later than 30 days after the rebate is redeemed.

(vii) For purposes of this subsection (16)(a):

(A) "E-bike" means an electric assisted bicycle as defined in RCW 46.04.169, but does not include mountain bikes.

(B) "Qualifying equipment and services" means a bicycle helmet, safety vest, bicycle light, or bicycle lock, and any maintenance or other services agreed upon by the qualifying retailer and qualifying individual at the time of purchase.

(C) "Qualifying retailer" means a retail business establishment with one or more physical retail locations in this state that provides on-site e-bike sales, service, and repair and has registered with the department to participate in the rebate program established under this subsection.

(b) For fiscal year 2025, (~~(\$2,000,000)~~) \$432,000 of the carbon emissions reduction account—state appropriation is provided solely for the department to establish an e-bike lending library and ownership grant program. The department may accept grant applications from other state entities, local governments, and tribes that administer or plan to administer an e-bike lending library or ownership program for their employees for commute trip reduction purposes. The department may also accept grant applications from nonprofit organizations or tribal governments that serve persons who are low-income or reside in overburdened communities and that administer or plan to administer an e-bike lending library or ownership program for qualifying persons. Grant recipients must report program information and participation data to the University of Washington to inform its report described under (d) of this subsection.

(c) It is the intent of the legislature that funding provided in (a) and (b) of this subsection continue to be appropriated in the 2025-2027 and 2027-2029 fiscal biennia.

(d) Of the amounts provided in this subsection (16), \$90,000 is for the department to contract with the University of Washington's sustainable

transportation lab to publish a general policy brief that provides innovative e-bike rebate and lending library or ownership grant program models and recommendations, a report on survey results based on data and demographic information collected under the e-bike rebate program established in (a) of this subsection, and a report on program information and data collected under the e-bike lending library and ownership grant program established in (b) of this subsection. An initial brief and report must be submitted to the transportation committees of the legislature by July 1, 2024, with the final policy brief and report due to the transportation committees of the legislature by ~~((July 1, 2025))~~ December 1, 2025.

(c) The department may not collect more than five percent of appropriated amounts to administer the programs under (a) and (b) of this subsection.

(17) ~~((\$21,847,000))~~ \$16,460,000 of the freight mobility investment account—state appropriation and ~~((\$27,216,000))~~ \$17,704,000 of the freight mobility multimodal account—state appropriation are provided solely for freight mobility strategic investment board projects listed in the LEAP transportation document referenced in subsection (1) of this section.

(18) ~~((\$4,150,000))~~ \$1,660,000 of the motor vehicle account—state appropriation is provided solely for matching funds for federal funds to reconstruct Grant county and Adams county bridges as part of the Odessa groundwater replacement program (L1000322).

(19) ~~((\$9,240,000))~~ \$9,100,000 of the connecting Washington account—state appropriation is provided solely for the Aberdeen US 12 Highway-Rail Separation project (L1000331).

(20) The appropriations in this section include savings due to anticipated project underruns; however, it is unknown which projects will provide savings. The legislature intends to provide sufficient flexibility for the department to manage to this savings target. To provide this flexibility, the office of financial management may authorize, through an appropriation modification, reductions in the amounts that are provided solely for a particular purpose within this section subject to the following conditions and limitations:

(a) The department must confirm that any modification requested under this subsection of amounts provided solely for a specific purpose are not expected to be used for that purpose in this fiscal biennium;

(b) Appropriation modifications authorized under this subsection may not result in increased funding for any project beyond the amount provided for that project in the 2023-2025 fiscal biennium in LEAP Transportation Document ~~((2024-2))~~ 2025-2 ALL PROJECTS as developed ~~((March 6, 2024))~~ April 26, 2025;

(c) Appropriation modifications authorized under this subsection apply only to amounts appropriated in this section from the following accounts: Connecting Washington account—state, and move ahead WA account—state; and

(d) The office of financial management must provide notice of appropriation modifications authorized under this subsection within 10 working days to the transportation committees of the legislature. By December 1, 2023, and December 1, 2024, the department must submit a report to the transportation committees of the legislature regarding the actions taken to date under this subsection.

(21) (~~(\$5,000,000)~~) \$2,000,000 of the multimodal transportation account—state appropriation is provided solely for the department to assist local jurisdictions in addressing emergent issues related to safety for pedestrians and bicyclists (LXXXPBF). Funds may only be spent after approval from the office of financial management. By December 15th of each odd-numbered year, the department shall provide a report to the legislature listing all emergent issues addressed in the prior fiscal biennium. Reporting may be done in conjunction with the transportation operations division.

(22) (~~(Beginning January 1, 2025, \$22,944,000)~~) \$6,150,000 of the carbon emissions reduction account—state appropriation is provided solely for the following projects identified in LEAP Transportation Document ~~((2024-2))~~ 2025-2 ALL PROJECTS as developed ~~((March 6, 2024))~~ April 26, 2025:

- (a) North Aurora Safety Improvements (L4000154);
- (b) North Broadway Pedestrian Bridge (L2021082);
- (c) (~~((State Route 547 Pedestrian and Bicycle Safety Trail (Kendall Trail) (L4000144);~~
- ~~((d)))~~ 72nd Ave & Washington Ave Active Transportation Components (L2021194);
- ~~((e)))~~ (d) Bluff Trail Hood River to White Salmon (L2021199);
- ~~((f)))~~ (e) Columbia Heights Safety Improvements (L2021195);
- ~~((g)))~~ (f) La Center Pac. Hwy Shared Use Path (L2021196);
- ~~((h)))~~ (g) SR 240/Aaron Dr Complete Streets Improvements (L2021193);
- ~~((i)))~~ (h) View Ridge Safe Routes to Schools (L1000342);
- ~~((j)))~~ (i) 84th Ave NE Pedestrian and Bicycle Project (L1000366);
- ~~((k)))~~ (j) Communities for a Health Bay electric boat (L1000368);
- ~~((l)))~~ (k) SR 303 Warren Ave Bridge Pedestrian Improvements (L2000339); and
- ~~((m) SR 520 & 148th NE Bicycle/Pedestrian Crossing))~~ (l) Overlake Area Bicycle/Pedestrian Improvements (L2021047).

**Sec. 1009 was partially vetoed. See message at end of chapter.*

TRANSFERS AND DISTRIBUTIONS

Sec. 1101. 2024 c 310 s 403 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—STATE REVENUES FOR DISTRIBUTION

Motor Vehicle Account—State Appropriation: For motor vehicle fuel tax statutory distributions to cities and counties	(\$461,954,000)) <u>\$451,996,000</u>
Multimodal Transportation Account—State Appropriation: For distribution to cities and counties	\$26,786,000
Motor Vehicle Account—State Appropriation: For distribution to cities and counties	\$23,438,000
TOTAL APPROPRIATION	(\$512,178,000)) <u>\$502,220,000</u>

Sec. 1102. 2024 c 310 s 404 (uncodified) is amended to read as follows:
FOR THE STATE TREASURER—TRANSFERS

Motor Vehicle Account—State Appropriation: For motor vehicle fuel tax refunds and statutory transfers	((\$1,955,782,000))
	<u>\$1,913,772,000</u>

Sec. 1103. 2024 c 310 s 405 (uncodified) is amended to read as follows:
FOR THE DEPARTMENT OF LICENSING—TRANSFERS

Motor Vehicle Account—State Appropriation: For motor vehicle fuel tax refunds and transfers	((\$253,180,000))
	<u>\$205,018,000</u>

Sec. 1104. 2024 c 310 s 401 (uncodified) is amended to read as follows:
FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALES DISCOUNTS AND DEBT TO BE PAID BY MOTOR VEHICLE ACCOUNT AND TRANSPORTATION FUND REVENUE

Transportation Partnership Account—State Appropriation.	((\$221,000))
	<u>\$14,000</u>
Connecting Washington Account—State Appropriation	((\$4,531,000))
	<u>\$2,169,000</u>
Special Category C Account—State Appropriation	((\$444,000))
	<u>\$123,000</u>
Highway Bond Retirement Account—State Appropriation . .	((\$1,475,218,000))
	<u>\$1,474,853,000</u>
Ferry Bond Retirement Account—State Appropriation	\$4,616,000
Transportation Improvement Board Bond Retirement Account—State Appropriation	\$10,305,000
Nondebt-Limit Reimbursable Bond Retirement Account—State Appropriation	\$28,262,000
Toll Facility Bond Retirement Account—State Appropriation.	\$76,372,000
TOTAL APPROPRIATION	((\$1,599,969,000))
	<u>\$1,596,714,000</u>

Sec. 1105. 2024 c 310 s 407 (uncodified) is amended to read as follows:
FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR DEBT TO BE PAID BY STATUTORILY PRESCRIBED REVENUE

Toll Facility Bond Retirement Account—Federal Appropriation.	\$192,490,000
Toll Facility Bond Retirement Account—State Appropriation.	((\$26,562,000))
	<u>\$26,955,000</u>
TOTAL APPROPRIATION	((\$219,052,000))
	<u>\$219,445,000</u>

The appropriations in this section are subject to the following conditions and limitations: \$35,250,000 of the toll facility bond retirement account—federal appropriation may be used to prepay certain outstanding bonds if sufficient debt service savings can be obtained.

Sec. 1106. 2024 c 310 s 402 (uncodified) is amended to read as follows:
FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES AND FISCAL AGENT CHARGES

Transportation Partnership Account—State	
Appropriation.	((\$46,000))
	<u>\$5,000</u>
Connecting Washington Account—State Appropriation	((\$1,017,000))
	<u>\$541,000</u>
Special Category C Account—State Appropriation	((\$95,000))
	<u>\$31,000</u>
TOTAL APPROPRIATION	((\$1,158,000))
	<u>\$577,000</u>

Sec. 1107. 2024 c 310 s 406 (uncodified) is amended to read as follows:
FOR THE STATE TREASURER—ADMINISTRATIVE TRANSFERS

(1) Transportation Partnership Account—State	
Appropriation: For transfer to the Motor Vehicle	
Account—State	\$175,000,000
(2) Connecting Washington Account—State	
Appropriation: For transfer to the Move Ahead WA	
Account—State	((\$200,000,000)) <u>\$95,000,000</u>
(3) Electric Vehicle Account—State appropriation:	
For transfer to the Move Ahead WA Flexible	
Account—State	\$29,200,000
(4) Electric Vehicle Account—State	
Appropriation: For transfer to the Multimodal	
Transportation Account—State.	\$32,730,000
(5) Washington State Aviation Account—State	
Appropriation: For transfer to the Aeronautics	
Account—State	\$150,000
(6) Carbon Emissions Reduction Account—State	
Appropriation: For transfer to the Climate Active	
Transportation Account—State.	((\$178,885,000)) <u>\$112,748,000</u>
(7) Carbon Emissions Reduction Account—State	
Appropriation: For transfer to the Climate Transit	
Programs Account—State.	((\$408,000,000)) <u>\$374,110,000</u>
(8) Carbon Emissions Reduction Account—State	
Appropriation: For transfer to the Puget Sound Ferry	
Operations Account—State	\$4,200,000
(9) ((Move Ahead WA Flexible Account—State	
Appropriation: For transfer to the Move Ahead WA	
Account—State	<u>\$100,000,000</u>

~~((10))~~ Alaskan Way Viaduct Replacement Project
Account—State Appropriation: For transfer to the
Motor Vehicle Account—State ~~((~~\$25,000,000~~))~~ \$37,992,000
~~((11))~~ (10) Highway Safety Account—State
Appropriation: For transfer to the State Patrol Highway
Account—State ~~((~~\$84,000,000~~))~~ \$74,000,000
~~((12))~~ (11)(a) Transportation Partnership
Account—State Appropriation: For transfer to the
Tacoma Narrows Toll Bridge Account—State \$6,611,000
(b) It is the intent of the legislature that this transfer is temporary, for the
purpose of minimizing the impact of toll increases. An equivalent reimbursing
transfer is to occur after the debt service and deferred sales tax on the Tacoma
Narrows bridge construction costs are fully repaid in accordance with chapter
195, Laws of 2018.
~~((13))~~ (12) Motor Vehicle Account—State Appropriation:
For transfer to the State Patrol Highway
Account—State \$1,500,000
~~((14))~~ (13) Motor Vehicle Account—State Appropriation:
For transfer to the County Arterial Preservation
Account—State \$4,844,000
~~((15))~~ (14) Motor Vehicle Account—State Appropriation:
For transfer to the Freight Mobility Investment
Account—State \$8,511,000
~~((16))~~ (15) Motor Vehicle Account—State
Appropriation: For transfer to the Rural Arterial
Trust Account—State \$4,844,000
~~((17))~~ (16) Motor Vehicle Account—State
Appropriation: For transfer to the Transportation
Improvement Account—State \$9,688,000
~~((18))~~ (17)(a) State Route Number 520 Civil Penalties
Account—State Appropriation: For transfer to the Motor
Vehicle Account—State \$1,000,000
(b) The transfer in this subsection is to repay moneys loaned to the state
route number 520 civil penalties account in the 2019-2021 fiscal biennium.
~~((19))~~ (18) State Route Number 520 Civil Penalties
Account—State Appropriation: For transfer to the
State Route Number 520 Corridor Account—State ~~((~~\$560,000~~))~~ \$308,000
~~((20))~~ (19)(a) Capital Vessel Replacement
Account—State Appropriation: For transfer to the
Connecting Washington Account—State \$29,000,000
(b) It is the intent of the legislature that this transfer is temporary, for the
purpose of minimizing the use of bonding in the connecting Washington
account.
~~((21))~~ (20) Multimodal Transportation Account—State
Appropriation: For transfer to the Complete Streets
Grant Program Account—State \$14,670,000
~~((22))~~ (21) Multimodal Transportation Account—State
Appropriation: For transfer to the Highway Safety
Account—State ~~((~~\$3,000,000~~))~~ \$21,000,000

((23)) <u>(22)</u> Multimodal Transportation Account—State Appropriation: For transfer to the Motor Vehicle Account—State	\$15,000,000
((24)) <u>(23)</u> Multimodal Transportation Account—State Appropriation: For transfer to the Freight Mobility Multimodal Account—State	\$8,511,000
((25)) <u>(24)</u> Multimodal Transportation Account—State Appropriation: For transfer to the Move Ahead WA Flexible Account—State	\$11,790,000
((26)) <u>(25)</u> Multimodal Transportation Account—State Appropriation: For transfer to the Puget Sound Capital Construction Account—State	\$175,000,000
((27)) <u>(26)</u> Multimodal Transportation Account—State Appropriation: For transfer to the Puget Sound Ferry Operations Account—State	\$90,500,000
((28)) <u>(27)</u> Multimodal Transportation Account—State Appropriation: For transfer to the Regional Mobility Grant Program Account—State	\$27,679,000
((29)) <u>(28)</u> Multimodal Transportation Account—State Appropriation: For transfer to the Rural Mobility Grant Program Account—State	\$12,223,000
((30)) <u>(29)</u> Multimodal Transportation Account—State Appropriation: For transfer to the State Patrol Highway Account—State	\$59,000,000
((31)) <u>(30)</u> (a) Alaskan Way Viaduct Replacement Project Account—State Appropriation: For transfer to the Transportation Partnership Account—State	(\$47,899,000) <u>\$76,899,000</u>
(b) \$22,899,000 of the amount transferred in this subsection represents repayment of debt service incurred for the construction of the SR 99/Alaskan Way Viaduct Replacement project (809936Z).	
((32)) <u>(31)</u> Tacoma Narrows Toll Bridge Account—State Appropriation: For transfer to the Motor Vehicle Account—State	\$543,000
((33)) <u>(32)</u> (a) General Fund Account—State Appropriation: For transfer to the State Patrol Highway Account—State	\$625,000
(b) The state treasurer shall transfer the funds only after receiving notification from the Washington state patrol under section 207, chapter 472, Laws of 2023.	
((34)) <u>(33)</u> Puget Sound Ferry Operations Account—State Appropriation: For transfer to the Puget Sound Capital Construction Account—State	\$121,828,000
((35)) <u>(34)</u> Move Ahead WA Account—State Appropriation: For transfer to the Puget Sound Ferry Operations Account—State	\$120,000,000
((36)) <u>(35)</u> Advance Right-Of-Way Revolving Fund—State Appropriation: For transfer to the JUDY Transportation Future Funding Program Account—State	\$40,000,000

((37)) (36) Transportation Infrastructure Account—State	
Appropriation: For transfer to the Essential Rail Assistance Account—State	\$1,000,000
((38)) (37) Regional Mobility Grant Program Account—State	
Appropriation: For transfer to the Multimodal Transportation Account—State	\$6,098,000
((39) Move Ahead WA Account—State Appropriation: For transfer to the Motor Vehicle Account—State	\$50,000,000))
(38) Move Ahead WA Account—State	
Appropriation: For transfer to the Puget Sound Capital Construction Account—State	\$48,000,000
(39) Move Ahead WA Account—State	
Appropriation: For transfer to the Transportation Partnership Account—State	\$78,000,000
(40) Move Ahead WA Account—State	
Appropriation: For transfer to the Transportation 2003 Account (Nickel Account)—State	\$13,500,000

MISCELLANEOUS 2023-2025 FISCAL BIENNIUM

NEW SECTION. Sec. 1201. A new section is added to 2024 c 310 (uncodified) to read as follows:

The appropriations to the department of transportation in chapter 472, Laws of 2023, chapter 310, Laws of 2024, and this act must be expended for the programs and in the amounts specified in chapter 472, Laws of 2023, chapter 310, Laws of 2024, and this act. However, after May 1, 2025, unless specifically prohibited, the department may transfer state appropriations for the 2023-2025 fiscal biennium among operating programs after approval by the director of the office of financial management. However, the department shall not transfer state moneys that are provided solely for a specific purpose. The department shall not transfer funds, and the director of the office of financial management shall not approve the transfer, unless the transfer is consistent with the objective of conserving, to the maximum extent possible, the expenditure of state funds and not federal funds. The director of the office of financial management shall notify the appropriate transportation committees of the legislature before approving any allotment modifications or transfers under this section.

NEW SECTION. Sec. 1202. The following acts or parts of acts are each repealed:

- (1) 2023 c 472 s 601 (uncodified);
- (2) 2024 c 310 s 108 (uncodified); and
- (3) 2024 c 310 s 501 (uncodified).

Sec. 1203. 2024 c 310 s 502 (uncodified) is amended to read as follows:
TRANSIT, BICYCLE, AND PEDESTRIAN ELEMENTS REPORTING

By November 15th of each year, the department of transportation must report on amounts expended to benefit transit, bicycle, or pedestrian elements within all connecting Washington projects in programs I, P, and Z identified in LEAP Transportation Document ~~((2024-2))~~ 2025-2 ALL PROJECTS as developed ~~((March 6, 2024))~~ April 26, 2025, in a manner consistent with past practices as specified in section 602, chapter 186, Laws of 2022.

Sec. 1204. 2024 c 310 s 503 (uncodified) is amended to read as follows:

LOCAL PARTNER COOPERATIVE AGREEMENTS

(1) If a transportation project, where the Washington state department of transportation is the lead and the project is scheduled to be delivered or completed in the 2023-2025 fiscal biennium as shown on the LEAP Transportation Document ((2024-2)) 2025-2 ALL PROJECTS as developed ((March 6, 2024)) April 26, 2025, is in jeopardy of being delayed because the department is unable to deliver or complete the project within the 2023-2025 fiscal biennium and other local jurisdictions are able to deliver or complete the work, the department must coordinate with the appropriate local jurisdictions to determine if a potential local partner is ready, willing, and able to execute delivery and completion of the project within the 2023-2025 fiscal biennium.

(2) The department must compile a list of projects under this section, including the timing under which the local partner agency can deliver or complete the projects within the 2023-2025 and 2025-2027 fiscal biennia. The department must submit the compiled list of projects to the governor and the transportation committees of the legislature by November 1, 2023.

MISCELLANEOUS

NEW SECTION. **Sec. 1301.** 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.

NEW SECTION. **Sec. 1302.** Except for section 723 of this act, this act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately.

Passed by the Senate April 27, 2025.

Passed by the House April 27, 2025.

Approved by the Governor May 20, 2025, with the exception of certain items that were vetoed.

Filed in Office of Secretary of State May 20, 2025.

Note: Governor's explanation of partial veto is as follows:

"I am returning herewith, without my approval as to Sections 108(4), 108(6), 205(1), 208(5), 208(11), 208(19), 208(22), and 1009 lines 23-24, Engrossed Substitute Senate Bill No. 5161 entitled:

"AN ACT Relating to transportation fiscal matters."

Section 108(4), pages 5-7, Department of Commerce, Electric Vehicle Charger Property Crime

This section directs the Interagency Electric Vehicle Coordinating Council, co-led by the Department of Commerce and Department of Transportation, to address electric vehicle charger infrastructure property crime. The required work is unfunded and cannot be implemented appropriately with existing resources. For this reason, I am vetoing Section 108(4). However, I recognize that property crimes to electric vehicle chargers are increasing, and therefore, I am directing the departments of Commerce and Transportation to ensure that the council considers property crimes to charging infrastructure and how this issue may be addressed in its ongoing work.

Section 108(6), page 7, Department of Commerce, Workgroup on Tax Increment Financing

This section directs the Department of Commerce to convene a workgroup on tax increment financing and report on its findings. The required work is not funded in the budget and cannot be implemented appropriately with existing resources. For this reason, I am vetoing Section 108(6).

Section 205(1), page 19, Transportation Commission, Location of Commission Meetings

Section 205(1) requires the Washington State Transportation Commission to conduct its meetings only in Olympia or virtually. This section conflicts with existing statutory obligations and would impede critical regional and intergovernmental coordination efforts. For these reasons, I am vetoing Section 205(1).

Section 208(5), page 30, Department of Licensing, Safe Driving Courses

This section directs the Department of Licensing to work with the Washington Traffic Safety Commission to develop recommendations on requiring safe driving courses for certain drivers. The required work is unfunded and cannot be implemented appropriately with existing resources. In addition, I have signed several bills this year concerning safe driving course requirements, and we can determine if further study of this issue is necessary after these bills are implemented. For these reasons, I am vetoing Section 208(5).

Section 208(11), page 32, Department of Licensing, Senate Bill 5234, Snowmobile Fees

This section provides funding to the Department of Licensing to implement Senate Bill 5234, which did not pass the Legislature. Because the funding has lapsed, I am vetoing Section 208(11).

Section 208(19), page 33, Department of Licensing, Engrossed Substitute House Bill 1113, Misdemeanor Dismissal

This section provides funding to the Department of Licensing to implement Engrossed Substitute House Bill 1113, which did not pass the Legislature. Because the funding has lapsed, I am vetoing Section 208(19).

Section 208(22), page 34, Department of Licensing, Digital Licenses on Mobile Phones

This section provides funding for the Department of Licensing to develop an implementation plan for digital driver's licenses on mobile phones. This funding is not necessary, as the needed information to implement digital driver's licenses in Washington has already been made available in previous reports produced by the department. For this reason, I am vetoing Section 208(22).

Section 1009, page 267, lines 23-24, Department of Transportation—Local Programs—Program Z—Capital—Move Ahead WA Account—State Appropriation

The amendments in this section would reduce appropriation authority in the 2023-25 biennium. The Department of Transportation has already made expenditures for which the existing appropriation authority is required. For this reason, I am vetoing Section 1009, page 267, lines 23-24. However, I am directing the Office of Financial Management, in consultation with the department, to place any unexpended amount of the appropriation in unallotted status.

For these reasons I have vetoed Sections 108(4), 108(6), 205(1), 208(5), 208(11), 208(19), 208(22), and 1009 lines 23-24 of Engrossed Substitute Senate Bill No. 5161.

With the exception of Sections 108(4), 108(6), 205(1), 208(5), 208(11), 208(19), 208(22), and 1009 lines 23-24, Engrossed Substitute Senate Bill No. 5161 is approved."

CHAPTER 417

[Engrossed Substitute Senate Bill 5801]

TRANSPORTATION TAXES AND FEES

AN ACT Relating to transportation resources; amending RCW 82.38.030, 82.38.075, 46.68.090, 46.17.355, 46.17.365, 46.17.365, 46.17.005, 46.17.040, 46.17.380, 46.68.175, 82.08.020, 82.12.020, 82.32.145, 70A.205.405, 70A.205.425, 70A.205.430, 46.63.200, 46.20.161, 46.20.181, 47.60.315, 47.60.322, 47.60.826, 43.19.642, 47.46.100, 47.56.850, 47.56.870, 90.58.356, 49.26.013, 36.70A.200, 36.70A.200, 47.04.380, 47.04.390, 28B.30.903, 47.04.350, 47.04.355, 47.04.035, 43.59.156, 43.59.156, 46.61.--, 46.63.210, 46.63.220, 46.63.260, 88.16.035, 88.16.180, 88.16.070, 47.56.030, 47.56.031, 70A.15.4030, 81.52.050, 46.16A.305, 82.42.090, 47.24.020, 61.--, 46.55.115, 46.55.120, 39.114.020, 84.55.010, 84.55.030, and 84.55.120; reenacting and amending RCW 46.20.117, 43.84.092, 43.84.092, 70A.65.030, 70A.65.040, 70A.65.230, and 84.55.020;

adding new sections to chapter 82.08 RCW; adding new sections to chapter 82.12 RCW; adding a new section to chapter 47.60 RCW; adding a new section to chapter 43.21C RCW; adding a new section to chapter 70A.65 RCW; adding a new section to chapter 36.57A RCW; adding a new section to chapter 47.66 RCW; adding a new section to chapter 72.60 RCW; adding a new section to chapter 46.55 RCW; adding a new chapter to Title 82 RCW; adding a new chapter to Title 36 RCW; adding a new chapter to Title 47 RCW; creating new sections; repealing RCW 46.68.490, 46.68.500, 47.29.010, 47.29.020, 47.29.030, 47.29.040, 47.29.050, 47.29.060, 47.29.070, 47.29.080, 47.29.090, 47.29.100, 47.29.110, 47.29.120, 47.29.130, 47.29.140, 47.29.150, 47.29.160, 47.29.170, 47.29.180, 47.29.190, 47.29.200, 47.29.210, 47.29.220, 47.29.230, 47.29.240, 47.29.250, 47.29.260, 47.29.270, 47.29.280, and 47.29.290; prescribing penalties; providing effective dates; providing expiration dates; and declaring an emergency.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Sec. 1. The legislature finds that the purpose of the transportation system is to support the mobility needs of Washington residents, as well as to sustain and foster the economic activity and growth of the state. The legislature recognizes that the transportation system has pressing near, mid, and long-term needs that necessitate reliance on reliable funding resources, as well as the efficient use of those resources. The legislature further recognizes that the production, maintenance, and utilization of transportation resources across the state is inherently a complex, multifaceted issue. The legislature therefore intends to address these resources needs in a comprehensive manner. As such, the legislature's purpose in enacting this legislation is to address the complex production, maintenance, and utilization of transportation resources in Washington to achieve both short-term investment needs and provide a long-range vision for transportation system development.

PART I: MOTOR VEHICLE FUEL TAX

Sec. 101. RCW 82.38.030 and 2015 3rd sp.s. c 44 s 103 are each amended to read as follows:

(1) There is levied and imposed upon fuel licensees a tax at the rate of ~~((twenty-three))~~ 23 cents per gallon of fuel.

(2) Beginning July 1, 2003, an additional and cumulative tax rate of five cents per gallon of fuel is imposed on fuel licensees. This subsection (2) expires when the bonds issued for transportation 2003 projects are retired.

(3) Beginning July 1, 2005, an additional and cumulative tax rate of three cents per gallon of fuel is imposed on fuel licensees.

(4) Beginning July 1, 2006, an additional and cumulative tax rate of three cents per gallon of fuel is imposed on fuel licensees.

(5) Beginning July 1, 2007, an additional and cumulative tax rate of two cents per gallon of fuel is imposed on fuel licensees.

(6) Beginning July 1, 2008, an additional and cumulative tax rate of one and one-half cents per gallon of fuel is imposed on fuel licensees.

(7) Beginning August 1, 2015, an additional and cumulative tax rate of seven cents per gallon of fuel is imposed on fuel licensees.

(8) Beginning July 1, 2016, an additional and cumulative tax rate of four and nine-tenths cents per gallon of fuel is imposed on fuel licensees.

(9) Beginning July 1, 2025, an additional and cumulative tax rate of six cents per gallon of fuel is imposed on fuel licensees.

(10) Beginning July 1, 2025, an additional and cumulative tax rate of three cents per gallon of special fuel is imposed on fuel licensees.

(11) Beginning July 1, 2027, an additional and cumulative tax rate of three cents per gallon of special fuel is imposed on fuel licensees.

(12)(a) Beginning July 1, 2026, the fuel tax rates imposed under subsections (1) through (9) of this section must be increased annually by two percent and the resulting fuel tax rate must be rounded to the nearest one-thousandth of \$1.

(b) Beginning July 1, 2028, the fuel tax rate imposed under subsections (10) and (11) of this section must be increased annually by two percent and the resulting fuel tax rate must be rounded to the nearest one-thousandth of \$1.

(13) Taxes are imposed when:

(a) Fuel is removed in this state from a terminal if the fuel is removed at the rack unless the removal is by a licensed supplier or distributor for direct delivery to a destination outside of the state, or the removal is by a fuel supplier for direct delivery to an international fuel tax agreement licensee under RCW 82.38.320;

(b) Fuel is removed in this state from a refinery if either of the following applies:

(i) The removal is by bulk transfer and the refiner or the owner of the fuel immediately before the removal is not a licensed supplier; or

(ii) The removal is at the refinery rack unless the removal is to a licensed supplier or distributor for direct delivery to a destination outside of the state, or the removal is to a licensed supplier for direct delivery to an international fuel tax agreement licensee under RCW 82.38.320;

(c) Fuel enters into this state for sale, consumption, use, or storage, unless the fuel enters this state for direct delivery to an international fuel tax agreement licensee under RCW 82.38.320, if either of the following applies:

(i) The entry is by bulk transfer and the importer is not a licensed supplier; or

(ii) The entry is not by bulk transfer;

(d) Fuel enters this state by means outside the bulk transfer-terminal system and is delivered directly to a licensed terminal unless the owner is a licensed distributor or supplier;

(e) Fuel is sold or removed in this state to an unlicensed entity unless there was a prior taxable removal, entry, or sale of the fuel;

(f) Blended fuel is removed or sold in this state by the blender of the fuel. The number of gallons of blended fuel subject to tax is the difference between the total number of gallons of blended fuel removed or sold and the number of gallons of previously taxed fuel used to produce the blended fuel;

(g) Dyed special fuel is used on a highway, as authorized by the internal revenue code, unless the use is exempt from the fuel tax;

(h) Dyed special fuel is held for sale, sold, used, or is intended to be used in violation of this chapter;

(i) Special fuel purchased by an international fuel tax agreement licensee under RCW 82.38.320 is used on a highway; and

(j) Fuel is sold by a licensed fuel supplier to a fuel distributor or fuel blender and the fuel is not removed from the bulk transfer-terminal system.

Sec. 102. RCW 82.38.075 and 2014 c 216 s 202 are each amended to read as follows:

(1) To encourage the use of nonpolluting fuels, an annual license fee in lieu of the tax imposed by RCW 82.38.030 is imposed upon the use of liquefied

natural gas, compressed natural gas, or propane used in any motor vehicle. The annual license fee must be based upon the following schedule and formula:

VEHICLE TONNAGE (GVW)	FEE
0 - 6,000	\$ 45
6,001 - 10,000	\$ 45
10,001 - 18,000	\$ 80
18,001 - 28,000	\$110
28,001 - 36,000	\$150
36,001 and above	\$250

(2) To determine the annual license fee for a registration year, the appropriate dollar amount in the schedule is multiplied by the cumulative fuel tax rate per gallon of special fuel effective on July 1st of the preceding calendar year and the product is divided by 12 cents. The annual license fee must be rounded to the nearest five cents.

(3) The department, in addition to the resulting fee, must charge an additional fee of ~~((five dollars))~~ \$5 as a handling charge for each license issued.

(4) The vehicle tonnage fee must be prorated so the annual license will correspond with the staggered vehicle licensing system.

(5) A decal or other identifying device issued upon payment of the annual fee must be displayed as prescribed by the department as authority to purchase this fuel.

(6) Persons selling or dispensing natural gas or propane may not sell or dispense this fuel for their own use or the use of others into tanks of vehicles powered by this fuel which do not display a valid decal or other identifying device.

(7) Commercial motor vehicles registered in a foreign jurisdiction under the provisions of the international registration plan are subject to the annual fee.

(8) Motor vehicles registered in a foreign jurisdiction, except those registered under the international registration plan under chapter 46.87 RCW, are exempt from this section.

(9) Vehicles registered in jurisdictions outside the state of Washington are exempt from this section.

(10) Any person selling or dispensing liquefied natural gas, compressed natural gas, or propane into the tank of a motor vehicle powered by this fuel, except as prescribed in this chapter, is subject to the penalty provisions of this chapter.

Sec. 103. RCW 46.68.090 and 2015 3rd sp.s. c 44 s 105 are each amended to read as follows:

(1) All moneys that have accrued or may accrue to the motor vehicle fund from the fuel tax must be first expended for purposes enumerated in (a) and (b) of this subsection. The remaining net tax amount must be distributed monthly by the state treasurer in accordance with subsections (2) through ~~((8))~~ (9) of this section.

(a) For payment of refunds of fuel tax that has been paid and is refundable as provided by law;

(b) For payment of amounts to be expended pursuant to appropriations for the administrative expenses of the offices of state treasurer, state auditor, and the department of licensing of the state of Washington in the administration of the fuel tax, which sums must be distributed monthly.

(2) All of the remaining net tax amount collected under RCW 82.38.030(1) must be distributed as set forth in (a) through (j) of this subsection.

(a) For distribution to the motor vehicle fund an amount equal to 44.387 percent to be expended for highway purposes of the state as defined in RCW 46.68.130;

(b)(i) For distribution to the special category C account, hereby created in the motor vehicle fund, an amount equal to 3.2609 percent to be expended for special category C projects. Special category C projects are category C projects that, due to high cost only, will require bond financing to complete construction.

(ii) The following criteria, listed in order of priority, must be used in determining which special category C projects have the highest priority:

(A) Accident experience;

(B) Fatal accident experience;

(C) Capacity to move people and goods safely and at reasonable speeds without undue congestion; and

(D) Continuity of development of the highway transportation network.

(iii) Moneys deposited in the special category C account in the motor vehicle fund may be used for payment of debt service on bonds the proceeds of which are used to finance special category C projects under this subsection (2)(b);

(c) For distribution to the Puget Sound ferry operations account in the motor vehicle fund an amount equal to 2.3283 percent;

(d) For distribution to the Puget Sound capital construction account in the motor vehicle fund an amount equal to 2.3726 percent;

(e) For distribution to the transportation improvement account in the motor vehicle fund an amount equal to 7.5597 percent;

(f) For distribution to the transportation improvement account in the motor vehicle fund an amount equal to 5.6739 percent and expended in accordance with RCW 47.26.086;

(g) For distribution to the cities and towns from the motor vehicle fund an amount equal to 10.6961 percent in accordance with RCW 46.68.110;

(h) For distribution to the counties from the motor vehicle fund an amount equal to 19.2287 percent: (i) Out of which there must be distributed from time to time, as directed by the department of transportation, those sums as may be necessary to carry out the provisions of RCW 47.56.725; and (ii) less any amounts appropriated to the county road administration board to implement the provisions of RCW 47.56.725(4), with the balance of such county share to be distributed monthly as the same accrues for distribution in accordance with RCW 46.68.120;

(i) For distribution to the county arterial preservation account, hereby created in the motor vehicle fund an amount equal to 1.9565 percent. These funds must be distributed by the county road administration board to counties in proportions corresponding to the number of paved arterial lane miles in the unincorporated area of each county and must be used for improvements to sustain the structural, safety, and operational integrity of county arterials. The

county road administration board must adopt reasonable rules and develop policies to implement this program and to assure that a pavement management system is used;

(j) For distribution to the rural arterial trust account in the motor vehicle fund an amount equal to 2.5363 percent and expended in accordance with RCW 36.79.020.

(3) The remaining net tax amount collected under RCW 82.38.030(2) must be distributed to the transportation 2003 account (nickel account).

(4) The remaining net tax amount collected under RCW 82.38.030(3) must be distributed as follows:

(a) 8.3333 percent must be distributed to the incorporated cities and towns of the state in accordance with RCW 46.68.110;

(b) 8.3333 percent must be distributed to counties of the state in accordance with RCW 46.68.120; and

(c) The remainder must be distributed to the transportation partnership account created in RCW 46.68.290.

(5) The remaining net tax amount collected under RCW 82.38.030(4) must be distributed as follows:

(a) 8.3333 percent must be distributed to the incorporated cities and towns of the state in accordance with RCW 46.68.110;

(b) 8.3333 percent must be distributed to counties of the state in accordance with RCW 46.68.120; and

(c) The remainder must be distributed to the transportation partnership account created in RCW 46.68.290.

(6) The remaining net tax amount collected under RCW 82.38.030 (5) and (6) must be distributed to the transportation partnership account created in RCW 46.68.290.

(7) The remaining net tax amount collected under RCW 82.38.030 (7) and (8) must be distributed to the connecting Washington account created in RCW 46.68.395.

(8) The remaining net tax amount collected under RCW 82.38.030 (9) through (12) must be distributed as follows:

(a) Two and one-half percent must be distributed to the incorporated cities and towns of the state in accordance with RCW 46.68.110;

(b) Two and one-half percent must be distributed to counties of the state in accordance with RCW 46.68.120; and

(c) The remainder must be distributed to the motor vehicle fund created in RCW 46.68.070.

(9) Nothing in this section or in RCW 46.68.130 may be construed so as to violate any terms or conditions contained in any highway construction bond issues now or hereafter authorized by statute and whose payment is by such statute pledged to be paid from any excise taxes on fuel.

License Fees by Weight

Sec. 104. RCW 46.17.355 and 2015 3rd sp.s. c 44 s 201 are each amended to read as follows:

~~(1)((a) For vehicle registrations that are due or become due before July 1, 2016, in lieu of the vehicle license fee required under RCW 46.17.350 and before accepting an application for a vehicle registration for motor vehicles described in RCW 46.16A.455, the department, county auditor or other agent, or~~

subagent appointed by the director shall require the applicant, unless specifically exempt, to pay the following license fee by weight:

WEIGHT	SCHEDULE- A	SCHEDULE- B
4,000 pounds	\$ 38.00	\$ 38.00
6,000 pounds	\$ 48.00	\$ 48.00
8,000 pounds	\$ 58.00	\$ 58.00
10,000 pounds	\$ 60.00	\$ 60.00
12,000 pounds	\$ 77.00	\$ 77.00
14,000 pounds	\$ 88.00	\$ 88.00
16,000 pounds	\$ 100.00	\$ 100.00
18,000 pounds	\$ 152.00	\$ 152.00
20,000 pounds	\$ 169.00	\$ 169.00
22,000 pounds	\$ 183.00	\$ 183.00
24,000 pounds	\$ 198.00	\$ 198.00
26,000 pounds	\$ 209.00	\$ 209.00
28,000 pounds	\$ 247.00	\$ 247.00
30,000 pounds	\$ 285.00	\$ 285.00
32,000 pounds	\$ 344.00	\$ 344.00
34,000 pounds	\$ 366.00	\$ 366.00
36,000 pounds	\$ 397.00	\$ 397.00
38,000 pounds	\$ 436.00	\$ 436.00
40,000 pounds	\$ 499.00	\$ 499.00
42,000 pounds	\$ 519.00	\$ 609.00
44,000 pounds	\$ 530.00	\$ 620.00
46,000 pounds	\$ 570.00	\$ 660.00
48,000 pounds	\$ 594.00	\$ 684.00
50,000 pounds	\$ 645.00	\$ 735.00
52,000 pounds	\$ 678.00	\$ 768.00
54,000 pounds	\$ 732.00	\$ 822.00
56,000 pounds	\$ 773.00	\$ 863.00
58,000 pounds	\$ 804.00	\$ 894.00
60,000 pounds	\$ 857.00	\$ 947.00
62,000 pounds	\$ 919.00	\$ 1,009.00
64,000 pounds	\$ 939.00	\$ 1,029.00
66,000 pounds	\$ 1,046.00	\$ 1,136.00
68,000 pounds	\$ 1,091.00	\$ 1,181.00

WEIGHT	SCHEDULE- A	SCHEDULE- B
70,000 pounds	\$ 1,175.00	\$ 1,265.00
72,000 pounds	\$ 1,257.00	\$ 1,347.00
74,000 pounds	\$ 1,366.00	\$ 1,456.00
76,000 pounds	\$ 1,476.00	\$ 1,566.00
78,000 pounds	\$ 1,612.00	\$ 1,702.00
80,000 pounds	\$ 1,740.00	\$ 1,830.00
82,000 pounds	\$ 1,861.00	\$ 1,951.00
84,000 pounds	\$ 1,981.00	\$ 2,071.00
86,000 pounds	\$ 2,102.00	\$ 2,192.00
88,000 pounds	\$ 2,223.00	\$ 2,313.00
90,000 pounds	\$ 2,344.00	\$ 2,434.00
92,000 pounds	\$ 2,464.00	\$ 2,554.00
94,000 pounds	\$ 2,585.00	\$ 2,675.00
96,000 pounds	\$ 2,706.00	\$ 2,796.00
98,000 pounds	\$ 2,827.00	\$ 2,917.00
100,000 pounds	\$ 2,947.00	\$ 3,037.00
102,000 pounds	\$ 3,068.00	\$ 3,158.00
104,000 pounds	\$ 3,189.00	\$ 3,279.00
105,500 pounds	\$ 3,310.00	\$ 3,400.00

(b) ~~For vehicle registrations that are due or become due on or after July 1, 2016, in))~~ In lieu of the vehicle license fee required under RCW 46.17.350 and before accepting an application for a vehicle registration for motor vehicles described in RCW 46.16A.455, the department, county auditor or other agent, or subagent appointed by the director shall require the applicant, unless specifically exempt, to pay the following license fee by weight, to be adjusted annually as provided in subsection (8) of this section:

WEIGHT	SCHEDULE A	SCHEDULE B
4,000 pounds	\$ 53.00	\$ 53.00
6,000 pounds	((\$ 73.00)) <u>\$80.00</u>	((\$ 73.00)) <u>\$80.00</u>
8,000 pounds	((\$ 93.00)) <u>\$110.00</u>	((\$ 93.00)) <u>\$110.00</u>
10,000 pounds	((\$ 93.00)) <u>\$140.00</u>	((\$ 93.00)) <u>\$140.00</u>
12,000 pounds	((\$ 81.00)) <u>\$147.85</u>	((\$ 81.00)) <u>\$147.85</u>

WEIGHT	SCHEDULE A	SCHEDULE B
14,000 pounds	((\$ 88.00)) <u>\$182.60</u>	((\$ 88.00)) <u>\$182.60</u>
16,000 pounds	((\$ 100.00)) <u>\$208.70</u>	((\$ 100.00)) <u>\$208.70</u>
18,000 pounds	((\$ 152.00)) <u>\$234.80</u>	((\$ 152.00)) <u>\$234.80</u>
20,000 pounds	((\$ 169.00)) <u>\$260.85</u>	((\$ 169.00)) <u>\$260.85</u>
22,000 pounds	((\$ 183.00)) <u>\$286.95</u>	((\$ 183.00)) <u>\$286.95</u>
24,000 pounds	((\$ 198.00)) <u>\$313.05</u>	((\$ 198.00)) <u>\$313.05</u>
26,000 pounds	((\$ 209.00)) <u>\$339.15</u>	((\$ 209.00)) <u>\$339.15</u>
28,000 pounds	((\$ 247.00)) <u>\$365.20</u>	((\$ 247.00)) <u>\$365.20</u>
30,000 pounds	((\$ 285.00)) <u>\$391.30</u>	((\$ 285.00)) <u>\$391.30</u>
32,000 pounds	((\$ 344.00)) <u>\$417.40</u>	((\$ 344.00)) <u>\$417.40</u>
34,000 pounds	((\$ 366.00)) <u>\$443.50</u>	((\$ 366.00)) <u>\$443.50</u>
36,000 pounds	((\$ 397.00)) <u>\$469.55</u>	((\$ 397.00)) <u>\$469.55</u>
38,000 pounds	((\$ 436.00)) <u>\$495.65</u>	((\$ 436.00)) <u>\$495.65</u>
40,000 pounds	((\$ 499.00)) <u>\$521.75</u>	((\$ 499.00)) <u>\$521.75</u>
42,000 pounds	((\$ 519.00)) <u>\$547.85</u>	\$ 609.00
44,000 pounds	((\$ 530.00)) <u>\$573.90</u>	\$ 620.00
46,000 pounds	((\$ 570.00)) <u>\$600.00</u>	\$ 660.00
48,000 pounds	((\$ 594.00)) <u>\$626.10</u>	\$ 684.00
50,000 pounds	((\$ 645.00)) <u>\$652.15</u>	\$ 735.00

WEIGHT	SCHEDULE A	SCHEDULE B
52,000 pounds	((\$ 678.00)) <u>\$678.25</u>	\$ 768.00
54,000 pounds	\$ 732.00	\$ 822.00
56,000 pounds	\$ 773.00	\$ 863.00
58,000 pounds	\$ 804.00	\$ 894.00
60,000 pounds	\$ 857.00	\$ 947.00
62,000 pounds	\$ 919.00	\$1,009.00
64,000 pounds	\$ 939.00	\$1,029.00
66,000 pounds	\$ 1,046.00	\$ 1,136.00
68,000 pounds	\$ 1,091.00	\$ 1,181.00
70,000 pounds	\$ 1,175.00	\$ 1,265.00
72,000 pounds	\$ 1,257.00	\$ 1,347.00
74,000 pounds	\$ 1,366.00	\$ 1,456.00
76,000 pounds	\$ 1,476.00	\$ 1,566.00
78,000 pounds	\$ 1,612.00	\$ 1,702.00
80,000 pounds	\$ 1,740.00	\$ 1,830.00
82,000 pounds	\$ 1,861.00	\$ 1,951.00
84,000 pounds	\$ 1,981.00	\$ 2,071.00
86,000 pounds	\$ 2,102.00	\$ 2,192.00
88,000 pounds	\$ 2,223.00	\$ 2,313.00
90,000 pounds	\$ 2,344.00	\$ 2,434.00
92,000 pounds	\$ 2,464.00	\$ 2,554.00
94,000 pounds	\$ 2,585.00	\$ 2,675.00
96,000 pounds	\$ 2,706.00	\$ 2,796.00
98,000 pounds	\$ 2,827.00	\$ 2,917.00
100,000 pounds	\$ 2,947.00	\$ 3,037.00
102,000 pounds	\$ 3,068.00	\$ 3,158.00
104,000 pounds	\$ 3,189.00	\$ 3,279.00
105,500 pounds	\$ 3,310.00	\$ 3,400.00

(2) Schedule A applies to vehicles either used exclusively for hauling logs or that do not tow trailers. Schedule B applies to vehicles that tow trailers and are not covered under Schedule A.

(3) If the resultant gross weight is not listed in the table provided in subsection (1) of this section, it must be increased to the next higher weight.

(4) The license fees provided in subsection (1) of this section and the freight project fee provided in subsection (6) of this section are in addition to the filing fee required under RCW 46.17.005 and any other fee or tax required by law.

(5) The license fee based on declared gross weight as provided in subsection (1) of this section must be distributed under RCW 46.68.035.

~~(6) ((For vehicle registrations that are due or become due on or after July 1, 2016, in))~~ In addition to the license fee based on declared gross weight ~~((as provided in))~~ required under subsection (1) of this section, the department, county auditor or other agent, or subagent appointed by the director must require an applicant with a vehicle with a declared gross weight of more than 10,000 pounds, unless specifically exempt, to pay a freight project fee equal to ~~((fifteen))~~ 15 percent of the license fee provided in subsection (1) of this section, rounded to the nearest whole dollar, which must be distributed under RCW 46.68.035.

~~(7) ((For vehicle registrations that are due or become due on or after July 1, 2022, in))~~ In addition to the license fee based on declared gross weight ~~((as provided in))~~ required under subsection (1) of this section, the department, county auditor or other agent, or subagent appointed by the director must require an applicant with a vehicle with a declared gross weight of less than or equal to 12,000 pounds, unless specifically exempt, to pay an additional weight fee of ~~((ten dollars))~~ \$10, which must be distributed under RCW 46.68.035.

(8) Beginning July 1, 2026, the vehicle license fee required in subsection (1) of this section must be adjusted annually by increasing the fee by two percent and the result must be rounded to the nearest five cents.

Passenger Vehicle Weight Fees

Sec. 105. RCW 46.17.365 and 2021 c 317 s 19 are each amended to read as follows:

(1) A person applying for a motor vehicle registration and paying the vehicle license fee required in RCW 46.17.350(1) (a), (d), (e), (h), (j), (n), and (o) shall pay a motor vehicle weight fee in addition to all other fees and taxes required by law.

~~((a) For vehicle registrations that are due or become due before July 1, 2016, the motor vehicle weight fee:~~

~~(i) Must be based on the motor vehicle scale weight;~~

~~(ii) Is the difference determined by subtracting the vehicle license fee required in RCW 46.17.350 from the license fee in Schedule B of RCW 46.17.355, plus two dollars; and~~

~~(iii) Must be distributed under RCW 46.68.415.~~

~~(b))~~ For vehicle registrations that are due or become due on or after ((July 1, 2016)) January 1, 2026, the motor vehicle weight fee:

~~((i))~~ (a) Must be based on the motor vehicle scale weight as follows:

WEIGHT	FEE
4,000 pounds	((\$ 25.00)) <u>\$35.00</u>
6,000 pounds	((\$ 45.00)) <u>\$65.00</u>
8,000 pounds	((\$ 65.00)) <u>\$82.50</u>
16,000 pounds and over	((\$ 72.00)) <u>\$96.00;</u>

~~((i))~~ (b) If the resultant motor vehicle scale weight is not listed in the table provided in ~~((b)(i))~~ (a) of this subsection, must be increased to the next highest weight; and

~~((iii)) (c) Must be distributed under RCW 46.68.415 ((unless prior to July 1, 2023, the actions described in (b)(iii)(A) or (B) of this subsection occur, in which case the portion of the revenue that is the result of the fee increased in this subsection must be distributed to the connecting Washington account created under RCW 46.68.395.~~

~~(A) Any state agency files a notice of rule making under chapter 34.05 RCW, absent explicit legislative authorization enacted subsequent to July 1, 2015, for a rule regarding a fuel standard based upon or defined by the carbon intensity of fuel, including a low carbon fuel standard or clean fuel standard.~~

~~(B) Any state agency otherwise enacts, adopts, orders, or in any way implements a fuel standard based upon or defined by the carbon intensity of fuel, including a low carbon fuel standard or clean fuel standard, without explicit legislative authorization enacted subsequent to July 1, 2015.~~

~~(C) Nothing in this subsection acknowledges, establishes, or creates legal authority for the department of ecology or any other state agency to enact, adopt, order, or in any way implement a fuel standard based upon or defined by the carbon intensity of fuel, including a low carbon fuel standard or clean fuel standard)).~~

(2) A person applying for a motor home vehicle registration shall, in lieu of the motor vehicle weight fee required in subsection (1) of this section, pay a motor home vehicle weight fee of ~~((seventy-five dollars))~~ \$75 in addition to all other fees and taxes required by law. The motor home vehicle weight fee must be distributed under RCW 46.68.415.

~~(3) ((Beginning July 1, 2022, in addition to the motor vehicle weight fee as provided in subsection (1) of this section, the department, county auditor or other agent, or subagent appointed by the director must require an applicant to pay an additional weight fee of ten dollars, which must be distributed to the multimodal transportation account under RCW 47.66.070 unless prior to July 1, 2023, the actions described in (a) or (b) of this subsection occur, in which case the portion of the revenue that is the result of the fee increased in this subsection must be distributed to the connecting Washington account created under RCW 46.68.395.~~

~~(a) Any state agency files a notice of rule making under chapter 34.05 RCW, absent explicit legislative authorization enacted subsequent to July 1, 2015, for a rule regarding a fuel standard based upon or defined by the carbon intensity of fuel, including a low carbon fuel standard or clean fuel standard.~~

~~(b) Any state agency otherwise enacts, adopts, orders, or in any way implements a fuel standard based upon or defined by the carbon intensity of fuel, including a low carbon fuel standard or clean fuel standard, without explicit legislative authorization enacted subsequent to July 1, 2015.~~

~~(c) Nothing in this subsection acknowledges, establishes, or creates legal authority for the department of ecology or any other state agency to enact, adopt, order, or in any way implement a fuel standard based upon or defined by the carbon intensity of fuel, including a low carbon fuel standard or clean fuel standard.~~

~~(4))~~ The department shall:

(a) Rely on motor vehicle empty scale weights provided by vehicle manufacturers, or other sources defined by the department, to determine the weight of each motor vehicle; and

(b) Adopt rules for determining weight for vehicles without manufacturer empty scale weights.

Sec. 106. RCW 46.17.365 and 2025 c . . . s 105 (section 105 of this act) are each amended to read as follows:

(1) A person applying for a motor vehicle registration and paying the vehicle license fee required in RCW 46.17.350(1) (a), (d), (e), (h), (j), (n), and (o) shall pay a motor vehicle weight fee in addition to all other fees and taxes required by law.

For vehicle registrations that are due or become due on or after January 1, ((2026)) 2029, the motor vehicle weight fee:

(a) Must be based on the motor vehicle scale weight as follows:

WEIGHT	FEE
4,000 pounds	\$35.00
6,000 pounds	((\$65.00)) <u>\$75.00</u>
8,000 pounds	((\$82.50)) <u>\$90.00</u>
16,000 pounds and over	((\$96.00)) <u>\$110.00</u> ;

(b) If the resultant motor vehicle scale weight is not listed in the table provided in (a) of this subsection, must be increased to the next highest weight; and

(c) Must be distributed under RCW 46.68.415.

(2) A person applying for a motor home vehicle registration shall, in lieu of the motor vehicle weight fee required in subsection (1) of this section, pay a motor home vehicle weight fee of \$75 in addition to all other fees and taxes required by law. The motor home vehicle weight fee must be distributed under RCW 46.68.415.

(3) The department shall:

(a) Rely on motor vehicle empty scale weights provided by vehicle manufacturers, or other sources defined by the department, to determine the weight of each motor vehicle; and

(b) Adopt rules for determining weight for vehicles without manufacturer empty scale weights.

Registration and Title Filing and Service Fees

Sec. 107. RCW 46.17.005 and 2019 c 417 s 3 are each amended to read as follows:

(1) A person who applies for a vehicle registration or for any other right to operate a vehicle on the highways of this state shall pay a ((four dollar and fifty cent)) \$6 filing fee in addition to any other fees and taxes required by law.

(2) A person who applies for a certificate of title shall pay a ((five dollar and fifty cent)) \$6.50 filing fee in addition to any other fees and taxes required by law.

(3) The filing fees established in this section must be distributed under RCW 46.68.400.

Sec. 108. RCW 46.17.040 and 2019 c 417 s 2 are each amended to read as follows:

(1) The department, county auditor or other agent, or subagent appointed by the director shall collect a service fee of:

(a) (~~(Fifteen dollars)~~) \$18 for changes in a certificate of title, changes in ownership for nontitled vehicles, or for verification of record and preparation of an affidavit of lost title other than at the time of the certificate of title application or transfer, in addition to any other fees or taxes due at the time of application; and

(b) (~~(Eight dollars)~~) \$11 for a registration renewal, issuing a transit permit, or any other service under this section, in addition to any other fees or taxes due at the time of application.

(2) Service fees collected under this section by the department or county auditor or other agent appointed by the director must be credited to the capital vessel replacement account under RCW 47.60.322.

Sec. 109. RCW 46.17.380 and 2018 c 287 s 4 are each amended to read as follows:

(1) Before accepting an application for a registration for a recreational vehicle, the department, county auditor, or other agent, or subagent appointed by the director, shall require an applicant to pay (~~(a six dollar)~~) an \$8 fee in addition to any other fees and taxes required by law.

(2) The abandoned recreational disposal fee must be deposited into the abandoned recreational vehicle disposal account created in RCW 46.68.175.

(3) For the purposes of this section, "recreational vehicle" means a camper, motor home, or travel trailer.

Sec. 110. RCW 46.68.175 and 2018 c 287 s 6 are each amended to read as follows:

(1) The abandoned recreational vehicle disposal account is created in the state treasury. All receipts from the fee imposed in RCW 46.17.380 must be deposited into the account. The account may receive fund transfers and appropriations from the general fund, as well as gifts, grants, and endowments from public or private sources, in trust or otherwise, for the use and benefit of the purposes of chapter 287, Laws of 2018 and expend any income according to the terms of the gifts, grants, or endowments, provided that those terms do not conflict with any provisions of this section or any guidelines developed to prioritize reimbursement of removal projects associated with chapter 287, Laws of 2018.

(2) Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only by the department to reimburse registered tow truck operators and licensed dismantlers for up to (~~(one hundred)~~) 100 percent of the total reasonable and auditable administrative costs for transport, dismantling, and disposal of abandoned recreational vehicles under RCW 46.53.010 when the last registered owner is unknown after a reasonable search effort. Compliance with RCW 46.55.100 is considered a reasonable effort to locate the last registered owner of the abandoned recreational vehicle. Any funds received by the registered tow truck operators or licensed dismantlers through collection efforts from the last owner of record shall be turned over to the department for vehicles reimbursed under RCW 46.53.010.

(3) Funds in the account resulting from transfers from the general fund must be used to reimburse (~~(one hundred)~~) 100 percent of eligible costs up to a limit of (~~(ten thousand dollars)~~) \$10,000 per vehicle for which cost reimbursements are requested.

(4) In each fiscal biennium, beginning in the 2019-2021 fiscal biennium and through December 31, 2025, up to ~~((fifteen))~~ 15 percent of the expenditures from the account may be used for administrative expenses of the department in implementing this chapter. Beginning January 1, 2026, up to 10 percent of the expenditures from the account may be used for administrative expenses of the department in implementing this chapter.

PART II: MOTOR VEHICLE SALES TAX, LUXURY TAXES ON VEHICLES AND AIRCRAFT, RECREATIONAL VESSEL TAX, RENTAL CAR AND PEER-TO-PEER TAXES

Sec. 201. RCW 82.08.020 and 2022 c 16 s 145 are each amended to read as follows:

(1) There is levied and collected a tax equal to six and five-tenths percent of the selling price on each retail sale in this state of:

(a) Tangible personal property, unless the sale is specifically excluded from the RCW 82.04.050 definition of retail sale;

(b) Digital goods, digital codes, and digital automated services, if the sale is included within the RCW 82.04.050 definition of retail sale;

(c) Services, other than digital automated services, included within the RCW 82.04.050 definition of retail sale;

(d) Extended warranties to consumers; and

(e) Anything else, the sale of which is included within the RCW 82.04.050 definition of retail sale.

(2)(a) There is levied and collected an additional tax on each retail car rental, regardless of whether the vehicle is licensed in this state, equal to ~~((five and nine-tenths percent of the selling price. The revenue collected under))~~:

(i) Eleven and nine-tenths percent of the selling price from January 1, 2026, through December 31, 2026; and

(ii)(A) Nine and nine-tenths percent of the selling price beginning January 1, 2027.

(B) The revenue collected under (a) of this subsection must be deposited in the multimodal transportation account created in RCW 47.66.070.

(b)(i) Beginning January 1, 2027, there is levied and collected an additional tax on peer-to-peer car sharing transactions equal to the selling price multiplied by the rate of tax imposed under (a) of this subsection. This subsection (2)(b) applies only to peer-to-peer car sharing transactions where the vehicle owner obtained the shared vehicle as a vehicle for resale using a reseller permit or an approved exemption certificate under RCW 82.04.470. The revenue collected under this subsection (2)(b) must be deposited in the multimodal transportation account created in RCW 47.66.070.

(ii) For purposes of this subsection (2)(b), "peer-to-peer car sharing" has the same meaning as in RCW 46.74A.010. "Peer-to-peer car sharing" does not mean:

(A) "Retail car rental" as defined in RCW 82.08.011; or

(B) "Rental car" as defined in RCW 46.04.465 or 48.115.005.

(3) ~~((Beginning July 1, 2003, there))~~ There is levied and collected an additional tax of ~~((three-tenths))~~ five-tenths of one percent of the selling price on each retail sale of a motor vehicle in this state, other than retail car rentals taxed under subsection (2) of this section. The revenue collected under this subsection

must be deposited in the multimodal transportation account created in RCW 47.66.070.

(4)(a) Beginning July 1, 2026, in addition to taxes required under this chapter and chapters 82.12 and 82.49 RCW, there is levied and collected an additional tax of five-tenths of one percent on the selling price, plus trade-in property of like kind, for purchased recreational vessels.

(b) In the case of a lease requiring periodic payments, the tax is imposed on the fair market value of the recreational vessel at the inception of the lease.

(c) The revenue collected under this subsection must be deposited in the multimodal transportation account created in RCW 47.66.070.

(d) For purposes of this subsection, "recreational vessel" means a vessel as defined in RCW 88.02.310 that is subject to watercraft excise tax under chapter 82.49 RCW.

(5) For purposes of subsection (3) of this section, "motor vehicle" has the meaning provided in RCW 46.04.320, but does not include:

(a) Farm tractors or farm vehicles as defined in RCW 46.04.180 and 46.04.181, unless the farm tractor or farm vehicle is for use in the production of cannabis;

(b) Off-road vehicles as defined in RCW 46.04.365;

(c) Nonhighway vehicles as defined in RCW 46.09.310; and

(d) Snowmobiles as defined in RCW 46.04.546.

~~((5))~~ (6) Beginning on December 8, 2005, 0.16 percent of the taxes collected under subsection (1) of this section must be dedicated to funding comprehensive performance audits required under RCW 43.09.470. The revenue identified in this subsection must be deposited in the performance audits of government account created in RCW 43.09.475.

~~((6))~~ (7) The taxes imposed under this chapter apply to successive retail sales of the same property.

~~((7))~~ (8) The rates provided in this section apply to taxes imposed under chapter 82.12 RCW as provided in RCW 82.12.020.

Sec. 202. RCW 82.12.020 and 2017 c 323 s 520 are each amended to read as follows:

(1) There is levied and collected from every person in this state a tax or excise for the privilege of using within this state as a consumer any:

(a) Article of tangible personal property acquired by the user in any manner, including tangible personal property acquired at a casual or isolated sale, and including by-products used by the manufacturer thereof, except as otherwise provided in this chapter, irrespective of whether the article or similar articles are manufactured or are available for purchase within this state;

(b) Prewritten computer software, regardless of the method of delivery, but excluding prewritten computer software that is either provided free of charge or is provided for temporary use in viewing information, or both;

(c) Services defined as a retail sale in RCW 82.04.050 (2) (a) or (g) or (6)(c), excluding services defined as a retail sale in RCW 82.04.050(6)(c) that are provided free of charge;

(d) Extended warranty; or

(e)(i) Digital good, digital code, or digital automated service, including the use of any services provided by a seller exclusively in connection with digital

goods, digital codes, or digital automated services, whether or not a separate charge is made for such services.

(ii) With respect to the use of digital goods, digital automated services, and digital codes acquired by purchase, the tax imposed in this subsection (1)(e) applies in respect to:

(A) Sales in which the seller has granted the purchaser the right of permanent use;

(B) Sales in which the seller has granted the purchaser a right of use that is less than permanent;

(C) Sales in which the purchaser is not obligated to make continued payment as a condition of the sale; and

(D) Sales in which the purchaser is obligated to make continued payment as a condition of the sale.

(iii) With respect to digital goods, digital automated services, and digital codes acquired other than by purchase, the tax imposed in this subsection (1)(e) applies regardless of whether or not the consumer has a right of permanent use or is obligated to make continued payment as a condition of use.

(2) The provisions of this chapter do not apply in respect to the use of any article of tangible personal property, extended warranty, digital good, digital code, digital automated service, or service taxable under RCW 82.04.050 (2) (a) or (g) or (6)(c), if the sale to, or the use by, the present user or the present user's bailor or donor has already been subjected to the tax under chapter 82.08 RCW or this chapter and the tax has been paid by the present user or by the present user's bailor or donor.

(3)(a) Except as provided in this section, payment of the tax imposed by this chapter or chapter 82.08 RCW by one purchaser or user of tangible personal property, extended warranty, digital good, digital code, digital automated service, or other service does not have the effect of exempting any other purchaser or user of the same property, extended warranty, digital good, digital code, digital automated service, or other service from the taxes imposed by such chapters.

(b) The tax imposed by this chapter does not apply:

(i) If the sale to, or the use by, the present user or his or her bailor or donor has already been subjected to the tax under chapter 82.08 RCW or this chapter and the tax has been paid by the present user or by his or her bailor or donor;

(ii) In respect to the use of any article of tangible personal property acquired by bailment and the tax has once been paid based on reasonable rental as determined by RCW 82.12.060 measured by the value of the article at time of first use multiplied by the tax rate imposed by chapter 82.08 RCW or this chapter as of the time of first use;

(iii) In respect to the use of any article of tangible personal property acquired by bailment, if the property was acquired by a previous bailee from the same bailor for use in the same general activity and the original bailment was prior to June 9, 1961; or

(iv) To the use of digital goods or digital automated services, which were obtained through the use of a digital code, if the sale of the digital code to, or the use of the digital code by, the present user or the present user's bailor or donor has already been subjected to the tax under chapter 82.08 RCW or this chapter

and the tax has been paid by the present user or by the present user's bailor or donor.

(4)(a) Except as provided in (b) of this subsection (4), the tax is levied and must be collected in an amount equal to the value of the article used, value of the digital good or digital code used, value of the extended warranty used, or value of the service used by the taxpayer, multiplied by the applicable rates in effect for the retail sales tax under RCW 82.08.020.

(b) In the case of a seller required to collect use tax from the purchaser, the tax must be collected in an amount equal to the purchase price multiplied by the applicable rate in effect for the retail sales tax under RCW 82.08.020.

(5) For purposes of the tax imposed in this section, "person" includes anyone within the definition of "buyer," "purchaser," and "consumer" in RCW 82.08.010.

(6)(a) Beginning July 1, 2026, the tax imposed in this section at the rate provided in RCW 82.08.020(4) applies to the use of a recreational vessel at the time that it is first used in this state by the consumer.

(b) The revenue collected under this subsection must be deposited in the multimodal transportation account created in RCW 47.66.070.

(c) For purposes of this subsection, "recreational vessel" means a vessel as defined in RCW 88.02.310 that is subject to watercraft excise tax under chapter 82.49 RCW.

NEW SECTION, Sec. 203. A new section is added to chapter 82.08 RCW to read as follows:

(1)(a) Except as provided in subsection (3) of this section, in addition to the taxes imposed under RCW 82.08.020, there is levied and collected an additional tax of eight percent on the sale of a motor vehicle if:

(i) The selling price of the motor vehicle plus trade-in property of like kind for purchased vehicles exceeds \$100,000; or

(ii) In the case of a lease requiring periodic payments, the fair market value of the motor vehicle exceeds \$100,000 at the inception of the lease.

(b) The additional tax imposed in this subsection (1):

(i) Is equal to the portion of the selling price plus trade-in property of like kind for purchased vehicles in excess of the deduction amount specified in subsection (2) of this section, multiplied by eight percent; or

(ii) In the case of a lease requiring periodic payments, is the fair market value of the motor vehicle in excess of the amount specified in subsection (2) of this subsection, at the inception of the lease, multiplied by eight percent.

(2) The deduction amount is \$100,000 for fiscal year 2026. The deduction amount must be annually adjusted on July 1st of each year by increasing the amount by two percent and rounding the result to the nearest whole dollar.

(3) The taxes imposed under this section do not apply to the sale or lease of:

(a) A commercial motor vehicle, as defined in RCW 46.25.010; or

(b) A motor vehicle that has a gross vehicle weight rating of greater than 10,000 pounds other than motor homes, as defined in RCW 46.04.305.

(4) The revenue collected under this section must be deposited in the multimodal transportation account created in RCW 47.66.070.

(5) For the purposes of this section and section 204 of this act, the following definitions apply:

(a) "Motor vehicle" has the same meaning as in RCW 46.04.320, but does not include:

(i) Farm tractors or farm vehicles as defined in RCW 46.04.180 and 46.04.181, unless the farm tractor or farm vehicle is for use in the production of cannabis;

(ii) Off-road vehicles as defined in RCW 46.04.365;

(iii) Nonhighway vehicles as defined in RCW 46.09.310; and

(iv) Snowmobiles as defined in RCW 46.04.546.

(b) "Value of the motor vehicle" means the fair market value of the motor vehicle. In the case of a leased motor vehicle in which the consumer is required to make periodic lease payments, "value of the motor vehicle" means the fair market value of the motor vehicle at the inception of the lease.

NEW SECTION. Sec. 204. A new section is added to chapter 82.12 RCW to read as follows:

(1) Except as provided in subsection (3) of this section, in addition to the tax imposed under RCW 82.12.020, there is levied and collected from every person in this state a tax for the privilege of using within this state as a consumer any motor vehicle if the value of the motor vehicle exceeds \$100,000.

(2)(a) Except as provided in (b) of this subsection, the tax is levied and must be collected in an amount equal to the value of the motor vehicle that exceeds the deduction amount specified in (c) of this subsection, multiplied by eight percent.

(b) In the case of a seller required to collect use tax under this section from the purchaser, the tax must be collected in an amount equal to the amount of the purchase price that exceeds the amount specified in (c) of this subsection, multiplied by eight percent.

(c) The deduction amount is \$100,000 for fiscal year 2026. The deduction amount must be annually adjusted on July 1st of each year by increasing the amount by two percent and rounding the result to the nearest whole dollar.

(3) The taxes imposed under this section do not apply to the use of:

(a) A commercial motor vehicle, as defined in RCW 46.25.010; or

(b) A motor vehicle that has a gross vehicle weight rating of greater than 10,000 pounds other than motor homes, as defined in RCW 46.04.305.

(4) The revenue collected under this section must be deposited in the multimodal transportation account created in RCW 47.66.070.

Sec. 205. RCW 82.32.145 and 2020 c 301 s 6 are each amended to read as follows:

(1) Whenever the department has issued a warrant under RCW 82.32.210 for the collection of unpaid trust fund taxes from a limited liability business entity and that business entity has been terminated, dissolved, or abandoned, or is insolvent, the department may pursue collection of the entity's unpaid trust fund taxes, including penalties and interest on those taxes, against any or all of the responsible individuals. For purposes of this subsection, "insolvent" means the condition that results when the sum of the entity's debts exceeds the fair market value of its assets. The department may presume that an entity is insolvent if the entity refuses to disclose to the department the nature of its assets and liabilities.

(2) Personal liability under this section may be imposed for state and local trust fund taxes.

(3)(a) For a responsible individual who is the current or a former chief executive or chief financial officer, liability under this section applies regardless of fault or whether the individual was or should have been aware of the unpaid trust fund tax liability of the limited liability business entity.

(b) For any other responsible individual, liability under this section applies only if he or she willfully fails to pay or to cause to be paid to the department the trust fund taxes due from the limited liability business entity.

(4)(a) Except as provided in this subsection (4)(a), a responsible individual who is the current or a former chief executive or chief financial officer is liable under this section only for trust fund tax liability accrued during the period that he or she was the chief executive or chief financial officer. However, if the responsible individual had the responsibility or duty to remit payment of the limited liability business entity's trust fund taxes to the department during any period of time that the person was not the chief executive or chief financial officer, that individual is also liable for trust fund tax liability that became due during the period that he or she had the duty to remit payment of the limited liability business entity's taxes to the department but was not the chief executive or chief financial officer.

(b) All other responsible individuals are liable under this section only for trust fund tax liability that became due during the period he or she had the responsibility or duty to remit payment of the limited liability business entity's taxes to the department.

(5) Persons described in subsection (3)(b) of this section are exempt from liability under this section in situations where nonpayment of the limited liability business entity's trust fund taxes is due to reasons beyond their control as determined by the department by rule.

(6) Any person having been issued a notice of assessment under this section is entitled to the appeal procedures under RCW 82.32.160, 82.32.170, 82.32.180, 82.32.190, and 82.32.200.

(7) This section does not relieve the limited liability business entity of its trust fund tax liability or otherwise impair other tax collection remedies afforded by law.

(8) Collection authority and procedures prescribed in this chapter apply to collections under this section.

(9) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Chief executive" means: The president of a corporation; or for other entities or organizations other than corporations or if the corporation does not have a president as one of its officers, the highest ranking executive manager or administrator in charge of the management of the company or organization.

(b) "Chief financial officer" means: The treasurer of a corporation; or for entities or organizations other than corporations or if a corporation does not have a treasurer as one of its officers, the highest senior manager who is responsible for overseeing the financial activities of the entire company or organization.

(c) "Limited liability business entity" means a type of business entity that generally shields its owners from personal liability for the debts, obligations, and liabilities of the entity, or a business entity that is managed or owned in whole or

in part by an entity that generally shields its owners from personal liability for the debts, obligations, and liabilities of the entity. Limited liability business entities include corporations, limited liability companies, limited liability partnerships, trusts, general partnerships and joint ventures in which one or more of the partners or parties are also limited liability business entities, and limited partnerships in which one or more of the general partners are also limited liability business entities.

(d) "Manager" has the same meaning as in RCW 25.15.006.

(e) "Member" has the same meaning as in RCW 25.15.006, except that the term only includes members of member-managed limited liability companies.

(f) "Officer" means any officer or assistant officer of a corporation, including the president, vice president, secretary, and treasurer.

(g)(i) "Responsible individual" includes any current or former officer, manager, member, partner, or trustee of a limited liability business entity with an unpaid tax warrant issued by the department.

(ii) "Responsible individual" also includes any current or former employee or other individual, but only if the individual had the responsibility or duty to remit payment of the limited liability business entity's unpaid trust fund tax liability reflected in a tax warrant issued by the department.

(iii) Whenever any taxpayer has one or more limited liability business entities as a member, manager, or partner, "responsible individual" also includes any current and former officers, members, or managers of the limited liability business entity or entities or of any other limited liability business entity involved directly in the management of the taxpayer. For purposes of this subsection (9)(g)(iii), "taxpayer" means a limited liability business entity with an unpaid tax warrant issued against it by the department.

(h) "Trust fund taxes" means taxes collected from purchasers and held in trust under RCW 82.08.050, including taxes imposed under RCW 82.08.020, 82.08.150, section 203 of this act, section 204 of this act, section 207 of this act, section 208 of this act, and 82.51.010.

(i) "Willfully fails to pay or to cause to be paid" means that the failure was the result of an intentional, conscious, and voluntary course of action.

NEW SECTION. Sec. 206. The provisions of RCW 82.32.805 and 82.32.808 do not apply to sections 203, 204, 207, and 208 of this act.

NEW SECTION. Sec. 207. (1)(a) In addition to taxes required under chapters 82.08, 82.12, and 82.48 RCW, there is levied and collected an additional 10 percent luxury aircraft tax on the sale of a noncommercial aircraft if:

(i) The selling price of the noncommercial aircraft plus trade-in property of like kind for purchased aircraft exceeds \$500,000; or

(ii) In the case of a lease requiring periodic payments, the fair market value of the noncommercial aircraft exceeds \$500,000 at the inception of the lease.

(b) The additional tax imposed in this subsection only applies to the portion of the selling price in excess of \$500,000, or in the case of a lease requiring periodic payments, the fair market value of the noncommercial aircraft in excess of \$500,000 at the inception of the lease.

(2) For purposes of this section, "noncommercial aircraft" means any aircraft as defined in RCW 82.48.010, but does not include:

- (a) Aircraft exempt from taxes under RCW 82.48.100; and
- (b) "Commercial airplane" as defined in RCW 82.32.550.

NEW SECTION. Sec. 208. (1)(a) In addition to taxes required under chapters 82.08, 82.12, and 82.48 RCW, there is levied and collected from every person in this state a tax for the privilege of using within this state as a consumer any noncommercial aircraft if the value of the aircraft exceeds \$500,000.

(b) The tax is levied and must be collected in an amount equal to the value of the aircraft that exceeds \$500,000, multiplied by 10 percent.

(2) The tax imposed in this section does not apply if the sale to, or the use by, the present user or his or her bailor or donor has already been subjected to the tax under section 207 of this act and the tax has been paid by the present user or by his or her bailor or donor.

(3) The tax imposed in this section does not apply in respect to the use by a nonresident of Washington of a noncommercial aircraft, which is registered or licensed under the laws of the state of his or her residence.

(4) For the purposes of this section, "value" means the fair market value of the noncommercial aircraft. In the case of a leased noncommercial aircraft in which the consumer is required to make periodic lease payments, "value" of the aircraft means the fair market value of the aircraft at the inception of the lease.

NEW SECTION. Sec. 209. If chapter . . . , Laws of 2025 (Engrossed Substitute House Bill No. 2061) is enacted by June 30, 2025, the revenue collected under this chapter must be deposited in the sustainable aviation fuel account. If chapter . . . , Laws of 2025 (Engrossed Substitute House Bill No. 2061) is not enacted by June 30, 2025, the revenue collected under this chapter must be deposited in the aeronautics account created in RCW 82.42.090.

NEW SECTION. Sec. 210. Chapter 82.32 RCW applies to the administration of the luxury tax authorized in this chapter.

NEW SECTION. Sec. 211. Sections 207 through 210 of this act constitute a new chapter in Title 82 RCW.

PART III: TIRE DISPOSAL FEE, LARGE EVENT FACILITY TRANSPORTATION ASSESSMENT, DRIVER'S LICENSE AND IDENTICARD FEES, WORK ZONE VIOLATIONS

Sec. 301. RCW 70A.205.405 and 2020 c 20 s 1190 are each amended to read as follows:

(1) There is levied a (~~(one dollar)~~) \$5 per tire fee on the retail sale of new replacement vehicle tires. The fee imposed in this section must be paid by the buyer to the seller, and each seller shall collect from the buyer the full amount of the fee. The fee collected from the buyer by the seller less the ten percent amount retained by the seller as provided in RCW 70A.205.430(1) must be paid to the department of revenue in accordance with RCW 82.32.045.

(2) The department of revenue shall incorporate into the agency's regular audit cycle a reconciliation of the number of tires sold and the amount of revenue collected by the businesses selling new replacement vehicle tires at retail. The department of revenue shall collect on the business excise tax return from the businesses selling new replacement vehicle tires at retail:

- (a) The number of tires sold; and
- (b) The fee levied in this section.

(3) All other applicable provisions of chapter 82.32 RCW have full force and application with respect to the fee imposed under this section. The department of revenue shall administer this section.

(4) For the purposes of this section, "new replacement vehicle tires" means tires that are newly manufactured for vehicle purposes and does not include retreaded vehicle tires.

Sec. 302. RCW 70A.205.425 and 2020 c 20 s 1192 are each amended to read as follows:

(1) ~~((All receipts from))~~ The first \$600,000 of the net receipts from the tire fees imposed under RCW 70A.205.405 ~~((, except as provided in subsection (2) of this section.))~~ received each fiscal year must be deposited in the waste tire removal account created under RCW 70A.205.415. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used for the cleanup of unauthorized waste tire piles and measures that prevent future accumulation of unauthorized waste tire piles.

(2) ~~((On September 1st of odd-numbered years, the state treasurer must transfer any cash balance in excess of one million dollars from the waste tire removal account created under RCW 70A.205.415 to))~~ The receipts remaining after the deposit in subsection (1) of this section must be deposited in the motor vehicle fund created in RCW 46.68.070 for the purpose of road wear related maintenance on state and local public highways.

Sec. 303. RCW 70A.205.430 and 2020 c 20 s 1193 are each amended to read as follows:

(1) Every person engaged in making retail sales of new replacement vehicle tires in this state shall retain ~~((ten percent of the collected one dollar))~~ 25 cents for each tire subject to the fee imposed under RCW 70A.205.405. The moneys retained may be used for costs associated with the proper management of the waste vehicle tires by the retailer.

(2) The department of ecology will administer the funds for the purposes specified in RCW 70A.205.010(6) including, but not limited to:

(a) Making grants to local governments for pilot demonstration projects for on-site shredding and recycling of tires from unauthorized dump sites;

(b) Grants to local government for enforcement programs;

(c) Implementation of a public information and education program to include posters, signs, and informational materials to be distributed to retail tire sales and tire service outlets;

(d) Product marketing studies for recycled tires and alternatives to land disposal.

Sec. 304. RCW 46.63.200 and 2024 c 308 s 4 are each amended to read as follows:

(1) This section applies to the use of speed safety camera systems in state highway work zones.

(2) Nothing in this section prohibits a law enforcement officer from issuing a notice of infraction to a person in control of a vehicle at the time a violation occurs under RCW 46.63.030(1) (a), (b), or (c).

(3)(a) The department of transportation is responsible for all actions related to the operation and administration of speed safety camera systems in state highway work zones including, but not limited to, the procurement and

administration of contracts necessary for the implementation of speed safety camera systems, the mailing of notices of infraction, and the development and maintenance of a public-facing website for the purpose of educating the traveling public about the use of speed safety camera systems in state highway work zones. Prior to the use of a speed safety camera system to capture a violation established in this section for enforcement purposes, the department of transportation, in consultation with the Washington state patrol, department of licensing, office of administrative hearings, Washington traffic safety commission, and other organizations committed to protecting civil rights, must adopt rules addressing such actions and take all necessary steps to implement this section.

(b) The Washington state patrol is responsible for all actions related to the enforcement and adjudication of speed violations under this section including, but not limited to, notice of infraction verification and issuance authorization, and determining which types of emergency vehicles are exempt from being issued notices of infraction under this section. Prior to the use of a speed safety camera system to capture a violation established in this section for enforcement purposes, the Washington state patrol, in consultation with the department of transportation, department of licensing, office of administrative hearings, Washington traffic safety commission, and other organizations committed to protecting civil rights, must adopt rules addressing such actions and take all necessary steps to implement this section.

(c) When establishing rules under this subsection (3), the department of transportation and the Washington state patrol may also consult with other public and private agencies that have an interest in the use of speed safety camera systems in state highway work zones.

(4)(a) No person may drive a vehicle in a state highway work zone at a speed greater than that allowed by traffic control devices.

(b) A notice of infraction may only be issued under this section if a speed safety camera system captures a speed violation in a state highway work zone when workers are present.

(5) The penalty for a speed safety camera system violation is: (a) ~~((\$0))~~ \$125 for the first violation; and (b) \$248 for the second violation, and for each violation thereafter.

(6) During the 30-day period after the first speed safety camera system is put in place, the department is required to conduct a public awareness campaign to inform the public of the use of speed safety camera systems in state highway work zones.

(7)(a) A notice of infraction issued under this section may be mailed to the registered owner of the vehicle within 30 days of the violation, or to the renter of a vehicle within 30 days of establishing the renter's name and address. The law enforcement officer issuing the notice of infraction shall include with it a certificate or facsimile thereof, based upon inspection of photographs, microphotographs, or electronic images produced by a speed safety camera stating the facts supporting the notice of infraction. This certificate or facsimile is prima facie evidence of the facts contained in it and is admissible in a proceeding charging a violation under this section. The photographs, microphotographs, or electronic images evidencing the violation must be

available for inspection and admission into evidence in a proceeding to adjudicate the liability for the violation.

(b) A notice of infraction represents a determination that an infraction has been committed, and the determination will be final unless contested as provided under this section.

(c) A person receiving a notice of infraction based on evidence detected by a speed safety camera system must, within 30 days of receiving the notice of infraction: (i) ~~((Except for a first violation under subsection (5)(a) of this section, remit))~~ Remit payment in the amount of the penalty assessed for the violation; (ii) contest the determination that the infraction occurred by following the instructions on the notice of infraction; or (iii) admit to the infraction but request a hearing to explain mitigating circumstances surrounding the infraction.

(d) If a person fails to respond to a notice of infraction, a final order shall be entered finding that the person committed the infraction and assessing monetary penalties required under subsection (5)~~((b))~~ of this section.

(e) If a person contests the determination that the infraction occurred or requests a mitigation hearing, the notice of infraction shall be referred to the office of administrative hearings for adjudication consistent with chapter 34.05 RCW.

(f) At a hearing to contest an infraction, the agency issuing the infraction has the burden of proving, by a preponderance of the evidence, that the infraction was committed.

(g) A person may request a payment plan at any time for the payment of any penalty or other monetary obligation associated with an infraction under this section. The agency issuing the infraction shall provide information about how to submit evidence of inability to pay, how to obtain a payment plan, and that failure to pay or enter into a payment plan may result in collection action or nonrenewal of the vehicle registration. The office of administrative hearings may authorize a payment plan if it determines that a person is not able to pay the monetary obligation, and it may modify a payment plan at any time.

(8)(a) Speed safety camera systems may only take photographs, microphotographs, or electronic images of the vehicle and vehicle license plate and only while a speed violation is occurring. The photograph, microphotograph, or electronic image must not reveal the face of the driver or any passengers in the vehicle. The department of transportation shall consider installing speed safety camera systems in a manner that minimizes the impact of camera flash on drivers.

(b) The registered owner of a vehicle is responsible for a traffic infraction under RCW 46.63.030 unless the registered owner overcomes the presumption in RCW 46.63.075 or, in the case of a rental car business, satisfies the conditions under (f) of this subsection. If appropriate under the circumstances, a renter identified under (f)(i) of this subsection is responsible for the traffic infraction.

(c) Notwithstanding any other provision of law, all photographs, microphotographs, or electronic images, or any other personally identifying data prepared under this section are for the exclusive use of the Washington state patrol and department of transportation in the discharge of duties under this section and are not open to the public and may not be used in court in a pending action or proceeding unless the action or proceeding relates to a speed violation

under this section. This data may be used in administrative appeal proceedings relative to a violation under this section.

(d) All locations where speed safety camera systems are used must be clearly marked before activation of the camera system by placing signs in locations that clearly indicate to a driver that they are entering a state highway work zone where posted speed limits are monitored by a speed safety camera system. Additionally, where feasible and constructive, radar speed feedback signs will be placed in advance of the speed safety camera system to assist drivers in complying with posted speed limits. Signs placed in these locations must follow the specifications and guidelines under the manual of uniform traffic control devices for streets and highways as adopted by the department of transportation under chapter 47.36 RCW.

(e) Imposition of a penalty for a speed violation detected through the use of speed safety camera systems shall not be deemed a conviction as defined in RCW 46.25.010, and shall not be part of the registered owner's driving record under RCW 46.52.101 and 46.52.120. Additionally, infractions generated by the use of speed safety camera systems under this section shall be processed in the same manner as parking infractions, including for the purposes of RCW 46.16A.120 and 46.20.270(2).

(f) If the registered owner of the vehicle is a rental car business, the department of transportation shall, before a notice of infraction may be issued under this section, provide a written notice to the rental car business that a notice of infraction may be issued to the rental car business if the rental car business does not, within 30 days of receiving the written notice, provide to the issuing agency by return mail:

(i)(A) A statement under oath stating the name and known mailing address of the individual driving or renting the vehicle when the speed violation occurred;

(B) A statement under oath that the business is unable to determine who was driving or renting the vehicle at the time the speed violation occurred because the vehicle was stolen at the time of the violation. A statement provided under this subsection (8)(f)(i)(B) must be accompanied by a copy of a filed police report regarding the vehicle theft; or

(C) In lieu of identifying the vehicle operator, payment of the applicable penalty.

(ii) Timely mailing of a statement to the department of transportation relieves a rental car business of any liability under this chapter for the notice of infraction.

(9) Revenue generated from the deployment of speed safety camera systems must be deposited into the highway safety fund and first used exclusively for the operating and administrative costs under this section. The operation of speed safety camera systems is intended to increase safety in state highway work zones by changing driver behavior. Consequently, any revenue generated that exceeds the operating and administrative costs under this section must be distributed for the purpose of traffic safety including, but not limited to, driver training education and local DUI emphasis patrols.

(10) The Washington state patrol and department of transportation, in collaboration with the Washington traffic safety commission, must report to the transportation committees of the legislature by July 1, 2025, and biennially

thereafter, on the data and efficacy of speed safety camera system use in state highway work zones. The final report due on July 1, 2029, must include a recommendation on whether or not to continue such speed safety camera system use beyond June 30, 2030.

(11) For the purposes of this section:

(a) "Speed safety camera system" means employing the use of speed measuring devices and cameras synchronized to automatically record one or more sequenced photographs, microphotographs, or other electronic images of a motor vehicle that exceeds a posted state highway work zone speed limit as detected by the speed measuring devices.

(b) "State highway work zone" means an area of any highway with construction, maintenance, utility work, or incident response activities authorized by the department of transportation. A state highway work zone is identified by the placement of temporary traffic control devices that may include signs, channelizing devices, barriers, pavement markings, and/or work vehicles with warning lights. It extends from the first warning sign or high intensity rotating, flashing, oscillating, or strobe lights on a vehicle to the end road work sign or the last temporary traffic control device or vehicle.

(12) This section expires June 30, 2030.

Sec. 305. RCW 46.20.161 and 2024 c 146 s 29 are each amended to read as follows:

(1)(a) ~~The department, upon receipt of a fee ((of seventy-two dollars, unless the driver's license is issued for a period other than eight years, in which case the fee shall be nine dollars for each year that the license is issued, which includes the fee for the required photograph)) as specified in (b) of this subsection, shall issue to every qualifying applicant a driver's license. A driver's license issued to a person under the age of ((eighteen)) 18 is an intermediate license, subject to the restrictions imposed under RCW 46.20.075, until the person reaches the age of ((eighteen)) 18.~~

(b)(i) The driver's license fee shall be \$10 for each year that the license is issued, which includes the fee for the required photograph.

(ii) Beginning July 1, 2028, and on July 1st every three years thereafter, the fee under (b)(i) of this subsection must be increased by \$1 for each year that the license is issued.

(2) The license must include:

- (a) A distinguishing number assigned to the licensee;
- (b) The name of record;
- (c) Date of birth;
- (d) Washington residence address;
- (e) Photograph;
- (f) A brief description of the licensee;
- (g) Either a facsimile of the signature of the licensee or a space upon which the licensee shall write the licensees' usual signature with pen and ink immediately upon receipt of the license;

(h) If applicable, the person's status as a veteran as provided in subsection (4) of this section; and

(i) If applicable, a medical alert designation as provided in subsection (5) of this section.

(3) No license is valid until it has been signed by the licensee.

(4)(a) A veteran, as defined in RCW 41.04.007, may apply to the department to obtain a veteran designation on a driver's license issued under this section by providing:

(i) A United States department of veterans affairs identification card or proof of service letter;

(ii) A United States department of defense discharge document, DD Form 214 or DD Form 215, as it exists on June 7, 2018, or such subsequent date as may be provided by the department by rule, consistent with the purposes of this section, or equivalent or successor discharge paperwork, that establishes the person's service in the armed forces of the United States and qualifying discharge as defined in RCW 73.04.005;

(iii) A national guard state-issued report of separation and military service, NGB Form 22, as it exists on June 7, 2018, or such subsequent date as may be provided by the department by rule, consistent with the purposes of this section, or equivalent or successor discharge paperwork, that establishes the person's active duty or reserve service in the national guard and qualifying discharge as defined in RCW 73.04.005; or

(iv) A United States uniformed services identification card, DD Form 2, that displays on its face that it has been issued to a retired member of any of the armed forces of the United States, including the national guard and armed forces reserves.

(b) The department may permit a veteran, as defined in RCW 41.04.007, to submit alternate forms of documentation to apply to obtain a veteran designation on a driver's license.

(5) Any person may apply to the department to obtain a medical alert designation, a developmental disability designation, or a deafness designation on a driver's license issued under this chapter by providing:

(a) Self-attestation that the individual:

(i) Has a medical condition that could affect communication or account for a driver health emergency;

(ii) Is deaf or hard of hearing; or

(iii) Has a developmental disability as defined in RCW 71A.10.020;

(b) A statement from the person that they have voluntarily provided the self-attestation and other information verifying the condition; and

(c) For persons under ~~((eighteen))~~ 18 years of age or who have a developmental disability, the signature of a parent or legal guardian.

(6) A self-attestation or data contained in a self-attestation provided under this section:

(a) Shall not be disclosed;

(b) Is for the confidential use of the director, the chief of the Washington state patrol, and law enforcement and emergency medical service providers as designated by law; and

(c) Is subject to the privacy protections of the driver's privacy protection act, 18 U.S.C. Sec. 2725.

Sec. 306. RCW 46.20.181 and 2025 c . . . (ESHB 1878) s 5 are each amended to read as follows:

(1) Except as provided in subsection (4) or (5) of this section or section 2(10), chapter . . . (ESHB 1878), Laws of 2025, every driver's license expires on

the eighth anniversary of the licensee's birthdate following the issuance of the license.

(2) A person may renew a license on or before the expiration date by submitting an application as prescribed by the department and paying a fee (~~(of \$72)~~) as specified in subsection (6) of this section for an eight year license. This fee includes the fee for the required photograph.

(3) A person renewing a driver's license more than 60 days after the license has expired shall pay a penalty fee of \$10 in addition to the renewal fee, unless the license expired when:

(a) The person was outside the state and the licensee renews the license within 60 days after returning to this state; or

(b) The person was incapacitated and the licensee renews the license within 60 days after the termination of the incapacity.

(4) The department may issue or renew a driver's license for a period other than eight years, or may extend by mail or electronic commerce a license that has already been issued. The fee for a driver's license issued or renewed for a period other than eight years, or that has been extended by mail or electronic commerce, is (~~(nine dollars for each year that the license is issued, renewed, or extended)~~) specified in subsection (6) of this section. The department must offer the option to issue or renew a driver's license for six years in addition to the eight year issuance. The department may adopt any rules as are necessary to carry out this subsection.

(5) A driver's license that includes a hazardous materials endorsement under chapter 46.25 RCW may expire on an anniversary of the licensee's birthdate other than the eighth year following issuance or renewal of the license in order to match, as nearly as possible, the validity of certification from the federal transportation security administration that the licensee has been determined not to pose a security risk. The fee for a driver's license issued or renewed (~~(for a period other than eight years is \$9 for each year that the license is issued or renewed)~~) is specified in subsection (6) of this section, not including any endorsement fees. The department may adjust the expiration date of a driver's license that has previously been issued to conform to the provisions of this subsection if a hazardous materials endorsement is added to the license subsequent to its issuance. If the validity of the driver's license is extended, the licensee must pay a fee (~~(of \$9)~~) as specified in subsection (6) of this section for each year that the license is extended.

(6)(a) The driver's license fee shall be \$10 for each year that the license is issued, renewed, or extended.

(b) Beginning July 1, 2028, and on July 1st every three years thereafter, the fee under (a) of this subsection must be increased by \$1 for each year that the license is issued, renewed, or extended.

(7) The department may adopt any rules as are necessary to carry out this section.

Sec. 307. RCW 46.20.117 and 2024 c 315 s 4 and 2024 c 162 s 3 are each reenacted and amended to read as follows:

(1) **Issuance.** The department shall issue an identicard, containing a picture, if the applicant:

(a) Does not hold a valid Washington driver's license;

(b) Proves the applicant's identity as required by RCW 46.20.035; and

(c) Pays the required fee(~~(--Except as provided--)~~ as specified in subsection (7) of this section, ~~((the fee is \$72,))~~ unless an applicant is:

(i) A recipient of continuing public assistance grants under Title 74 RCW, or a participant in the Washington women, infants, and children program. Any applicant under this subsection must be verified by documentation sufficient to demonstrate eligibility;

(ii) Under the age of 25 and does not have a permanent residence address as determined by the department by rule; or

(iii) An individual who is scheduled to be released from an institution as defined in RCW 13.40.020, a community facility as defined in RCW 72.05.020, a correctional facility as defined in RCW 72.09.015, or other juvenile rehabilitation facility operated by the department of social and health services or the department of children, youth, and families; or an individual who has been released from such an institution or facility within 30 calendar days before the date of the application.

For those persons under (c)(i) through (iii) of this subsection, the fee must be the actual cost of production of the identicard.

(2)(a) **Design and term.** The identicard must:

(i) Be distinctly designed so that it will not be confused with the official driver's license; and

(ii) Except as provided in subsection (7) of this section, expire on the eighth anniversary of the applicant's birthdate after issuance.

(b) The identicard may include the person's status as a veteran, consistent with RCW 46.20.161(4).

(c) If applicable, the identicard may include a medical alert designation as provided in subsection (5) of this section.

(3) **Renewal.** An application for identicard renewal may be submitted by means of:

(a) Personal appearance before the department;

(b) Mail or electronic commerce, if permitted by rule of the department and if the applicant did not renew the identicard by mail or by electronic commerce when it last expired; or

(c) From January 1, 2022, to June 30, 2024, electronic commerce, if permitted by rule of the department.

An identicard may not be renewed by mail or by electronic commerce unless the renewal issued by the department includes a photograph of the identicard holder.

(4) **Cancellation.** The department may cancel an identicard if the holder of the identicard used the card or allowed others to use the card in violation of RCW 46.20.0921.

(5) Any person may apply to the department to obtain a medical alert designation, a developmental disability designation, or a deafness designation on an identicard issued under this chapter by providing:

(a) Self-attestation that the individual:

(i) Has a medical condition that could affect communication or account for a health emergency;

(ii) Is deaf or hard of hearing; or

(iii) Has a developmental disability as defined in RCW 71A.10.020;

(b) A statement from the person that they have voluntarily provided the self-attestation and other information verifying the condition; and

(c) For persons under 18 years of age or who have a developmental disability, the signature of a parent or legal guardian.

(6) A self-attestation or data contained in a self-attestation provided under this section:

(a) Shall not be disclosed; and

(b) Is for the confidential use of the director, the chief of the Washington state patrol, and law enforcement and emergency medical service providers as designated by law.

(7) Alternative issuance/renewal/extension.

(a) Except as allowed under this subsection, the department must issue or renew an identicard for eight years. The department may issue or renew an identicard for a period other than eight years, or may extend by mail or electronic commerce an identicard that has already been issued. The fee for an identicard issued or renewed ~~((for a period other than eight years))~~, or that has been extended by mail or electronic commerce, is ~~(((\$9))~~ **\$10** for each year that the identicard is issued, renewed, or extended. The department must offer the option to issue or renew an identicard for six years in addition to the eight year issuance. The department may adopt any rules as are necessary to carry out this subsection.

(b) Beginning July 1, 2028, and on July 1st every three years thereafter, the fee under (a) of this subsection must be increased by \$1 for each year that the identicard is issued, renewed, or extended.

(8) Identicard photos must be updated in the same manner as driver's license photos under RCW 46.20.120(5).

PART IV: FERRY FARES AND RELATED PROVISIONS

Sec. 401. RCW 47.60.315 and 2023 c 472 s 714 are each amended to read as follows:

(1) The commission shall adopt fares and pricing policies by rule, under chapter 34.05 RCW, according to the following schedule:

(a) Each year the department shall provide the commission a report of its review of fares and pricing policies, with recommendations for the revision of fares and pricing policies for the ensuing year;

(b) By September 1st of each year, beginning in 2008, the commission shall adopt by rule fares and pricing policies for the ensuing year.

(2) The commission may adopt by rule fares that are effective for more or less than one year for the purposes of transitioning to the fare schedule in subsection (1) of this section.

(3) The commission may increase ferry fares included in the schedule of charges adopted under this section by a percentage that exceeds the fiscal growth factor.

(4) The chief executive officer of the ferry system may authorize the use of promotional, discounted, and special event fares to the general public and commercial enterprises for the purpose of maximizing capacity use and the revenues collected by the ferry system. The department shall report to the commission a summary of the promotional, discounted, and special event fares offered during each fiscal year and the financial results from these activities.

(5) Fare revenues and other revenues deposited in the Puget Sound ferry operations account created in RCW 47.60.530 may not be used to support the Puget Sound capital construction account created in RCW 47.60.505, unless the support for capital is separately identified in the fare or except as provided in section 715, chapter 333, Laws of 2021 during the 2021-2023 biennium and section 716, chapter 472, Laws of 2023 during the 2023-2025 fiscal biennium.

(6) The commission may not raise fares until the fare rules contain pricing policies developed under RCW 47.60.290, or September 1, 2009, whichever is later.

(7) The commission shall impose a vessel replacement surcharge of ~~((25))~~ 75 cents on every one-way and round-trip ferry fare sold, including multiride and monthly pass fares. Beginning October 1, 2027, the commission shall raise the vessel replacement surcharge under this subsection to 85 cents. Beginning October 1, 2029, the commission shall raise the vessel replacement surcharge under this subsection to 95 cents. This surcharge must be clearly indicated to ferry passengers and drivers and, if possible, on the fare media itself.

(8) Except as provided in subsection (10) of this section, beginning May 1, 2020, the commission shall impose an additional vessel replacement surcharge in an amount sufficient to fund 25 year debt service on one 144-auto hybrid vessel taking into account funds provided in chapter 417, Laws of 2019 ~~((or chapter . . . (SSB 5419), Laws of 2019))~~. The department of transportation shall provide to the commission vessel and debt service cost estimates. Information on vessels constructed or purchased with revenue from the surcharges must be publicly posted including, but not limited to, the commission website.

(9) The vessel replacement surcharges imposed in this section may only be used for the construction or purchase of ferry vessels and to pay the principal and interest on bonds authorized for the construction or purchase of new ferry vessels.

(10) The commission shall not impose the additional vessel replacement surcharge in subsection (8) of this section if doing so would increase fares by more than 10 percent.

(11) For the 2023-2025 fiscal biennium, any ferry fuel surcharge imposed by the commission may not go into effect until after the ensuing regular legislative session. If a fuel surcharge is imposed as provided under this subsection, the commission must reevaluate the need for the surcharge on at least a quarterly basis to determine if the surcharge is still needed to cover increased fuel costs, and revoke the surcharge if the determination is that the surcharge is no longer needed for this purpose.

Sec. 402. RCW 47.60.322 and 2023 c 472 s 715 are each amended to read as follows:

(1) The capital vessel replacement account is created in the motor vehicle account. All revenues generated from the vessel replacement ~~((surcharge))~~ surcharges under RCW 47.60.315 (7) and (8), and service fees collected by the department of licensing or county auditor or other agent appointed by the director under RCW 46.17.040, 46.17.050, and 46.17.060, must be deposited into the account. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only for the construction or purchase of ferry vessels and to pay the principal and interest on bonds authorized for the construction or purchase of ferry vessels. ~~((However,~~

~~expenditures from the account must first be used to support the construction or purchase, including any applicable financing costs, of a ferry vessel with a carrying capacity of at least one hundred forty-four cars.))~~

~~((The state treasurer may transfer moneys from the capital vessel replacement account to the transportation 2003 account (nickel account) for debt service on bonds issued for the construction of 144-car class ferry vessels.~~

~~((3)))~~ The legislature may transfer from the capital vessel replacement account to the connecting Washington account created under RCW 46.68.395 such amounts as reflect the excess fund balance of the capital vessel replacement account to be used for ferry terminal construction and preservation.

~~((4)))~~ (3) During the 2021-2023 and 2023-2025 fiscal biennia, the legislature may direct the state treasurer to make transfers of moneys in the capital vessel replacement account to the transportation partnership account and the connecting Washington account.

Sec. 403. RCW 47.60.826 and 2023 c 429 s 2 are each amended to read as follows:

(1)(a) The department shall contract for the acquisition of ~~((up to))~~ five or more new hybrid diesel-electric ferry vessels that can carry up to ~~((144))~~ 160 vehicles, using a one or two contract procurement approach to potentially accelerate vessel delivery.

(b) The Washington state ferries shall make available the design for the ~~((144))~~ 160 vehicle hybrid electric Olympic class vessel to potential bidders. Incentives may be awarded by the department to bidders who offer design modifications that:

(i) Lower the minimum number of crew needed to staff the vessel in accordance with United States coast guard requirements;

(ii) Incorporate materials, technologies, or other features that lower life-cycle maintenance and operations costs;

(iii) Accelerate the proposed delivery schedule; or

(iv) Make other improvements determined to be beneficial by the department. The Washington state ferries may allow for exceptions of the ~~((144))~~ 160 vehicle capacity of the vessel design in cases where efficiencies outlined in (b)(i) or (ii) of this subsection are met.

(2)(a) ~~The contract or contracts must be for a minimum of two vessels, with options for ((up to five vessels in total))~~ additional vessels, and are exempt from the requirements set forth in RCW 47.60.810 through 47.60.824.

(b) The contract or contracts may employ the following procurement methods:

(i) Design-build procedure as authorized under chapter 39.10 RCW;

(ii) Design-bid-build as authorized under chapter 39.04 RCW or an equivalent process allowed in statute as determined by the department; or

(iii) Lease with an option to buy in accordance with RCW 47.60.010. The terms of any plan to pursue a lease with an option to buy agreement must be approved by the governor and appropriate committees of the legislature and are subject to the availability of amounts appropriated for this specific purpose.

(c) To the extent possible, the department shall establish and apply evaluation criteria beyond low price to meet best value objectives.

(d) The department must award a credit of 13 percent of the bid price for bid proposals for vessels constructed in the state of Washington, which must be

adjusted to reflect the proportion of the construction of the vessels that occurs within the state. This credit represents the:

(i) Amount of economic and revenue loss to the state of Washington from constructing vessels outside the state of Washington, as indicated by the Washington institute for public policy study regarding Washington state ferry vessel procurement dated December 2016; and

(ii) Additional costs of transport, potential delay, and owner oversight incurred for construction at shipyards located outside the state of Washington.

(e) The department must require that contractors meet the requirements of RCW 39.04.320 regarding apprenticeships or other state law or federal law equivalents, where such equivalents exist.

(f) The department must require that contractors meet the requirements of chapter 90.48 RCW regarding water pollution control or other state law or federal law equivalents, where such equivalents exist.

(3) For contracts eligible for the use of federal funds, contractors must comply with federal disadvantaged business enterprise targets as outlined by the federal agency awarding funds.

(4) Contractors located in the state of Washington must meet the requirements of RCW 47.60.835, the small business enterprise enforceable goals program.

(5) The department shall employ third-party experts that report to the Washington state ferries to serve as a supplementary resource. The third-party experts contracted by the Washington state ferries shall:

(a) Perform project quality oversight and report to the transportation committees of the legislature and the office of financial management on a semiannual basis on project schedule, risks, and project budget;

(b) Assist with the management of change order requests;

(c) Advise on contract and technical matters; and

(d) Possess knowledge of and experience with inland waterways, Puget Sound vessel operations, the propulsion system of the new vessels, and Washington state ferries operations.

NEW SECTION. Sec. 404. Nothing in section 403 of this act shall be construed to apply to, or otherwise interfere with, vessel procurements underway prior to the effective date of section 403 of this act.

NEW SECTION. Sec. 405. A new section is added to chapter 47.60 RCW to read as follows:

The Washington state ferries shall implement cost recovery mechanisms to recoup at least three percent in credit card and other financial transaction costs related to the collection of ferry fares imposed under RCW 47.60.290 and 47.60.315. As part of the cost recovery mechanisms, the Washington state ferries may recover transaction fees incurred through credit card transactions. The Washington state ferries must notify customers of the fee at the point of sale and itemize the fee on customer receipts. Costs recovered under this section may not be considered revenue for the purposes of fare setting.

Ferry Vessels and Biodiesel Fuel

Sec. 406. RCW 43.19.642 and 2023 c 472 s 703 are each amended to read as follows:

(1) Effective June 1, 2006, for agencies complying with the ultra-low sulfur diesel mandate of the United States environmental protection agency for on-highway diesel fuel, agencies shall use biodiesel as an additive to ultra-low sulfur diesel for lubricity, provided that the use of a lubricity additive is warranted and that the use of biodiesel is comparable in performance and cost with other available lubricity additives. The amount of biodiesel added to the ultra-low sulfur diesel fuel shall be not less than two percent.

(2) Except as provided in subsection (5) of this section, effective June 1, 2009, state agencies are required to use a minimum of 20 percent biodiesel as compared to total volume of all diesel purchases made by the agencies for the operation of the agencies' diesel-powered vessels, vehicles, and construction equipment.

(3) All state agencies using biodiesel fuel shall, beginning on July 1, 2016, file annual reports with the department of enterprise services documenting the use of the fuel and a description of how any problems encountered were resolved.

(4) By December 1, 2009, the department of enterprise services shall:

(a) Report to the legislature on the average true price differential for biodiesel by blend and location; and

(b) Examine alternative fuel procurement methods that work to address potential market barriers for in-state biodiesel producers and report these findings to the legislature.

(5) ~~((During the 2021-2023 and 2023-2025 fiscal biennia, the))~~ The Washington state ferries is ((required to)) exempt from the requirements of this section and must use a minimum of five percent biodiesel as compared to total volume of all diesel ((purchases made by the Washington state ferries for the operation of the Washington state ferries diesel-powered vessels, as long as the price of a B5 or B10 biodiesel blend does not exceed the price of conventional diesel fuel by five percent or more)) used by the Washington state ferries, and develop internal processes to transition diesel vessels in the fleet to the highest possible biofuel blend or renewable diesel available by 2030.

PART V: TOLLING

Sec. 501. RCW 47.46.100 and 2002 c 114 s 7 are each amended to read as follows:

(1) The commission shall fix the rates of toll and other charges for all toll bridges built under this chapter that are financed primarily by bonds issued by the state. Subject to RCW 47.46.090, the commission may impose and modify toll charges from time to time as conditions warrant. However, except for publicly or privately owned or operated school buses, the commission may not exempt publicly or privately owned or operated transit buses, vans, and ride share vehicles, and must modify tolling provisions accordingly by October 1, 2025.

(2) In establishing toll charges, the commission shall give due consideration to any required costs for operating and maintaining the toll bridge or toll bridges,

including the cost of insurance, and to any amount required by law to meet the redemption of bonds and interest payments on them.

(3) The toll charges must be imposed in amounts sufficient to:

(a) Provide annual revenue sufficient to provide for annual operating and maintenance expenses, except as provided in RCW 47.56.245;

(b) Make payments required under RCW 47.56.165 and 47.46.140, including insurance costs and the payment of principal and interest on bonds issued for any particular toll bridge or toll bridges; and

(c) Repay the motor vehicle fund under RCW 47.46.110, 47.56.165, and 47.46.140.

(4) The bond principal and interest payments, including repayment of the motor vehicle fund for amounts transferred from that fund to provide for such principal and interest payments, constitute a first direct and exclusive charge and lien on all tolls and other revenues from the toll bridge concerned, subject to operating and maintenance expenses.

Sec. 502. RCW 47.56.850 and 2009 c 498 s 15 are each amended to read as follows:

(1) Unless these powers are otherwise delegated by the legislature, the transportation commission is the tolling authority for the state. The tolling authority shall:

(a) Set toll rates, establish appropriate exemptions, if any, and make adjustments as conditions warrant on eligible toll facilities. However, except for publicly or privately owned or operated school buses, the commission may not exempt publicly or privately owned or operated transit buses, vans, and ride share vehicles from tolls on bridges, and must modify tolling provisions accordingly by October 1, 2025;

(b) Review toll collection policies, toll operations policies, and toll revenue expenditures on the eligible toll facilities and report annually on this review to the legislature.

(2) The tolling authority, in determining toll rates, shall consider the policy guidelines established in RCW 47.56.830.

(3) Unless otherwise directed by the legislature, in setting and periodically adjusting toll rates, the tolling authority must ensure that toll rates will generate revenue sufficient to:

(a) Meet the operating costs of the eligible toll facilities, including necessary maintenance, preservation, renewal, replacement, administration, and toll enforcement by public law enforcement;

(b) Meet obligations for the timely payment of debt service on bonds issued for eligible toll facilities, and any other associated financing costs including, but not limited to, required reserves, minimum debt coverage or other appropriate contingency funding, insurance, and compliance with all other financial and other covenants made by the state in the bond proceedings;

(c) Meet obligations to reimburse the motor vehicle fund for excise taxes on motor vehicle and special fuels applied to the payment of bonds issued for eligible toll facilities; and

(d) Meet any other obligations of the tolling authority to provide its proportionate share of funding contributions for any projects or operations of the eligible toll facilities.

(4) The established toll rates may include variable pricing, and should be set to optimize system performance, recognizing necessary trade-offs to generate revenue for the purposes specified in subsection (3) of this section. Tolls may vary for type of vehicle, time of day, traffic conditions, or other factors designed to improve performance of the system.

(5) In fixing and adjusting toll rates under this section, the only toll revenue to be taken into account must be toll revenue pledged to bonds that includes toll receipts, and the only debt service requirements to be taken into account must be debt service on bonds payable from and secured by toll revenue that includes toll receipts.

(6) The legislature pledges to appropriate toll revenue as necessary to carry out the purposes of this section. When the legislature has specifically identified and designated an eligible toll facility and authorized the issuance of bonds for the financing of the eligible toll facility that are payable from and secured by a pledge of toll revenue, the legislature further agrees for the benefit of the owners of outstanding bonds issued by the state for eligible toll facilities to continue in effect and not to impair or withdraw the authorization of the tolling authority to fix and adjust tolls as provided in this section. The state finance committee shall pledge the state's obligation to impose and maintain tolls, together with the application of toll revenue as described in this section, to the owners of any bonds.

State Route Number 520 Segment Tolling

Sec. 503. RCW 47.56.870 and 2010 c 248 s 2 are each amended to read as follows:

(1) The initial imposition of tolls on the state route number 520 corridor is authorized, the state route number 520 corridor is designated an eligible toll facility, and toll revenue generated in the corridor must only be expended as allowed under RCW 47.56.820.

(2) The state route number 520 corridor consists of that portion of state route number 520 between the junctions of Interstate 5 and state route number 202, including any on-ramp or off-ramp within this portion. ~~((The toll imposed by this section shall be charged only for travel on the floating bridge portion of the state route number 520 corridor.))~~

(3)(a) In setting the toll rates for the corridor pursuant to RCW 47.56.850, the tolling authority shall set a variable schedule of toll rates to maintain travel time, speed, and reliability on the corridor and generate the necessary revenue as required under (b) of this subsection.

(b) The tolling authority shall initially set the variable schedule of toll rates, which the tolling authority may adjust at least annually to reflect inflation as measured by the consumer price index or as necessary to meet the redemption of bonds and interest payments on the bonds, to generate revenue sufficient to provide for:

(i) The issuance of general obligation bonds, authorized in RCW 47.10.879, first payable from toll revenue and then excise taxes on motor vehicle and special fuels pledged for the payment of those bonds in the amount necessary to fund the state route number 520 bridge replacement and HOV program, subject to subsection (4) of this section; and

(ii) Costs associated with the project designated in subsection (4) of this section that are eligible under RCW 47.56.820.

(4)(a) The proceeds of the bonds designated in subsection (3)(b)(i) of this section must be used only to fund the state route number 520 bridge replacement and HOV program; however, two hundred million dollars of bond proceeds, in excess of the proceeds necessary to complete the floating bridge segment and necessary landings, must be used only to fund the state route number 520, Interstate 5 to Medina bridge replacement and HOV project segment of the program, as identified in applicable environmental impact statements, and may be used to fund effective connections for high occupancy vehicles and transit for state route number 520, but only to the extent those connections benefit or improve the operation of state route number 520.

(b) The program must include the following elements within the cost constraints identified in section 1, chapter 472, Laws of 2009, consistent with the legislature's intent that cost savings applicable to the program stay within the program and that the bridge open to vehicular traffic in 2014:

(i) A project design, consistent with RCW 47.01.408, that includes high occupancy vehicle lanes with a minimum carpool occupancy requirement of three-plus persons on state route number 520;

(ii) High occupancy vehicle lane performance standards for the state route number 520 corridor established by the department. The department shall report to the transportation committees of the legislature when average transit speeds in the two lanes that are for high occupancy vehicle travel fall below forty-five miles per hour at least ten percent of the time during peak hours;

(iii) A work group convened by the mayor and city council of the city of Seattle to include sound transit, King county metro, the Seattle department of transportation, the department, the University of Washington, and other persons or organizations as designated by the mayor or city council to study and make recommendations of alternative connections for transit, including bus routes and high capacity transit, to the university link light rail line. The work group must consider such techniques as grade separation, additional stations, and pedestrian lids to effect these connections. The recommendations must be alternatives to the transit connections identified in the supplemental draft environmental impact statement for the state route number 520 bridge replacement and HOV program released in January 2010, and must meet the requirements under RCW 47.01.408, including accommodating effective connections for transit. The recommendations must be within the scope of the supplemental draft environmental impact statement. For the purposes of this section, "effective connections for transit" means a connection that connects transit stops, including high capacity transit stops, that serve the state route number 520/Montlake interchange vicinity to the university link light rail line, with a connection distance of less than one thousand two hundred feet between the stops and the light rail station. The city of Seattle shall submit the recommendations by October 1, 2010, to the governor and the transportation committees of the legislature. However, if the city of Seattle does not convene the work group required under this subsection before July 1, 2010, or does not submit recommendations to the governor and the transportation committees of the legislature by October 1, 2010, the department must convene the work group required under this subsection and meet all the requirements of this subsection that are described as requirements of the city of Seattle by November 30, 2010;

(iv) A work group convened by the department to include sound transit and King county metro to study and make recommendations regarding options for planning and financing high capacity transit through the state route number 520 corridor. The department shall submit the recommendations by January 1, 2011, to the governor and the transportation committees of the legislature;

(v) A plan to address mitigation as a result of the state route number 520 bridge replacement and HOV program at the Washington park arboretum. As part of its process, the department shall consult with the governing board of the Washington park arboretum, the Seattle city council and mayor, and the University of Washington to identify all mitigation required by state and federal law resulting from the state route number 520 bridge replacement and HOV program's impact on the arboretum, and to develop a project mitigation plan to address these impacts. The department shall submit the mitigation plan by December 31, 2010, to the governor and the transportation committees of the legislature. Wetland mitigation required by state and federal law as a result of the state route number 520 bridge replacement and HOV program's impacts on the arboretum must, to the greatest extent practicable, include on-site wetland mitigation at the Washington park arboretum, and must enhance the Washington park arboretum. This subsection (4)(b)(v) does not preclude any other mitigation planned for the Washington park arboretum as a result of the state route number 520 bridge replacement and HOV program;

(vi) A work group convened by the department to include the mayor of the city of Seattle, the Seattle city council, the Seattle department of transportation, and other persons or organizations as designated by the Seattle city council and mayor to study and make recommendations regarding design refinements to the preferred alternative selected by the department in the supplemental draft environmental impact statement process for the state route number 520 bridge replacement and HOV program. To accommodate a timely progression of the state route number 520 bridge replacement and HOV program, the design refinements recommended by the work group must be consistent with the current environmental documents prepared by the department for the supplemental draft environmental impact statement. The department shall submit the recommendations to the legislature and governor by December 31, 2010, and the recommendations must inform the final environmental impact statement prepared by the department; and

(vii) An account, created in ~~((section 5 of this act))~~ RCW 47.56.876, into which civil penalties generated from the nonpayment of tolls on the state route number 520 corridor are deposited to be used to fund any project within the program, including mitigation. However, this subsection (4)(b)(vii) is contingent on the enactment by June 30, 2010, of ~~((either))~~ chapter 249, Laws of 2010 ~~((or chapter ... (Substitute House Bill No. 2897), Laws of 2010))~~, but if the enacted bill does not designate the department as the toll penalty adjudicating agency, this subsection (4)(b)(vii) is null and void.

(5) The department may initiate ramp and segment tolling under this section only after the completion of level three traffic and revenue and environmental analyses of applicable tolling scenarios on the SR 520 corridor, as funded in the omnibus transportation appropriations act for the 2025-2027 fiscal biennium. The analyses must consider impacts of the ramp and segment tolling on access

and mobility for the residents of the neighborhoods that are most closely served by the connections to the corridor.

(6) The department may carry out the improvements designated in subsection (4) of this section and administer the tolling program on the state route number 520 corridor.

PART VI: TRANSPORTATION PROJECT STREAMLINING

Sec. 601. RCW 90.58.356 and 2015 3rd sp.s. c 15 s 10 are each amended to read as follows:

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

(a) "Maintenance" means the preservation of the transportation facility or transit facility, including surface, shoulders, roadsides, structures including, but not limited to, bridges and buried structures, ditches and all stormwater treatment and conveyance features, environmental mitigation sites, utilities appurtenant to transportation system operations, and such traffic control devices as are necessary for safe and efficient utilization of the highway in a manner that substantially conforms to the preexisting design, function, and location as the original except to meet current engineering standards or environmental permit requirements.

(b) "Repair" means to restore a structure or development to a state comparable to its original condition including, but not limited to, restoring the development's size, shape, configuration, location, and external appearance, within a reasonable period after decay or partial destruction. Repair of a structure or development may not cause substantial adverse effects to shoreline resources or the shoreline environment. Replacement of a structure or development may be considered a repair if: Replacement is the common method of repair for the type of structure or development; the replacement structure or development is comparable to the original structure or development including, but not limited to, the size, shape, configuration, location, and external appearance of the original structure or development; and the replacement does not cause substantial adverse effects to shoreline resources or the shoreline environment.

(c) "Replacement" of any existing transportation facility, or transit facility, including surface, shoulders, roadsides, structures including, but not limited to, bridges and buried structures, ditches and all stormwater treatment and conveyance features, utilities appurtenant to transportation system operations, environmental mitigation sites, and traffic control devices, means to replace in a manner that substantially conforms to the preexisting design, function, and location as the original except to meet current engineering standards or environmental permit requirements. Maintenance or replacement activities do not involve expansion of automobile lanes, and do not result in significant negative shoreline impact.

(2) The following department of transportation projects and activities do not require a substantial development permit, conditional use permit, variance, letter of exemption, or other review conducted by a local government:

(a) Maintenance, repair, or replacement that occurs within the roadway prism of a state highway as defined in RCW 46.04.560, the lease or ownership area of a state ferry terminal, or the lease or ownership area of a transit facility, including ancillary transportation facilities such as pedestrian paths, bicycle paths, or both, and bike lanes;

(b) Construction or installation of safety structures and equipment, including pavement marking, freeway surveillance and control systems, railroad protective devices not including grade separated crossings, grooving, glare screen, safety barriers, energy attenuators, and hazardous or dangerous tree removal;

(c) Maintenance occurring within the right-of-way; or

(d) Construction undertaken in response to unforeseen, extraordinary circumstances that is necessary to prevent a decline, lapse, or cessation of service from a lawfully established transportation facility.

(3) ~~((The department of transportation must provide written notification of projects and activities authorized under this section with a cost in excess of one million dollars before the design or plan is finalized to all agencies with jurisdiction, agencies with facilities or services that may be impacted, and adjacent property owners.))~~ Construction, maintenance, repair, or replacement work on transit facilities, when the work is conducted within a department of transportation right-of-way, does not require a substantial development permit, conditional use permit, variance, letter of exemption, or other review conducted by a local government.

Sec. 602. RCW 49.26.013 and 1995 c 218 s 1 are each amended to read as follows:

(1) ~~((Any))~~ Except as provided in subsection (2)(a)(ii) of this section, an owner or owner's agent who allows or authorizes any construction, renovation, remodeling, maintenance, repair, or demolition project which has a reasonable possibility, as defined by the department, of disturbing or releasing asbestos into the air, shall perform or cause to be performed, using practices approved by the department, a good faith inspection to determine whether the proposed project will disturb or release any material containing asbestos into the air.

Such inspections shall be conducted by persons meeting the accreditation requirements of the federal toxics substances control act, section 206(a) (1) and (3) (15 U.S.C. 2646(a) (1) and (3)).

An inspection under this section is not required if the owner or owner's agent is reasonably certain that asbestos will not be disturbed or assumes that asbestos will be disturbed by a project which involves construction, renovation, remodeling, maintenance, repair, or demolition and takes the maximum precautions as specified by all applicable federal and state requirements.

(2)(a)(i) Except as provided in RCW 49.26.125 and (a)(ii) of this subsection, the owner or owner's agent shall prepare and maintain a written report describing each inspection, or a statement of assumption of the presence or reasonable certainty of the absence of asbestos, and shall provide a copy of the written report or statement to all contractors before they apply or bid on work. ~~((In addition, upon))~~

(ii) The department of transportation may include a good faith inspection into the scope of construction contracts for a project in lieu of conducting a good faith inspection prior to contractors bidding on the work if, prior to the start of demolition and construction, a contractor:

(A) Completes the good faith inspection;

(B) Prepares and maintains a written report describing each inspection, or a statement of assumption of the presence or reasonable certainty of the absence of asbestos; and

(C) Provides a copy of the report or statement to the department of transportation.

(b) Upon written or oral request, the owner or owner's agent shall make a copy of the written report or statement available to: ~~((4))~~ (i) The department of labor and industries; ~~((2))~~ (ii) contractors; and ~~((3))~~ (iii) the collective bargaining representatives or employee representatives, if any, of employees who may be exposed to any asbestos or material containing asbestos.

(c) A copy of the report or statement shall be posted as prescribed by the department in a place that is easily accessible to such employees.

Sec. 603. RCW 36.70A.200 and 2023 sp.s. c 1 s 12 are each amended to read as follows:

(1)(a) The comprehensive plan of each county and city that is planning under RCW 36.70A.040 shall include a process for identifying and siting essential public facilities. Essential public facilities include those facilities that are typically difficult to site, such as airports, state education facilities and state or regional transportation facilities as defined in RCW 47.06.140, regional transit authority facilities as defined in RCW 81.112.020, improvements to high capacity transportation systems as defined in RCW 81.104.015, bus rapid transit routes and stops or improvements to such routes and stops, state and local correctional facilities, solid waste handling facilities, opioid treatment programs including both mobile and fixed-site medication units, recovery residences, harm reduction programs excluding safe injection sites, and inpatient facilities including substance use disorder treatment facilities, mental health facilities, group homes, community facilities as defined in RCW 72.05.020, and secure community transition facilities as defined in RCW 71.09.020.

(b) Unless a facility is expressly listed in (a) of this subsection, essential public facilities do not include facilities that are operated by a private entity in which persons are detained in custody under process of law pending the outcome of legal proceedings but are not used for punishment, correction, counseling, or rehabilitation following the conviction of a criminal offense. Facilities included under this subsection (1)(b) shall not include facilities detaining persons under RCW 71.09.020 (7) or (16) or chapter 10.77 or 71.05 RCW.

(c) The department of children, youth, and families may not attempt to site new community facilities as defined in RCW 72.05.020 east of the crest of the Cascade mountain range unless there is an equal or greater number of sited community facilities as defined in RCW 72.05.020 on the western side of the crest of the Cascade mountain range.

(d) For the purpose of this ~~(section, "harm"))~~ subsection:

(i) "Bus rapid transit" means a fixed route bus system that features assets indicating permanent, high capacity service including, but not limited to, elevated platforms or enhanced stations, off-board fare collection, dedicated lanes, busways, or transit signal priority; and

(ii) "Harm reduction programs" means programs that emphasize working directly with people who use drugs to prevent overdose and infectious disease transmission, improve the physical, mental, and social well-being of those served, and offer low threshold options for accessing substance use disorder treatment and other services.

(2) Each county and city planning under RCW 36.70A.040 shall, not later than September 1, 2002, establish a process, or amend its existing process, for

identifying and siting essential public facilities and adopt or amend its development regulations as necessary to provide for the siting of secure community transition facilities consistent with statutory requirements applicable to these facilities.

(3) Any city or county not planning under RCW 36.70A.040 shall, not later than September 1, 2002, establish a process for siting secure community transition facilities and adopt or amend its development regulations as necessary to provide for the siting of such facilities consistent with statutory requirements applicable to these facilities.

(4) The office of financial management shall maintain a list of those essential state public facilities that are required or likely to be built within the next six years. The office of financial management may at any time add facilities to the list.

(5)(a) No local comprehensive plan or development regulation may preclude the siting of essential public facilities.

(b) A city or county precludes an essential public facility when the city or county imposes conditions or costs that the city or county cannot demonstrate are reasonably necessary to mitigate adverse impacts directly caused by construction or operation of the essential public facility. A city or county with permitting authority shall commit to reasonable timelines to ensure timely issuance of permits without unnecessary delay. The essential public facility shall provide the city or county with the information needed to make timely permitting decisions. This subsection (5)(b) is limited exclusively to those essential public facilities that are improvements to high capacity transportation systems as defined in RCW 81.104.015.

(6) No person may bring a cause of action for civil damages based on the good faith actions of any county or city to provide for the siting of secure community transition facilities in accordance with this section and with the requirements of chapter 12, Laws of 2001 2nd sp. sess. For purposes of this subsection, "person" includes, but is not limited to, any individual, agency as defined in RCW 42.17A.005, corporation, partnership, association, and limited liability entity.

(7) Counties or cities siting facilities pursuant to subsection (2) or (3) of this section shall comply with RCW 71.09.341.

(8) The failure of a county or city to act by the deadlines established in subsections (2) and (3) of this section is not:

(a) A condition that would disqualify the county or city for grants, loans, or pledges under RCW 43.155.070 or 70A.135.070;

(b) A consideration for grants or loans provided under RCW 43.17.250(3); or

(c) A basis for any petition under RCW 36.70A.280 or for any private cause of action.

Sec. 604. RCW 36.70A.200 and 2024 c 164 s 511 are each amended to read as follows:

(1)(a) The comprehensive plan of each county and city that is planning under RCW 36.70A.040 shall include a process for identifying and siting essential public facilities. Essential public facilities include those facilities that are typically difficult to site, such as airports, state education facilities and state or regional transportation facilities as defined in RCW 47.06.140, regional

transit authority facilities as defined in RCW 81.112.020, improvements to high capacity transportation systems as defined in RCW 81.104.015, bus rapid transit routes and stops or improvements to such routes and stops, state and local correctional facilities, solid waste handling facilities, opioid treatment programs including both mobile and fixed-site medication units, recovery residences, harm reduction programs excluding safe injection sites, and inpatient facilities including substance use disorder treatment facilities, mental health facilities, group homes, community facilities as defined in RCW 72.05.020, and secure community transition facilities as defined in RCW 71.09.020.

(b) Unless a facility is expressly listed in (a) of this subsection, essential public facilities do not include facilities that are operated by a private entity in which persons are detained in custody under process of law pending the outcome of legal proceedings but are not used for punishment, correction, counseling, or rehabilitation following the conviction of a criminal offense. Facilities included under this subsection (1)(b) shall not include facilities detaining persons under RCW 71.09.020 (7) or (16) or chapter 10.77 or 71.05 RCW.

(c) The department of children, youth, and families may not attempt to site new community facilities as defined in RCW 72.05.020 east of the crest of the Cascade mountain range unless there is an equal or greater number of sited community facilities as defined in RCW 72.05.020 on the western side of the crest of the Cascade mountain range.

(d) For the purpose of this ~~((section, "harm))~~ subsection:

(i) "Bus rapid transit" means a fixed route bus system that features assets indicating permanent, high capacity service including, but not limited to, elevated platforms or enhanced stations, off-board fare collection, dedicated lanes, busways, or transit signal priority; and

(ii) "Harm reduction programs" means programs that emphasize working directly with people who use drugs to prevent overdose and infectious disease transmission, improve the physical, mental, and social well-being of those served, and offer low threshold options for accessing substance use disorder treatment and other services.

(2) Each county and city planning under RCW 36.70A.040 shall, not later than September 1, 2002, establish a process, or amend its existing process, for identifying and siting essential public facilities and adopt or amend its development regulations as necessary to provide for the siting of secure community transition facilities consistent with statutory requirements applicable to these facilities.

(3) Any city or county not planning under RCW 36.70A.040 shall, not later than September 1, 2002, establish a process for siting secure community transition facilities and adopt or amend its development regulations as necessary to provide for the siting of such facilities consistent with statutory requirements applicable to these facilities.

(4) The office of financial management shall maintain a list of those essential state public facilities that are required or likely to be built within the next six years. The office of financial management may at any time add facilities to the list.

(5)(a) No local comprehensive plan or development regulation may preclude the siting of essential public facilities.

(b) A city or county precludes an essential public facility when the city or county imposes conditions or costs that the city or county cannot demonstrate are reasonably necessary to mitigate adverse impacts directly caused by construction or operation of the essential public facility. A city or county with permitting authority shall commit to reasonable timelines to ensure timely issuance of permits without unnecessary delay. The essential public facility shall provide the city or county with the information needed to make timely permitting decisions. This subsection (5)(b) is limited exclusively to those essential public facilities that are improvements to high capacity transportation systems as defined in RCW 81.104.015.

(6) No person may bring a cause of action for civil damages based on the good faith actions of any county or city to provide for the siting of secure community transition facilities in accordance with this section and with the requirements of chapter 12, Laws of 2001 2nd sp. sess. For purposes of this subsection, "person" includes, but is not limited to, any individual, agency as defined in RCW 29B.10.030, corporation, partnership, association, and limited liability entity.

(7) Counties or cities siting facilities pursuant to subsection (2) or (3) of this section shall comply with RCW 71.09.341.

(8) The failure of a county or city to act by the deadlines established in subsections (2) and (3) of this section is not:

(a) A condition that would disqualify the county or city for grants, loans, or pledges under RCW 43.155.070 or 70A.135.070;

(b) A consideration for grants or loans provided under RCW 43.17.250(3); or

(c) A basis for any petition under RCW 36.70A.280 or for any private cause of action.

NEW SECTION. Sec. 605. A new section is added to chapter 43.21C RCW to read as follows:

In the event of a disagreement over the scope of a transit project, state agencies, cities, and counties shall accept the detailed statement prepared by the transit agency under RCW 43.21C.030(2)(c) as the sole environmental review document, rather than conducting separate environmental reviews or preparing additional detailed statements. Consistent with RCW 43.21C.150, when a transit agency has previously prepared an adequate detailed statement pursuant to the national environmental policy act of 1969 as part of a federally funded transit project, that national environmental policy act document shall satisfy the requirements under RCW 43.21C.030(2)(c). State agencies, cities, and counties shall adopt and rely on the national environmental policy act document for their environmental review and permitting processes, aligning applicable local documents accordingly. For purposes of this section, "transit agency" does not include a regional transit authority under chapter 81.112 RCW.

PART VII: TRANSPORTATION GRANT PROGRAMS

NEW SECTION. Sec. 701. A new county local road program is established to fund the preservation and improvement of county local roads. The board must:

(1) Adopt rules necessary to implement the provisions of this chapter relating to the allocation of funds; and

(2) Include a program status report in the board's annual report to the legislature as provided in RCW 36.78.070.

NEW SECTION. Sec. 702. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Board" means the county road administration board created in RCW 36.78.030.

(2) "Community facility" means a publicly owned facility or building that is primarily intended to serve the recreational, educational, cultural, public health and safety, administrative, or entertainment needs of the community as a whole.

(3) "County local road program project" means improvement projects on those county roads not federally classified as an arterial or collector.

(4) "LAG manual" means the Washington state department of transportation's local agency guidelines manual or its successor document.

(5) "Overburdened community" has the same meaning as defined in RCW 70A.02.010.

(6) "Pedestrian facility" means a facility designed to meet the needs of pedestrians in accordance with county and Americans with disabilities act requirements.

NEW SECTION. Sec. 703. (1) The board shall adopt rules to select preservation and improvement projects under this chapter taking into consideration, at a minimum, the following priority rating factors:

(a) Investment in overburdened communities;

(b) Environmental health disparities as identified in the environmental health disparities map specified in RCW 43.70.815;

(c) Location on or providing direct access to a federally recognized Indian reservation or lands;

(d) Sustaining the structural, safety, and operational integrity of the road;

(e) Vehicle and pedestrian collision experience;

(f) Access improvements to a community facility; and

(g) Identified need in a state, regional, county, or community plan.

(2) Proposed projects must be included in the respective county's six-year plan as provided in RCW 36.81.121 before board approval of the project.

NEW SECTION. Sec. 704. The following project types are allowed under the county local road program created in this chapter:

(1) 2-R as defined in the LAG manual;

(2) 3-R as defined in the LAG manual;

(3) Reconstruction as defined in the LAG manual;

(4) Replacement of any bridge on the national bridge inventory;

(5) Removal of human-made or caused impediments to anadromous fish passage; and

(6) Pedestrian facilities.

NEW SECTION. Sec. 705. Whenever a proposed county local road program project is adjacent to a city or town, the appropriate city or town and county officials shall jointly plan and include the improvement in their respective long-range plans. Whenever a county local road program project connects with and will be substantially affected by a programmed construction project on a state highway, the proper county officials shall jointly plan the

development of such project with the department of transportation district administrator.

NEW SECTION. Sec. 706. Counties receiving funds from the county local road program shall provide such matching funds as established by rules adopted by the board. Matching requirements must be established after appropriate studies by the board and considering the financial resources available to counties.

NEW SECTION. Sec. 707. (1) Only those counties that, during the preceding 12 months, have spent all revenues collected for road purposes only for such purposes, including removal of barriers to fish passage and accompanying streambed and stream bank repair as specified in RCW 36.82.070, and including traffic law enforcement as allowed under Article II, section 40 of the state Constitution or RCW 36.82.070(2), are eligible to receive funds from the county local road program, except that:

(a) Counties with a population of less than 8,000 are exempt from this eligibility restriction;

(b) Counties expending revenues collected for road purposes only on other governmental services after authorization from the voters of that county under RCW 84.55.050 are exempt from this eligibility restriction; and

(c) This restriction does not apply to any moneys diverted from the road district levy under chapter 39.89 RCW.

(2) The board shall authorize county local road grant program funds for the construction project portion of a project previously authorized for a preliminary proposal in the sequence in which the preliminary proposal has been completed and the construction project is to be placed under contract. At such time the board may reserve funds for expenditure in future years as may be necessary for completion of preliminary proposals and construction projects to be commenced in the ensuing biennium.

(3) Subject to the availability of amounts appropriated for this specific purpose, the board may consider additional projects for authorization under this chapter upon a clear and conclusive showing by the submitting county that the proposed project is of an emergent nature and that its need was unable to be anticipated at the time the six-year plan of the county was developed. The proposed projects must be evaluated on the basis of the priority rating factors specified in section 703 of this act.

NEW SECTION. Sec. 708. Whenever the board approves a county local road program project under this chapter it shall determine the amount of county local road program funds to be allocated for such project. The allocation must be based upon information submitted by the county seeking approval of the project and upon such further investigation as the board deems necessary. The board shall adopt reasonable rules pursuant to which county local road program funds allocated to a project may be increased upon a subsequent application of the county constructing the project. The rules adopted by the board must take into account, but are not limited to, the following factors:

(1) The financial effect of increasing the original allocation for the project upon other county local road program projects either approved or requested;

(2) Whether the project for which an additional allocation is requested can be reduced in scope while retaining a usable segment;

(3) Whether the original cost of the project shown in the applicant's original submittal was based upon reasonable engineering estimates; and

(4) Whether the requested additional allocation is to pay for an expansion in the scope of work originally approved.

NEW SECTION. Sec. 709. Sections 701 through 708 of this act constitute a new chapter in Title 36 RCW.

Sec. 710. RCW 47.04.380 and 2024 c 106 s 1 are each amended to read as follows:

(1) The legislature finds that many communities across Washington state have not equitably benefited from investments in the active transportation network. The legislature also finds that legacy state transportation facilities designed primarily for vehicle use caused disconnections in safe routes for people who walk, bike, and roll to work and to carry out other daily activities.

(2) To address these investment gaps, and to honor the legacy of community advocacy of Sandy Williams, the Sandy Williams connecting communities program is established within the department. The purpose of the program is to improve active transportation connectivity in communities by:

(a) Providing safe, continuous routes for pedestrians, bicyclists, and other nonvehicle users carrying out their daily activities;

(b) Mitigating for the health, safety, and access impacts of transportation infrastructure that bisects communities and creates obstacles in the local active transportation network;

(c) Investing in greenways providing protected routes for a wide variety of nonvehicular users; and

(d) Facilitating the planning, development, and implementation of projects and activities that will improve the connectivity and safety of the active transportation network.

(3) The department must select projects to propose to the legislature for funding. In selecting projects, the department must consider, at a minimum, the following criteria:

(a) Access to a transit facility, community facility, commercial center, or community-identified assets;

(b) The use of minority and women-owned businesses and community-based organizations in planning, community engagement, design, and construction of the project;

(c) Whether the project will serve:

(i) Overburdened communities as defined in RCW 70A.02.010 to mean a geographic area where vulnerable populations face combined, multiple environmental harms and health impacts, and includes, but is not limited to, highly impacted communities as defined in RCW 19.405.020;

(ii) Vulnerable populations as defined in RCW 70A.02.010 to mean population groups that are more likely to be at higher risk for poor health outcomes in response to environmental harms, due to adverse socioeconomic factors, such as unemployment, high housing, and transportation costs relative to income, limited access to nutritious food and adequate health care, linguistic isolation, and other factors that negatively affect health outcomes and increase vulnerability to the effects of environmental harms; and sensitivity factors, such as low birth weight and higher rates of hospitalization. Vulnerable populations

include, but are not limited to: Racial or ethnic minorities, low-income populations, populations disproportionately impacted by environmental harms, and populations of workers experiencing environmental harms;

(iii) Household incomes at or below 200 percent of the federal poverty level; and

(iv) People with disabilities;

(d) Environmental health disparities, such as those indicated by the diesel pollution burden portion of the Washington environmental health disparities map developed by the department of health, or other similar indicators;

(e) Location on or adjacent to tribal lands or locations providing essential services to tribal members;

(f) Crash experience involving pedestrians and bicyclists; and

(g) Identified need by the community, for example in the state active transportation plan or a regional, county, or community plan.

(4) It is the intent of the legislature that the Sandy Williams connecting communities program comply with the requirements of chapter 314, Laws of 2021.

(5) The department shall submit a report to the transportation committees of the legislature by December 1, 2022, and each December 1st thereafter identifying the selected connecting communities projects for funding by the legislature. The report must also include the status of previously funded projects.

(6) The Sandy Williams connecting communities program account is created in the state treasury. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only for the program activities described in this section.

(7) Beginning September 2027, by the last day of September, December, March, and June of each year, the state treasurer shall transfer \$3,125,000 from the multimodal transportation account created in RCW 47.66.070 to the Sandy Williams connecting communities program account created in this section.

Sec. 711. RCW 47.04.390 and 2023 c 431 s 7 are each amended to read as follows:

(1)(a) The department shall establish a statewide school-based bicycle education grant program. The grant will support two programs: One for ~~((elementary and middle school))~~ grades three through eight; and one for ~~((junior high and high school))~~ grades six through 12 aged youth to develop the skills and street safety knowledge to be more confident bicyclists for transportation and/or recreation. In development of the grant program, the department is encouraged to consult with the environmental justice council and the office of equity.

(b) Youth participating in the school-based bicycle education grant program shall have an opportunity to receive a bike, lock, helmet, and lights, and maintenance supplies free of cost.

(2)((~~a~~)) For the ~~((elementary and middle school program))~~ grades through three through eight and grades six through 12 programs, the department shall contract with a nonprofit organization with relevant reach and experience, including a statewide footprint and demonstrable experience deploying bicycling and road safety education curriculum via a train the trainer model in schools. The selected nonprofit shall identify partner schools and partner organizations that serve target populations, based on the criteria in subsection ~~((3))~~ (4) of this

section. Partner schools shall receive from the nonprofit: In-school bike and pedestrian safety education curriculum, materials, equipment guidance and consultation, and physical education teacher ~~((trainings. Youth grades three through eight are eligible for the program.~~

~~(b) Selected school districts shall receive and maintain a fleet of bicycles for the youth in the program. Youth and families participating in the school base bicycle education grant program shall have an opportunity to receive a bike, lock, helmet, and lights free of cost))~~ training. Selected school districts shall receive and maintain a fleet of bicycles for the youth in the program.

(3) For the ~~((junior high and high school))~~ grades six through 12 program, the department shall contract with a nonprofit organization with relevant reach and experience, including a statewide footprint; demonstrable experience developing and managing youth-based programming serving youth of color in an after-school and/or community setting; and deploying bicycling and road safety education curriculum via a train the trainer model. The selected nonprofit shall use the equity-based criteria in subsection (4) of this section to identify target populations and partner organizations including, but not limited to, schools, community-based organizations, housing authorities, and parks and recreation departments, that work with the eligible populations of youth ~~((ages 14 to 18)).~~ Partner organizations shall receive from the nonprofit: Education curriculum, materials, equipment including, but not limited to, bicycles, helmets, locks, and lights, guidance and consultation, and initial instructor/volunteer training, as well as ongoing support.

(4) In selecting schools and partner organizations for the school-based bicycle education grant program, the department and nonprofit must consider, at a minimum, the following criteria:

(a) Population impacted by poverty, as measured by free and reduced lunch population or 200 percent federal poverty level;

(b) People of color;

(c) People of Hispanic heritage;

(d) People with disabilities;

(e) Environmental health disparities, such as those indicated by the diesel pollution burden portion of the Washington environmental health disparities map developed by the department of health, or other similar indicators;

(f) Location on or adjacent to an Indian reservation;

(g) Geographic location throughout the state;

(h) Crash experience involving pedestrians and bicyclists;

(i) Access to a community facility or commercial center; and

(j) Identified need in the state active transportation plan or a regional, county, or community plan.

(5) The department shall submit a report for both programs to the transportation committees of the legislature by December 1, 2022, and each December 1st thereafter identifying the selected programs and school districts for funding by the legislature. The report must also include the status of previously funded programs.

PART VIII: GREEN TRANSPORTATION POLICY**Climate Commitment Act Transportation Accounts**

NEW SECTION. **Sec. 801.** The following acts or parts of acts are each repealed:

(1) RCW 46.68.490 (Climate active transportation account) and 2023 c 472 s 711 & 2022 c 182 s 102; and

(2) RCW 46.68.500 (Climate transit programs account) and 2023 c 472 s 712 & 2022 c 182 s 103.

Sec. 802. RCW 43.84.092 and 2024 c 210 s 4 and 2024 c 168 s 12 are each reenacted and amended to read as follows:

(1) All earnings of investments of surplus balances in the state treasury shall be deposited to the treasury income account, which account is hereby established in the state treasury.

(2) The treasury income account shall be utilized to pay or receive funds associated with federal programs as required by the federal cash management improvement act of 1990. The treasury income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for refunds or allocations of interest earnings required by the cash management improvement act. Refunds of interest to the federal treasury required under the cash management improvement act fall under RCW 43.88.180 and shall not require appropriation. The office of financial management shall determine the amounts due to or from the federal government pursuant to the cash management improvement act. The office of financial management may direct transfers of funds between accounts as deemed necessary to implement the provisions of the cash management improvement act, and this subsection. Refunds or allocations shall occur prior to the distributions of earnings set forth in subsection (4) of this section.

(3) Except for the provisions of RCW 43.84.160, the treasury income account may be utilized for the payment of purchased banking services on behalf of treasury funds including, but not limited to, depository, safekeeping, and disbursement functions for the state treasury and affected state agencies. The treasury income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for payments to financial institutions. Payments shall occur prior to distribution of earnings set forth in subsection (4) of this section.

(4) Monthly, the state treasurer shall distribute the earnings credited to the treasury income account. The state treasurer shall credit the general fund with all the earnings credited to the treasury income account except:

(a) The following accounts and funds shall receive their proportionate share of earnings based upon each account's and fund's average daily balance for the period: The abandoned recreational vehicle disposal account, the aeronautics account, the Alaskan Way viaduct replacement project account, the ambulance transport fund, the budget stabilization account, the capital vessel replacement account, the capitol building construction account, the Central Washington University capital projects account, the charitable, educational, penal and reformatory institutions account, the Chehalis basin account, the Chehalis basin taxable account, the clean fuels credit account, the clean fuels transportation investment account, the cleanup settlement account, ~~((the climate active transportation account, the climate transit programs account,))~~ the Columbia river basin water supply development account, the Columbia river basin taxable

bond water supply development account, the Columbia river basin water supply revenue recovery account, the common school construction fund, the community forest trust account, the connecting Washington account, the county arterial preservation account, the county criminal justice assistance account, the covenant homeownership account, the deferred compensation administrative account, the deferred compensation principal account, the department of licensing services account, the department of retirement systems expense account, the developmental disabilities community services account, the diesel idle reduction account, the opioid abatement settlement account, the drinking water assistance account, the administrative subaccount of the drinking water assistance account, the early learning facilities development account, the early learning facilities revolving account, the Eastern Washington University capital projects account, the education construction fund, the education legacy trust account, the election account, the electric vehicle account, the energy freedom account, the energy recovery act account, the essential rail assistance account, The Evergreen State College capital projects account, the fair start for kids account, the family medicine workforce development account, the ferry bond retirement fund, the fish, wildlife, and conservation account, the freight mobility investment account, the freight mobility multimodal account, the grade crossing protective fund, the higher education retirement plan supplemental benefit fund, the Washington student loan account, the highway bond retirement fund, the highway infrastructure account, the highway safety fund, the hospital safety net assessment fund, the Interstate 5 bridge replacement project account, the Interstate 405 and state route number 167 express toll lanes account, the judges' retirement account, the judicial retirement administrative account, the judicial retirement principal account, the limited fish and wildlife account, the local leasehold excise tax account, the local real estate excise tax account, the local sales and use tax account, the marine resources stewardship trust account, the medical aid account, the money-purchase retirement savings administrative account, the money-purchase retirement savings principal account, the motor vehicle fund, the motorcycle safety education account, the move ahead WA account, the move ahead WA flexible account, the multimodal transportation account, the multiuse roadway safety account, the municipal criminal justice assistance account, the oyster reserve land account, the pension funding stabilization account, the perpetual surveillance and maintenance account, the pilotage account, the pollution liability insurance agency underground storage tank revolving account, the public employees' retirement system plan 1 account, the public employees' retirement system combined plan 2 and plan 3 account, the public facilities construction loan revolving account, the public health supplemental account, the public works assistance account, the Puget Sound capital construction account, the Puget Sound ferry operations account, the Puget Sound Gateway facility account, the Puget Sound taxpayer accountability account, the real estate appraiser commission account, the recreational vehicle account, the regional mobility grant program account, the reserve officers' relief and pension principal fund, the resource management cost account, the rural arterial trust account, the rural mobility grant program account, the rural Washington loan fund, the second injury fund, the sexual assault prevention and response account, the site closure account, the skilled nursing facility safety net trust fund, the small city pavement and sidewalk account, the special category C

account, the special wildlife account, the state hazard mitigation revolving loan account, the state investment board expense account, the state investment board commingled trust fund accounts, the state patrol highway account, the state reclamation revolving account, the state route number 520 civil penalties account, the state route number 520 corridor account, the statewide broadband account, the statewide tourism marketing account, the supplemental pension account, the Tacoma Narrows toll bridge account, the teachers' retirement system plan 1 account, the teachers' retirement system combined plan 2 and plan 3 account, the tobacco prevention and control account, the tobacco settlement account, the toll facility bond retirement account, the transportation 2003 account (nickel account), the transportation equipment fund, the JUDY transportation future funding program account, the transportation improvement account, the transportation improvement board bond retirement account, the transportation infrastructure account, the transportation partnership account, the traumatic brain injury account, the tribal opioid prevention and treatment account, the University of Washington bond retirement fund, the University of Washington building account, the voluntary cleanup account, the volunteer firefighters' relief and pension principal fund, the volunteer firefighters' and reserve officers' administrative fund, the vulnerable roadway user education account, the Washington judicial retirement system account, the Washington law enforcement officers' and firefighters' system plan 1 retirement account, the Washington law enforcement officers' and firefighters' system plan 2 retirement account, the Washington public safety employees' plan 2 retirement account, the Washington school employees' retirement system combined plan 2 and 3 account, the Washington state patrol retirement account, the Washington State University building account, the Washington State University bond retirement fund, the water pollution control revolving administration account, the water pollution control revolving fund, the Western Washington University capital projects account, the Yakima integrated plan implementation account, the Yakima integrated plan implementation revenue recovery account, and the Yakima integrated plan implementation taxable bond account. Earnings derived from investing balances of the agricultural permanent fund, the normal school permanent fund, the permanent common school fund, the scientific permanent fund, and the state university permanent fund shall be allocated to their respective beneficiary accounts.

(b) Any state agency that has independent authority over accounts or funds not statutorily required to be held in the state treasury that deposits funds into a fund or account in the state treasury pursuant to an agreement with the office of the state treasurer shall receive its proportionate share of earnings based upon each account's or fund's average daily balance for the period.

(5) In conformance with Article II, section 37 of the state Constitution, no treasury accounts or funds shall be allocated earnings without the specific affirmative directive of this section.

Sec. 803. RCW 43.84.092 and 2024 c 210 s 5 and 2024 c 168 s 13 are each reenacted and amended to read as follows:

(1) All earnings of investments of surplus balances in the state treasury shall be deposited to the treasury income account, which account is hereby established in the state treasury.

(2) The treasury income account shall be utilized to pay or receive funds associated with federal programs as required by the federal cash management improvement act of 1990. The treasury income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for refunds or allocations of interest earnings required by the cash management improvement act. Refunds of interest to the federal treasury required under the cash management improvement act fall under RCW 43.88.180 and shall not require appropriation. The office of financial management shall determine the amounts due to or from the federal government pursuant to the cash management improvement act. The office of financial management may direct transfers of funds between accounts as deemed necessary to implement the provisions of the cash management improvement act, and this subsection. Refunds or allocations shall occur prior to the distributions of earnings set forth in subsection (4) of this section.

(3) Except for the provisions of RCW 43.84.160, the treasury income account may be utilized for the payment of purchased banking services on behalf of treasury funds including, but not limited to, depository, safekeeping, and disbursement functions for the state treasury and affected state agencies. The treasury income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for payments to financial institutions. Payments shall occur prior to distribution of earnings set forth in subsection (4) of this section.

(4) Monthly, the state treasurer shall distribute the earnings credited to the treasury income account. The state treasurer shall credit the general fund with all the earnings credited to the treasury income account except:

(a) The following accounts and funds shall receive their proportionate share of earnings based upon each account's and fund's average daily balance for the period: The abandoned recreational vehicle disposal account, the aeronautics account, the Alaskan Way viaduct replacement project account, the budget stabilization account, the capital vessel replacement account, the capitol building construction account, the Central Washington University capital projects account, the charitable, educational, penal and reformatory institutions account, the Chehalis basin account, the Chehalis basin taxable account, the clean fuels credit account, the clean fuels transportation investment account, the cleanup settlement account, ~~((the climate active transportation account, the climate transit programs account,))~~ the Columbia river basin water supply development account, the Columbia river basin taxable bond water supply development account, the Columbia river basin water supply revenue recovery account, the common school construction fund, the community forest trust account, the connecting Washington account, the county arterial preservation account, the county criminal justice assistance account, the covenant homeownership account, the deferred compensation administrative account, the deferred compensation principal account, the department of licensing services account, the department of retirement systems expense account, the developmental disabilities community services account, the diesel idle reduction account, the opioid abatement settlement account, the drinking water assistance account, the administrative subaccount of the drinking water assistance account, the early learning facilities development account, the early learning facilities revolving account, the Eastern Washington University capital projects account, the education construction fund, the education legacy trust account, the election account, the electric vehicle account, the energy freedom account, the energy

recovery act account, the essential rail assistance account, The Evergreen State College capital projects account, the fair start for kids account, the family medicine workforce development account, the ferry bond retirement fund, the fish, wildlife, and conservation account, the freight mobility investment account, the freight mobility multimodal account, the grade crossing protective fund, the higher education retirement plan supplemental benefit fund, the Washington student loan account, the highway bond retirement fund, the highway infrastructure account, the highway safety fund, the hospital safety net assessment fund, the Interstate 5 bridge replacement project account, the Interstate 405 and state route number 167 express toll lanes account, the judges' retirement account, the judicial retirement administrative account, the judicial retirement principal account, the limited fish and wildlife account, the local leasehold excise tax account, the local real estate excise tax account, the local sales and use tax account, the marine resources stewardship trust account, the medical aid account, the money-purchase retirement savings administrative account, the money-purchase retirement savings principal account, the motor vehicle fund, the motorcycle safety education account, the move ahead WA account, the move ahead WA flexible account, the multimodal transportation account, the multiuse roadway safety account, the municipal criminal justice assistance account, the oyster reserve land account, the pension funding stabilization account, the perpetual surveillance and maintenance account, the pilotage account, the pollution liability insurance agency underground storage tank revolving account, the public employees' retirement system plan 1 account, the public employees' retirement system combined plan 2 and plan 3 account, the public facilities construction loan revolving account, the public health supplemental account, the public works assistance account, the Puget Sound capital construction account, the Puget Sound ferry operations account, the Puget Sound Gateway facility account, the Puget Sound taxpayer accountability account, the real estate appraiser commission account, the recreational vehicle account, the regional mobility grant program account, the reserve officers' relief and pension principal fund, the resource management cost account, the rural arterial trust account, the rural mobility grant program account, the rural Washington loan fund, the second injury fund, the sexual assault prevention and response account, the site closure account, the skilled nursing facility safety net trust fund, the small city pavement and sidewalk account, the special category C account, the special wildlife account, the state hazard mitigation revolving loan account, the state investment board expense account, the state investment board commingled trust fund accounts, the state patrol highway account, the state reclamation revolving account, the state route number 520 civil penalties account, the state route number 520 corridor account, the statewide broadband account, the statewide tourism marketing account, the supplemental pension account, the Tacoma Narrows toll bridge account, the teachers' retirement system plan 1 account, the teachers' retirement system combined plan 2 and plan 3 account, the tobacco prevention and control account, the tobacco settlement account, the toll facility bond retirement account, the transportation 2003 account (nickel account), the transportation equipment fund, the JUDY transportation future funding program account, the transportation improvement account, the transportation improvement board bond retirement account, the transportation infrastructure account, the transportation partnership account, the

traumatic brain injury account, the tribal opioid prevention and treatment account, the University of Washington bond retirement fund, the University of Washington building account, the voluntary cleanup account, the volunteer firefighters' relief and pension principal fund, the volunteer firefighters' and reserve officers' administrative fund, the vulnerable roadway user education account, the Washington judicial retirement system account, the Washington law enforcement officers' and firefighters' system plan 1 retirement account, the Washington law enforcement officers' and firefighters' system plan 2 retirement account, the Washington public safety employees' plan 2 retirement account, the Washington school employees' retirement system combined plan 2 and 3 account, the Washington state patrol retirement account, the Washington State University building account, the Washington State University bond retirement fund, the water pollution control revolving administration account, the water pollution control revolving fund, the Western Washington University capital projects account, the Yakima integrated plan implementation account, the Yakima integrated plan implementation revenue recovery account, and the Yakima integrated plan implementation taxable bond account. Earnings derived from investing balances of the agricultural permanent fund, the normal school permanent fund, the permanent common school fund, the scientific permanent fund, and the state university permanent fund shall be allocated to their respective beneficiary accounts.

(b) Any state agency that has independent authority over accounts or funds not statutorily required to be held in the state treasury that deposits funds into a fund or account in the state treasury pursuant to an agreement with the office of the state treasurer shall receive its proportionate share of earnings based upon each account's or fund's average daily balance for the period.

(5) In conformance with Article II, section 37 of the state Constitution, no treasury accounts or funds shall be allocated earnings without the specific affirmative directive of this section.

Sec. 804. RCW 70A.65.030 and 2023 c 475 s 1902 and 2023 c 475 s 936 are each reenacted and amended to read as follows:

(1) ~~((Except as provided in subsection (4) of this section, each))~~ Each year or biennium, as appropriate, when allocating funds from the carbon emissions reduction account created in RCW 70A.65.240, the climate commitment account created in RCW 70A.65.260, the natural climate solutions account created in RCW 70A.65.270, the climate investment account created in RCW 70A.65.250, or the air quality and health disparities improvement account created in RCW 70A.65.280, ~~((the climate transit programs account created in RCW 46.68.500, or the climate active transportation account created in RCW 46.68.490,))~~ or administering grants or programs funded by the accounts, agencies shall conduct an environmental justice assessment consistent with the requirements of RCW 70A.02.060 and establish a minimum of not less than 35 percent and a goal of 40 percent of total investments that provide direct and meaningful benefits to vulnerable populations within the boundaries of overburdened communities through: (a) The direct reduction of environmental burdens in overburdened communities; (b) the reduction of disproportionate, cumulative risk from environmental burdens, including those associated with climate change; (c) the support of community led project development, planning, and participation

costs; or (d) meeting a community need identified by the community that is consistent with the intent of this chapter or RCW 70A.02.010.

(2) The allocation of funding under subsection (1) of this section must adhere to the following principles, additional to the requirements of RCW 70A.02.080: (a) Benefits and programs should be directed to areas and targeted to vulnerable populations and overburdened communities to reduce statewide disparities; (b) investments and benefits should be made roughly proportional to the health disparities that a specific community experiences, with a goal of eliminating the disparities; (c) investments and programs should focus on creating environmental benefits, including eliminating health burdens, creating community and population resilience, and raising the quality of life of those in the community; and (d) efforts should be made to balance investments and benefits across the state and within counties, local jurisdictions, and unincorporated areas as appropriate to reduce disparities by location and to ensure efforts contribute to a reduction in disparities that exist based on race or ethnicity, socioeconomic status, or other factors.

(3) ~~((Except as provided in subsection (4) of this section, state))~~ State agencies allocating funds or administering grants or programs from the carbon emissions reduction account created in RCW 70A.65.240, the climate commitment account created in RCW 70A.65.260, the natural climate solutions account created in RCW 70A.65.270, the climate investment account created in RCW 70A.65.250, or the air quality and health disparities improvement account created in RCW 70A.65.280, ~~((the climate transit programs account created in RCW 46.68.500, or the climate active transportation account created in RCW 46.68.490,))~~ must:

(a) Report annually to the environmental justice council created in RCW 70A.02.110 regarding progress toward meeting environmental justice and environmental health goals;

(b) Consider recommendations by the environmental justice council; and

(c)(i) If the agency is not a covered agency subject to the requirements of chapter 70A.02 RCW, create and adopt a community engagement plan to describe how it will engage with overburdened communities and vulnerable populations in allocating funds or administering grants or programs from the climate investment account.

(ii) The plan must include methods for outreach and communication with those who face barriers, language or otherwise, to participation.

~~((4) During the 2023-2025 fiscal biennium:~~

~~(a) The requirement of subsection (1) of this section to conduct an environmental justice assessment applies only to covered agencies as defined in RCW 70A.02.010 and to significant agency actions as defined in RCW 70A.02.010.~~

~~(b) Agencies shall coordinate with the department and the office of financial management to achieve total statewide spending from the accounts listed in subsection (1) of this section of not less than 35 percent and a goal of 40 percent of total investments that provide direct and meaningful benefits to vulnerable populations within the boundaries of overburdened communities as otherwise described in subsection (1)(a) through (d) of this section and in accordance with RCW 70A.65.230.~~

~~(e) The requirements of subsection (3)(e) of this section for agencies other than covered agencies to create and adopt community engagement plans apply only to executive branch agencies and institutions of higher education, as defined in RCW 28B.10.016, receiving total appropriations of more than \$2,000,000 for the 2023-2025 fiscal biennium from the accounts listed in subsection (1) of this section.)~~

Sec. 805. RCW 70A.65.040 and 2022 c 182 s 105 and 2022 c 181 s 14 are each reenacted and amended to read as follows:

(1) The environmental justice council created in RCW 70A.02.110 must provide recommendations to the legislature, agencies, and the governor in the development and implementation of the program established in RCW 70A.65.060 through 70A.65.210, and the programs funded from the carbon emissions reduction account created in RCW 70A.65.240, the climate commitment account created in RCW 70A.65.260, the natural climate solutions account created in RCW 70A.65.270, and the climate investment account created in RCW 70A.65.250(~~(, the climate transit programs account created in RCW 46.68.500, and the climate active transportation account created in RCW 46.68.490)~~).

(2) In addition to the duties and authorities granted in chapter 70A.02 RCW to the environmental justice council, the environmental justice council must:

(a) Provide recommendations to the legislature, agencies, and the governor in the development of:

(i) The program established in RCW 70A.65.060 through 70A.65.210 including, but not limited to, linkage with other jurisdictions, protocols for establishing offset projects and securing offset credits, designation of emissions-intensive and trade-exposed industries under RCW 70A.65.110, and administration of allowances under the program; and

(ii) Investment plans and funding proposals for the programs funded from the climate investment account created in RCW 70A.65.250 for the purpose of providing environmental benefits and reducing environmental health disparities within overburdened communities;

(b) Provide a forum to analyze policies adopted under this chapter to determine if the policies lead to improvements within overburdened communities;

(c) Recommend procedures and criteria for evaluating programs, activities, or projects;

(d) Recommend copollutant emissions reduction goals in overburdened communities;

(e) Evaluate the level of funding provided to assist vulnerable populations, low-income individuals, and impacted workers and the funding of projects and activities located within or benefiting overburdened communities;

(f) Recommend environmental justice and environmental health goals for programs, activities, and projects funded from the climate investment account, and review agency annual reports on outcomes and progress toward meeting these goals;

(g) Provide recommendations to implementing agencies for meaningful consultation with vulnerable populations, including community engagement plans under RCW 70A.65.020 and 70A.65.030; and

(h) Recommend how to support public participation through capacity grants for participation.

(3) For the purpose of performing the duties under subsection (2) of this section, two additional tribal members are added to the council.

Sec. 806. RCW 70A.65.230 and 2022 c 182 s 426 and 2022 c 181 s 8 are each reenacted and amended to read as follows:

(1) It is the intent of the legislature that each year the total investments made through the carbon emissions reduction account created in RCW 70A.65.240, the climate commitment account created in RCW 70A.65.260, the natural climate solutions account created in RCW 70A.65.270, and the air quality and health disparities improvement account created in RCW 70A.65.280, ~~((the climate transit programs account created in RCW 46.68.500, and the climate active transportation account created in RCW 46.68.490;))~~ achieve the following:

(a) A minimum of not less than 35 percent and a goal of 40 percent of total investments that provide direct and meaningful benefits to vulnerable populations within the boundaries of overburdened communities identified under chapter 70A.02 RCW; and

(b) In addition to the requirements of (a) of this subsection, a minimum of not less than 10 percent of total investments that are used for programs, activities, or projects formally supported by a resolution of an Indian tribe, with priority given to otherwise qualifying projects directly administered or proposed by an Indian tribe. An investment that meets the requirements of both this subsection (1)(b) and (a) of this subsection may count toward the minimum percentage targets for both subsections.

(2) The expenditure of moneys under this chapter must be consistent with applicable federal, state, and local laws, and treaty rights including, but not limited to, prohibitions on uses of funds imposed by the state Constitution.

(3) For the purposes of this section, "benefits" means investments or activities that:

(a) Reduce vulnerable population characteristics, environmental burdens, or associated risks that contribute significantly to the cumulative impact designation of overburdened communities;

(b) Meaningfully protect an overburdened community from, or support community response to, the impacts of air pollution or climate change; or

(c) Meet a community need identified by vulnerable members of the overburdened community that is consistent with the intent of this chapter.

(4) The state must develop a process by which to evaluate the impacts of the investments made under this chapter, work across state agencies to develop and track priorities across the different eligible funding categories, and work with the environmental justice council pursuant to RCW 70A.65.040.

NEW SECTION. **Sec. 807.** Any residual balance of funds remaining in the climate transit programs account or the climate active transportation account on June 30, 2025, shall be transferred by the state treasurer to the carbon emissions reduction account.

Zero Emission Vehicle Tax Incentives

NEW SECTION. Sec. 808. This section is the tax preference performance statement for the tax preferences contained in sections 809 and 810, chapter . . . , Laws of 2025 (sections 809 and 810 of this act). This performance statement is only intended to be used for subsequent evaluation of the tax preference. It is not intended to create a private right of action by any party or be used to determine eligibility for preferential tax treatment.

(1) The legislature categorizes the tax preferences as ones intended to induce certain designated behavior by taxpayers, as indicated in RCW 82.32.808(2)(a).

(2) It is the legislature's specific public policy objective to increase the use of zero emission buses by transit agencies in Washington. It is the legislature's intent to extend the tax incentive available to zero emission buses to further emission reductions, as well as reductions in fine particulates, in the state.

(3) To measure the effectiveness of the tax preferences in sections 809 and 810, chapter . . . , Laws of 2025 (sections 809 and 810 of this act) in achieving the public policy objectives described in subsection (2) of this section, the joint legislative audit and review committee must evaluate the number of zero emission transit buses titled in the state and the estimated resulting carbon emission and fine particulate reductions.

(4) In order to obtain the data necessary to perform the review in subsection (3) of this section, the department of licensing, department of revenue, and department of ecology must provide data needed for the joint legislative audit and review committee analysis. In addition to the data source described under this subsection, the joint legislative audit and review committee may use any other data it deems necessary.

NEW SECTION. Sec. 809. A new section is added to chapter 82.08 RCW to read as follows:

(1) The tax levied by RCW 82.08.020 does not apply to sales of zero emission buses purchased by:

- (a) A transit agency; or
- (b) A federally recognized Indian tribe to provide public transportation services.

(2) Sellers may make tax exempt sales under this section only if the buyer provides the seller with an exemption certificate in a form and manner prescribed by the department. The seller must retain a copy of the certificate for the seller's files.

(3) For the purposes of this section:

(a) "Transit agency" means a city-owned transit system, county transportation authority, metropolitan municipal corporation, public transportation benefit area, unincorporated transportation benefit area, or regional transit authority.

(b) "Zero emission bus" means a bus that emits no exhaust gas from the onboard source of power, other than water vapor.

(4) On the last day of February, May, August, and November of each year, the state treasurer, based upon information provided by the department, must transfer from the carbon emissions reduction account to the general fund a sum equal to the dollar amount that would otherwise have been deposited into the

general fund during the prior calendar quarter but for the exemption provided in this section and section 810 of this act. Information provided by the department to the state treasurer must be based on the best available data, except that the department may provide estimates of taxes exempted under this section until such time as retailers are able to report such exempted amounts on their tax returns.

(5)(a) The department must provide notification on its website monthly of the amount in exemptions issued and the amount remaining under this section and section 810 of this act before the limit described in (b) of this subsection has been reached, and, once that limit has been reached, the date the exemption expires pursuant to (b) of this subsection.

(b) The exemption under this section expires after the last day of the calendar month immediately following the month the department determines the total amount of state sales and use tax exemptions issued under this section and section 810 of this act reaches or exceeds \$14,000,000.

(6) By July 1, 2026, and every six months thereafter until the exemptions in this section and section 810 of this act expire, based on the best available data, the department must report the following information to the transportation committees of the legislature:

(a) The cumulative number of vehicles that qualified for the exemption under this section and section 810 of this act by month of purchase and vehicle make and model; and

(b) The dollar amount of all state retail sales and use taxes exempted under this section and section 810 of this act, by fiscal year.

NEW SECTION. Sec. 810. A new section is added to chapter 82.12 RCW to read as follows:

(1) The provisions of this chapter do not apply with respect to the use of zero emission buses purchased by a transit agency or by a federally recognized Indian tribe to provide public transportation services.

(2) For the purposes of this section.

(a) "Transit agency" means a city-owned transit system, county transportation authority, metropolitan municipal corporation, public transportation benefit area, unincorporated transportation benefit area, or regional transit authority.

(b) "Zero emissions bus" means a bus that emits no exhaust gas from the onboard source of power, other than water vapor.

(3) The exemption under this section expires after the last day of the calendar month immediately following the month the department determines the total amount of exemptions under this section and section 809 of this act issued reaches or exceeds \$14,000,000.

Alternative Fuel Grant and Education Programs

Sec. 811. RCW 28B.30.903 and 2019 c 287 s 2 are each amended to read as follows:

(1) The Washington State University extension energy program shall provide information, technical assistance, and consultation on physical plant operation, maintenance, and construction issues to state and local governments, tribal governments, and nonprofit organizations through its plant operations support program. The Washington State University extension energy program

may not enter into facilities design or construction contracts on behalf of state or local government agencies, tribal governments, or nonprofit organizations. The plant operations support program created in this section must be funded by voluntary subscription charges, service fees, and other funding acquired by or provided to Washington State University for such purposes.

(2) ~~((Subject to the availability of amounts appropriated for this specific purpose through the 2023-2025 biennium, the))~~ The Washington State University extension energy program must establish and administer a technical assistance and education program focused on the use of alternative fuel vehicles. Education and assistance may be provided to public agencies, including local governments and other state political subdivisions.

Sec. 812. RCW 47.04.350 and 2019 c 287 s 3 are each amended to read as follows:

(1) ~~((Subject to the availability of amounts appropriated for this specific purpose through the 2023-2025 biennium, the))~~ The department's public-private partnership office must develop and maintain a program to support the deployment of clean alternative fuel vehicle charging and refueling infrastructure that is supported by private financing.

(2) The department must define corridors in which bidders may propose to install electric vehicle charging infrastructure or hydrogen fueling stations, and may update these corridors over time as needed. Alternatively, a bidder may propose a corridor in which the bidder proposes to install electric vehicle infrastructure or hydrogen fueling stations if the department has adopted rules allowing such a proposal and establishing guidelines for how such a proposal will be considered.

(3)(a) For bid proposals under this section, the department must require the following:

(i) Bidders must have private sector partners contributing to the project who stand to gain indirect value from development of the project, such as motor vehicle manufacturers, retail stores, or tourism stakeholders;

(ii) Bidders must demonstrate that the proposed project will be valuable to clean alternative fuel vehicle drivers and will address an existing gap in the state's low carbon transportation infrastructure;

(iii) Projects must be expected to be profitable and sustainable for the owner-operator and the private partner; and

(iv) Bidders must specify how the project captures the indirect value of charging or refueling station deployment to the private partner.

(b) The department may adopt rules that require any other criteria for a successful project.

(4) In evaluating proposals under this section, the department may use the electric vehicle financial analysis tool that was developed in the joint transportation committee's study into financing electric vehicle charging station infrastructure.

(5)(a) After selecting a successful proposer under this section, the department may provide a loan or grant to the proposer.

(b) ~~((Grants and loans issued under this subsection must be funded from the electric vehicle account created in RCW 82.44.200.~~

~~(e))~~ Any project selected for support under this section is eligible for only one grant or loan as a part of the program.

(6) The department may conduct preliminary workshops with potential bidders and other potential private sector partners to determine the best method of designing and maintaining the program, discuss how to develop and maintain the partnerships among the private sector partners that may receive indirect value, and any other issues relating to the implementation and administration of this section. The department should consider regional workshops to engage potential business partners from across the state.

(7) The department must adopt rules to implement and administer this section.

Sec. 813. RCW 47.04.355 and 2019 c 287 s 16 are each amended to read as follows:

(1) ~~((Subject to the availability of amounts appropriated for this specific purpose through the 2023-2025 biennium, the))~~ The department's ~~((public-private partnership office))~~ public transportation division must develop and administer a ~~((pilot))~~ program to support clean alternative fuel car sharing programs to provide clean alternative fuel vehicle use opportunities to underserved communities and low to moderate income members of the workforce not readily served by transit or located in transportation corridors with emissions that exceed federal or state emissions standards. Nonprofit organizations or local governments, including housing authorities, with a demonstrated history of managing or implementing low-income transportation clean alternative fuel and shared mobility pilot programs are eligible to participate in this program.

(2) The department must determine specific eligibility criteria, based on the requirements of this section, the report submitted to the legislature by the Puget Sound clean air agency entitled facilitating low-income utilization of electric vehicles, and other factors relevant to increasing clean alternative fuel vehicle use in underserved and low to moderate income communities. The department may adopt rules specifying the eligibility criteria it selects.

(3) The department may conduct preliminary workshops with potential bidders and other potential partners to determine the best method of designing the ~~((pilot))~~ program.

(4) The department must include the following elements in its proposal evaluation and scoring methodology: History of successful management of equity focused clean alternative fuel vehicle projects; substantial level of involvement from community-based, equity focused organizations in the project; plan for long-term financial sustainability of the work beyond the duration of the grant period; matching resources leveraged for the project; and geographical diversity of the projects selected.

(5) After selecting successful proposals under this section, the department may provide grant funding to them. The total grant amount available per project may range from ~~((fifty thousand to two hundred thousand dollars))~~ \$50,000 to \$200,000. The grant opportunity must include possible funding of vehicles, charging or refueling station infrastructure, staff time, and any other expenses required to implement the project. No more than ~~((ten))~~ 10 percent of grant funds may be used for administrative expenses.

(6)(a) Any property acquired with state grant funding under this section by nongovernmental participants must be used solely for program purposes and, if sold, the proceeds of the sale must be used solely for program purposes.

(b) At the termination of a program for providing alternative fuel car sharing services, the state must be reimbursed for any property acquired with state grant funding under this section that nongovernmental participants in the program retain at the time of program termination. The amount of reimbursement may under no circumstances be less than the fair market value of the property at the time of the termination of the program.

Fuel Conversion Activity Reporting

NEW SECTION. Sec. 814. A new section is added to chapter 70A.65 RCW to read as follows:

(1) State agencies that receive or have received appropriations from the carbon emissions reduction account in an omnibus transportation appropriations act are required to report information to estimate emission reductions from fuel conversion activities funded from these appropriations to the legislature, as well as any requested information necessary for the estimation and analysis of projected and realized emission reductions, using the reporting tool developed by the joint transportation committee in accordance with section 204(7), chapter 472, Laws of 2023 in a form and manner prescribed by the joint transportation committee.

(2) Reports must include initial reporting of projected emission reductions at the time of expenditure and continued reporting of factors to be used to calculate estimated realized emission reductions in subsequent years.

(3) The reporting requirement in this section is in addition to the reporting requirements of RCW 70A.65.300.

(4) For purposes of this section, "fuel conversion" means the purchase of zero emission or hybrid electric vehicles, vessels, or off-road equipment and the charging or fueling infrastructure needed to support zero emission or hybrid electric vehicles or vessels.

PART IX: TRAFFIC SAFETY, ACTIVE TRANSPORTATION, AND RELATED POLICY

Complete Streets

Sec. 901. RCW 47.04.035 and 2022 c 182 s 418 are each amended to read as follows:

(1) In order to improve the safety, mobility, and accessibility of state highways, it is the intent of the legislature that the department must incorporate the principles of complete streets with facilities that provide street access with all users in mind, including pedestrians, bicyclists, and public transportation users, notwithstanding the provisions of RCW 47.24.020 concerning responsibility beyond the curb of state rights-of-way. As such, state transportation projects (a) starting design ((on or after)) between July 1, 2022, and July 31, 2025, that are \$500,000 or more, and (b) starting design on or after August 1, 2025, that are \$1,000,000 or more, must:

~~((a))~~ (i) Identify those locations on state rights-of-way that do not have a complete and Americans with disabilities act accessible sidewalk or shared-use path, that do not have bicycle facilities in the form of a bike lane or adjacent parallel trail or shared-use path, that have such facilities on a state route within a population center that has a posted speed in excess of 30 miles per hour and no buffer or physical separation from vehicular traffic for pedestrians and bicyclists, and/or that have a design that hampers the ability of motorists to see a crossing

pedestrian with sufficient time to stop given posted speed limits and roadway configuration;

~~((b))~~ (ii) Consult with local jurisdictions to confirm existing and planned active transportation connections along or across the location; identification of connections to existing and planned public transportation services, ferry landings, commuter and passenger rail, and airports; the existing and planned facility type(s) within the local jurisdiction that connect to the location; and the potential use of speed management techniques to minimize crash exposure and severity;

~~((c))~~ (iii) Adjust the speed limit to a lower speed with appropriate modifications to roadway design and operations to achieve the desired operating speed in those locations where this speed management approach aligns with local plans or ordinances, particularly in those contexts that present a higher possibility of serious injury or fatal crashes occurring based on land use context, observed crash data, crash potential, roadway characteristics that are likely to increase exposure, or a combination thereof, in keeping with a safe system approach and with the intention of ultimately eliminating serious and fatal crashes; and

~~((d))~~ (iv) Plan, design, and construct facilities providing context-sensitive solutions that contribute to network connectivity and safety for pedestrians, bicyclists, and people accessing public transportation and other modal connections, such facilities to include Americans with disabilities act accessible sidewalks or shared-use paths, bicyclist facilities, and crossings as needed to integrate the state route into the local network.

(2) Projects undertaken for emergent work required to reopen a state highway in the event of a natural disaster or other emergency repair are not required to comply with the provisions of this section.

(3) Maintenance of facilities constructed under this provision shall be as provided under existing law.

(4) This section does not create a private right of action.

Traffic Safety and Tribal Representation

Sec. 902. RCW 43.59.156 and 2020 c 72 s 1 are each amended to read as follows:

(1) Within amounts appropriated to the traffic safety commission, the commission must convene the Cooper Jones active transportation safety council comprised of stakeholders who have a unique interest or expertise in the safety of pedestrians, bicyclists, and other nonmotorists.

(2) The purpose of the council is to review and analyze data and programs related to fatalities and serious injuries involving pedestrians, bicyclists, and other nonmotorists to identify points at which the transportation system can be improved including, whenever possible, privately owned areas of the system such as parking lots, and to identify patterns in pedestrian, bicyclist, and other nonmotorist fatalities and serious injuries. The council may also:

(a) Monitor progress on implementation of existing council recommendations; and

(b) Seek opportunities to expand consideration and implementation of the principles of systematic safety, including areas where data collection may need improvement.

(3)(a) The council may include, but is not limited to:

- (i) A representative from the commission;
 - (ii) A coroner from the county in which pedestrian, bicyclist, or nonmotorist deaths have occurred;
 - (iii) Multiple members of law enforcement who have investigated pedestrian, bicyclist, or nonmotorist fatalities;
 - (iv) A traffic engineer;
 - (v) A representative from the department of transportation and a representative from the department of health;
 - (vi) A representative from the association of Washington cities;
 - (vii) A representative from the Washington state association of counties;
 - (viii) A representative from a pedestrian advocacy group; ~~((and))~~
 - (ix) A representative from a tribal government; and
 - (x) A representative from a bicyclist or other nonmotorist advocacy group.
- (b) The commission may invite other representatives of stakeholder groups to participate in the council as deemed appropriate by the commission. Additionally, the commission may invite a victim or family member of a victim to participate in the council.

(4) The council must meet at least quarterly. By December 31st of each year, the council must issue an annual report detailing any findings and recommendations to the governor and the transportation committees of the legislature. The commission must provide the annual report electronically to all municipal governments and state agencies that participated in the council during that calendar year. Additionally, the council must report any budgetary or fiscal recommendations to the office of financial management and the legislature by August 1st on a biennial basis.

(5) As part of the review of pedestrian, bicyclist, or nonmotorist fatalities and serious injuries that occur in Washington, the council may review any available information, including crash information maintained in existing databases; statutes, rules, policies, or ordinances governing pedestrians and traffic related to the incidents; and any other relevant information. The council may make recommendations regarding changes in statutes, ordinances, rules, and policies that could improve pedestrian, bicyclist, or nonmotorist safety. Additionally, the council may make recommendations on how to improve traffic fatality and serious injury data quality, including crashes that occur in privately owned property such as parking lots. The council may consult with local cities and counties, as well as local police departments and other law enforcement agencies and associations representing those jurisdictions on how to improve data quality regarding crashes occurring on private property.

(6)(a) Documents prepared by or for the council are inadmissible and may not be used in a civil or administrative proceeding, except that any document that exists before its use or consideration in a review by the council, or that is created independently of such review, does not become inadmissible merely because it is reviewed or used by the council. For confidential information, such as personally identifiable information and medical records, which are obtained by the council, neither the commission nor the council may publicly disclose such confidential information. No person who was in attendance at a meeting of the council or who participated in the creation, retention, collection, or maintenance of information or documents specifically for the commission or the council shall be permitted to testify in any civil action as to the content of such

proceedings or of the documents and information prepared specifically as part of the activities of the council. However, recommendations from the council and the commission generally may be disclosed without personal identifiers.

(b) The council may review, only to the extent otherwise permitted by law or court rule when determined to be relevant and necessary: Any law enforcement incident documentation, such as incident reports, dispatch records, and victim, witness, and suspect statements; any supplemental reports, probable cause statements, and 911 call taker's reports; and any other information determined to be relevant to the review. The commission and the council must maintain the confidentiality of such information to the extent required by any applicable law.

(7) If acting in good faith, without malice, and within the parameters of and protocols established under this chapter, representatives of the commission and the council are immune from civil liability for an activity related to reviews of particular fatalities and serious injuries.

(8) This section must not be construed to provide a private civil cause of action.

(9)(a) The council may receive gifts, grants, or endowments from public or private sources that are made from time to time, in trust or otherwise, for the use and benefit of the purposes of the council and spend the gifts, grants, or endowments from the public or private sources according to their terms, unless the receipt of the gifts, grants, or endowments violates RCW 42.17A.560.

(b) Subject to the appropriation of funds for this specific purpose, the council may provide grants targeted at improving pedestrian, bicyclist, or nonmotorist safety in accordance with recommendations made by the council.

(10) For purposes of this section:

(a) "Bicyclist fatality" means any death of a bicyclist resulting from a collision, whether on a roadway, at an intersection, along an adjacent sidewalk, or on a path that is contiguous with a roadway.

(b) "Council" means the Cooper Jones active transportation safety council.

(c) "Nonmotorist" means anyone using the transportation system who is not in a vehicle.

(d) "Pedestrian fatality" means any death of a pedestrian resulting from a collision, whether on a roadway, at an intersection, along an adjacent sidewalk, or on a path that is contiguous with a roadway.

(e) "Serious injury" means any injury other than a fatal injury that prevents the injured person from walking, driving, or normally continuing the activities the person was capable of performing before the injury occurred.

Sec. 903. RCW 43.59.156 and 2024 c 164 s 523 are each amended to read as follows:

(1) Within amounts appropriated to the traffic safety commission, the commission must convene the Cooper Jones active transportation safety council comprised of stakeholders who have a unique interest or expertise in the safety of pedestrians, bicyclists, and other nonmotorists.

(2) The purpose of the council is to review and analyze data and programs related to fatalities and serious injuries involving pedestrians, bicyclists, and other nonmotorists to identify points at which the transportation system can be improved including, whenever possible, privately owned areas of the system

such as parking lots, and to identify patterns in pedestrian, bicyclist, and other nonmotorist fatalities and serious injuries. The council may also:

(a) Monitor progress on implementation of existing council recommendations; and

(b) Seek opportunities to expand consideration and implementation of the principles of systematic safety, including areas where data collection may need improvement.

(3)(a) The council may include, but is not limited to:

(i) A representative from the commission;

(ii) A coroner from the county in which pedestrian, bicyclist, or nonmotorist deaths have occurred;

(iii) Multiple members of law enforcement who have investigated pedestrian, bicyclist, or nonmotorist fatalities;

(iv) A traffic engineer;

(v) A representative from the department of transportation and a representative from the department of health;

(vi) A representative from the association of Washington cities;

(vii) A representative from the Washington state association of counties;

(viii) A representative from a pedestrian advocacy group; ~~((and))~~

(ix) A representative from a tribal government; and

(x) A representative from a bicyclist or other nonmotorist advocacy group.

(b) The commission may invite other representatives of stakeholder groups to participate in the council as deemed appropriate by the commission. Additionally, the commission may invite a victim or family member of a victim to participate in the council.

(4) The council must meet at least quarterly. By December 31st of each year, the council must issue an annual report detailing any findings and recommendations to the governor and the transportation committees of the legislature. The commission must provide the annual report electronically to all municipal governments and state agencies that participated in the council during that calendar year. Additionally, the council must report any budgetary or fiscal recommendations to the office of financial management and the legislature by August 1st on a biennial basis.

(5) As part of the review of pedestrian, bicyclist, or nonmotorist fatalities and serious injuries that occur in Washington, the council may review any available information, including crash information maintained in existing databases; statutes, rules, policies, or ordinances governing pedestrians and traffic related to the incidents; and any other relevant information. The council may make recommendations regarding changes in statutes, ordinances, rules, and policies that could improve pedestrian, bicyclist, or nonmotorist safety. Additionally, the council may make recommendations on how to improve traffic fatality and serious injury data quality, including crashes that occur in privately owned property such as parking lots. The council may consult with local cities and counties, as well as local police departments and other law enforcement agencies and associations representing those jurisdictions on how to improve data quality regarding crashes occurring on private property.

(6)(a) Documents prepared by or for the council are inadmissible and may not be used in a civil or administrative proceeding, except that any document that exists before its use or consideration in a review by the council, or that is

created independently of such review, does not become inadmissible merely because it is reviewed or used by the council. For confidential information, such as personally identifiable information and medical records, which are obtained by the council, neither the commission nor the council may publicly disclose such confidential information. No person who was in attendance at a meeting of the council or who participated in the creation, retention, collection, or maintenance of information or documents specifically for the commission or the council shall be permitted to testify in any civil action as to the content of such proceedings or of the documents and information prepared specifically as part of the activities of the council. However, recommendations from the council and the commission generally may be disclosed without personal identifiers.

(b) The council may review, only to the extent otherwise permitted by law or court rule when determined to be relevant and necessary: Any law enforcement incident documentation, such as incident reports, dispatch records, and victim, witness, and suspect statements; any supplemental reports, probable cause statements, and 911 call taker's reports; and any other information determined to be relevant to the review. The commission and the council must maintain the confidentiality of such information to the extent required by any applicable law.

(7) If acting in good faith, without malice, and within the parameters of and protocols established under this chapter, representatives of the commission and the council are immune from civil liability for an activity related to reviews of particular fatalities and serious injuries.

(8) This section must not be construed to provide a private civil cause of action.

(9)(a) The council may receive gifts, grants, or endowments from public or private sources that are made from time to time, in trust or otherwise, for the use and benefit of the purposes of the council and spend the gifts, grants, or endowments from the public or private sources according to their terms, unless the receipt of the gifts, grants, or endowments violates RCW 29B.45.020.

(b) Subject to the appropriation of funds for this specific purpose, the council may provide grants targeted at improving pedestrian, bicyclist, or nonmotorist safety in accordance with recommendations made by the council.

(10) For purposes of this section:

(a) "Bicyclist fatality" means any death of a bicyclist resulting from a collision, whether on a roadway, at an intersection, along an adjacent sidewalk, or on a path that is contiguous with a roadway.

(b) "Council" means the Cooper Jones active transportation safety council.

(c) "Nonmotorist" means anyone using the transportation system who is not in a vehicle.

(d) "Pedestrian fatality" means any death of a pedestrian resulting from a collision, whether on a roadway, at an intersection, along an adjacent sidewalk, or on a path that is contiguous with a roadway.

(e) "Serious injury" means any injury other than a fatal injury that prevents the injured person from walking, driving, or normally continuing the activities the person was capable of performing before the injury occurred.

Shared Streets

Sec. 904. RCW 46.61.--- and 2025 c . . . (ESB 5595) s 1 are each amended to read as follows:

(1)(a) A local authority may designate a nonarterial highway, except as provided in (b) of this subsection, to be a shared street under this section, if the local authority has developed procedures for establishing shared streets.

(b) Nonarterial highways that are state highways may not be designated shared streets unless they are the primary roads through a central business district. For the purposes of this subsection, "central business district" means a downtown or neighborhood commercial area with boundaries defined in the local ordinance designating the shared street. A local authority must consult with the department of transportation and obtain the department's approval, consistent with the requirements of RCW 47.24.020, before establishing a shared street on a state highway.

(2) Vehicular traffic traveling along a shared street shall yield the right-of-way to any pedestrian, bicyclist, or operator of a micromobility device on the shared street.

(3) A bicyclist or operator of a micromobility device shall yield the right-of-way to any pedestrian on a shared street.

(4) Any local authority that designates a nonarterial highway to be a shared street as provided by this section must post an annual report on the local authority's website of the number of traffic accidents, including those that involve a pedestrian, bicyclist, or operator of a micromobility device, that occurred on the designated shared street. The report must also include the number of speeding violations and driving under the influence violations that occurred on the designated shared street.

(5) For purposes of this section:

(a) "Micromobility device" means personal or shared nonmotorized scooters, "motorized foot scooters" as defined in RCW 46.04.336, and "electric personal assistive mobility devices" (EPAMD) as defined in RCW 46.04.1695; and

(b) "Shared street" means a city street designated by placement of official traffic control devices where pedestrians, bicyclists, and vehicular traffic share a portion or all of the same street.

Automated Traffic Safety Cameras

Sec. 905. RCW 46.63.210 and 2024 c 307 s 1 are each amended to read as follows:

The definitions in this section apply throughout this section and RCW 46.63.220 through 46.63.260 unless the context clearly requires otherwise.

(1) "Automated traffic safety camera" means a device that uses a vehicle sensor installed to work in conjunction with an intersection traffic control system, a railroad grade crossing control system, or a speed measuring device, and a camera synchronized to automatically record one or more sequenced photographs, microphotographs, or electronic images of the front or rear of a motor vehicle at the time the vehicle fails to stop when facing a steady red traffic control signal or an activated railroad grade crossing control signal, or exceeds a speed limit as detected by a speed measuring device. "Automated traffic safety camera" also includes a device used to detect stopping at intersection or

crosswalk violations; stopping when traffic obstructed violations; public transportation only lane violations; stopping or traveling in restricted lane violations; and public transportation bus stop zone violations and public transportation only lane violations detected by a public transportation vehicle-mounted system.

(2) "Hospital speed zone" means the marked area within hospital property and extending 300 feet from the border of the hospital property (a) consistent with hospital use; and (b) where signs are posted to indicate the location is within a hospital speed zone, where "hospital" has the same meaning as in RCW 70.41.020.

(3) "Public park speed zone" means the marked area within public park property and extending 300 feet from the border of the public park property (a) consistent with active park use; and (b) where signs are posted to indicate the location is within a public park speed zone.

(4) "Public transportation vehicle" means any motor vehicle, streetcar, train, trolley vehicle, ferry boat, or any other device, vessel, or vehicle that is owned or operated by a transit authority or an entity providing service on behalf of a transit authority that is used for the purpose of carrying passengers and that operates on established routes. "Transit authority" has the same meaning as provided in RCW 9.91.025.

(5) "Roadway work zone" means an area of any city roadway, including state highways that are also classified as city streets under chapter 47.24 RCW, or county road as defined in RCW 46.04.150, with construction, maintenance, or utility work with a duration of 30 calendar days or more. A roadway work zone is identified by the placement of temporary traffic control devices that may include signs, channelizing devices, barriers, pavement markings, and/or work vehicles with warning lights. A roadway work zone extends from the first warning sign or high intensity rotating, flashing, oscillating, or strobe lights on a vehicle to the end road work sign or the last temporary traffic control device or vehicle.

(6) "School speed zone" has the same meaning as described in RCW 46.61.440 (1) and (2).

(7) "School walk zone" means a roadway identified under RCW 28A.160.160 or roadways within a one-mile radius of a school that students use to travel to school by foot, bicycle, or other means of active transportation.

Sec. 906. RCW 46.63.220 and 2024 c 307 s 2 are each amended to read as follows:

(1) Nothing in this section prohibits a law enforcement officer from issuing a notice of traffic infraction to a person in control of a vehicle at the time a violation occurs under RCW 46.63.030(1) (a), (b), or (c).

(2) Any city or county may authorize the use of automated traffic safety cameras and must adopt an ordinance authorizing such use through its local legislative authority.

(3) The local legislative authority must prepare an analysis of the locations within the jurisdiction where automated traffic safety cameras are proposed to be located before adding traffic safety cameras to a new location or relocating any existing camera to a new location within the jurisdiction. The analysis must include equity considerations including the impact of the camera placement on livability, accessibility, economics, education, and environmental health when

identifying where to locate an automated traffic safety camera. The analysis must also show a demonstrated need for traffic cameras based on one or more of the following in the vicinity of the proposed camera location: Travel by vulnerable road users, evidence of vehicles speeding, rates of collision, reports showing near collisions, and anticipated or actual ineffectiveness or infeasibility of other mitigation measures.

(4) Automated traffic safety cameras may not be used on an on-ramp to a limited access facility as defined in RCW 47.52.010.

(5) A city may use automated traffic safety cameras to enforce traffic ordinances in this section on state highways that are also classified as city streets under chapter 47.24 RCW. A city government must notify the department of transportation when it installs an automated traffic safety camera to enforce traffic ordinances as authorized in this subsection.

(6)(a) At a minimum, a local ordinance adopted pursuant to this section must contain the restrictions described in this section and provisions for public notice and signage. Cities and counties must also post such restrictions and other automated traffic safety camera policies on the city's or county's website. Cities and counties using automated traffic safety cameras before July 24, 2005, are subject to the restrictions described in this section, but are not required to adopt an authorizing ordinance.

(b)(i) Cities and counties using automated traffic safety cameras must post an annual report on the city's or county's website of the number of traffic crashes that occurred at each location where an automated traffic safety camera is located, as well as the number of notices of infraction issued for each camera. Beginning January 1, 2026, the annual report must include the percentage of revenues received from fines issued from automated traffic safety camera infractions that were used to pay for the costs of the automated traffic safety camera program and must describe the uses of revenues that exceeded the costs of operation and administration of the automated traffic safety camera program by the city or county.

(ii) The Washington traffic safety commission must provide an annual report to the transportation committees of the legislature, and post the report to its website for public access, beginning July 1, 2026, that includes aggregated information on the use of automated traffic safety cameras in the state that includes an assessment of the impact of their use, information required in city and county annual reports under (b)(i) of this subsection, and information on the number of automated traffic safety cameras in use by type and location, with an analysis of camera placement in the context of area demographics and household incomes. To the extent practicable, the commission must also provide in its annual report the number of traffic accidents, speeding violations, single vehicle accidents, pedestrian accidents, and driving under the influence violations that occurred at each location where an automated traffic safety camera is located in the five years before each camera's authorization and after each camera's authorization. Cities and counties using automated traffic safety cameras must provide the commission with the data it requests for the report required under this subsection in a form and manner specified by the commission.

(7) All locations where an automated traffic safety camera is used on roadways or intersections must be clearly marked by placing signs at least 30 days prior to activation of the camera in locations that clearly indicate to a driver

either that: (a) The driver is within an area where automated traffic safety cameras are authorized; or (b) the driver is entering an area where violations are enforced by an automated traffic safety camera. The signs must be readily visible to a driver approaching an automated traffic safety camera. Signs placed in automated traffic safety camera locations after June 7, 2012, must follow the specifications and guidelines under the manual of uniform traffic control devices for streets and highways as adopted by the department of transportation under chapter 47.36 RCW. All public transportation vehicles utilizing a vehicle-mounted system must post a sign on the rear of the vehicle indicating to drivers that the vehicle is equipped with an automated traffic safety camera to enforce bus stop zone violations and public transportation only lane violations.

(8) Automated traffic safety cameras may only record images of the vehicle and vehicle license plate and only while an infraction is occurring. The image must not reveal the face of the driver or of passengers in the vehicle. The primary purpose of camera placement is to record images of the vehicle and vehicle license plate when an infraction is occurring. Cities and counties must consider installing automated traffic safety cameras in a manner that minimizes the impact of camera flash on drivers.

(9) A notice of infraction must be mailed to the registered owner of the vehicle within 14 days of the violation, or to the renter of a vehicle within 14 days of establishing the renter's name and address under subsection (17) of this section. The notice of infraction must include with it a certificate or facsimile thereof, based upon inspection of photographs, microphotographs, or electronic images produced by an automated traffic safety camera, stating the facts supporting the notice of infraction. This certificate or facsimile is prima facie evidence of the facts contained in it and is admissible in a proceeding charging a violation under this chapter. The photographs, microphotographs, or electronic images evidencing the violation must be available for inspection and admission into evidence in a proceeding to adjudicate the liability for the infraction. A person receiving a notice of infraction based on evidence detected by an automated traffic safety camera may respond to the notice by mail.

(10) The registered owner of a vehicle is responsible for an infraction under RCW 46.63.030(1)(d) unless the registered owner overcomes the presumption in RCW 46.63.075, or, in the case of a rental car business, satisfies the conditions under subsection (17) of this section. If appropriate under the circumstances, a renter identified under subsection (17)(a) of this section is responsible for an infraction.

(11) Notwithstanding any other provision of law, all photographs, microphotographs, or electronic images, or any other personally identifying data prepared under this section are for the exclusive use of authorized city or county employees, as specified in RCW 46.63.030(1)(d), in the discharge of duties under this section and are not open to the public and may not be used in a court in a pending action or proceeding unless the action or proceeding relates to a violation under this section. No photograph, microphotograph, or electronic image, or any other personally identifying data may be used for any purpose other than enforcement of violations under this section nor retained longer than necessary to enforce this section. Transit authorities must provide to the appropriate local jurisdiction that has authorized traffic safety camera use under RCW 46.63.260((2)) (3) any images or evidence collected establishing that a

violation of stopping, standing, or parking in a bus stop zone or traveling, stopping, standing, or parking in a public transportation only lane has occurred for infraction processing purposes consistent with this section.

(12) If a county or city has established an automated traffic safety camera program as authorized under this section, the compensation paid to the manufacturer or vendor of the equipment used must be based only upon the value of the equipment and services provided or rendered in support of the system and may not be based upon a portion of the fine or civil penalty imposed or the revenue generated by the equipment. If the contract between the city or county and manufacturer or vendor of the equipment does not provide for performance or quality control measures regarding camera images, the city or county must perform a performance audit of the manufacturer or vendor of the equipment every three years to review and ensure that images produced from automated traffic safety cameras are sufficient for evidentiary purposes as described in subsection (9) of this section.

(13)(a) Except as provided in (d) of this subsection, a county or a city may only use revenue generated by an automated traffic safety camera program as authorized under this section for:

(i) Traffic safety activities related to construction and preservation projects and maintenance and operations purposes including, but not limited to, projects designed to implement the complete streets approach as defined in RCW 47.04.010, changes in physical infrastructure to reduce speeds through road design, and changes to improve safety for active transportation users, including improvements to access and safety for road users with mobility, sight, or other disabilities; and

(ii) The cost to administer, install, operate, and maintain the automated traffic safety cameras, including the cost of processing infractions.

(b) Except as provided in (d) of this subsection:

(i) The automated traffic safety camera program revenue used by a county or city with a population of 10,000 or more for purposes described in (a)(i) of this subsection must include the use of revenue in census tracts of the city or county that have household incomes in the lowest quartile determined by the most currently available census data and areas that experience rates of injury crashes that are above average for the city or county. Funding contributed from traffic safety program revenue must be, at a minimum, proportionate to the share of the population of the county or city who are residents of these low-income communities and communities experiencing high injury crash rates. This share must be directed to investments that provide direct and meaningful traffic safety benefits to these communities. Revenue used to administer, install, operate, and maintain automated traffic safety cameras, including the cost of processing infractions, are excluded from determination of the proportionate share of revenues under this subsection (13)(b); and

(ii) The automated traffic safety camera program revenue used by a city or county with a population under 10,000 for traffic safety activities under (a)(i) of this subsection must be informed by the department of health's environmental health disparities map.

(c) Except as provided in (d) of this subsection, beginning four years after an automated traffic safety camera authorized under this section is initially placed and in use after June 6, 2024, 25 percent of the noninterest money

received for infractions issued by such cameras in excess of the cost to administer, install, operate, and maintain the cameras, including the cost of processing infractions, must be deposited into the Cooper Jones active transportation safety account created in RCW 46.68.480.

(d)(i)(A) Jurisdictions with an automated traffic safety camera program in effect before January 1, 2024, may continue to allocate revenue generated from automated traffic safety cameras authorized under RCW 46.63.230 and 46.63.250(2)(c) as determined by the jurisdiction, as well as for the purposes established in (a) through (c) of this subsection, by:

(I) Up to a 10 percent increase in the number of traffic safety camera locations authorized to detect violations for automated traffic safety cameras authorized under RCW 46.63.230; and

(II) Up to a 10 percent increase in the number of traffic safety camera locations authorized to detect violations for automated traffic safety cameras authorized under RCW 46.63.250(2)(c).

(B)(I) Any automated traffic safety camera program in effect before January 1, 2024, with fewer than 10 traffic safety camera locations for automated traffic safety cameras authorized under RCW 46.63.230, which adds automated traffic safety cameras to one additional location for the use of cameras authorized under RCW 46.63.230, may continue to allocate revenue generated from automated traffic safety cameras authorized under RCW 46.63.230 as determined by the jurisdiction, as well as for the purposes established in (a) through (c) of this subsection.

(II) Any automated traffic safety camera program in effect before January 1, 2024, with fewer than 10 traffic safety camera locations for automated traffic safety cameras authorized under RCW 46.63.250(2)(c) as of January 1, 2024, which adds automated traffic safety cameras to one additional location for the use of cameras authorized under RCW 46.63.250(2)(c), may continue to allocate revenue generated from automated traffic safety cameras authorized under RCW 46.63.250(2)(c) as determined by the jurisdiction, as well as for the purposes established in (a) through (c) of this subsection.

(C) For the purposes of this subsection (13)(d)(i), a location is:

(I) An intersection for automated traffic safety cameras authorized under RCW 46.63.230 where cameras authorized under RCW 46.63.230 are in use; and

(II) A school speed zone for automated traffic safety cameras authorized under RCW 46.63.250(2)(c) where cameras authorized under RCW 46.63.250(2)(c) are in use.

(ii) The revenue distribution requirements under (a) through (d)(i) of this subsection do not apply to automated traffic safety camera programs in effect before January 1, 2024, for which an ordinance in effect as of January 1, 2024, directs the manner in which revenue generated from automated traffic safety cameras authorized under RCW 46.63.230 or 46.63.250(2)(c) must be used.

(14) A county or city may adopt the use of an online ability-to-pay calculator to process and grant requests for reduced fines or reduced civil penalties for automated traffic safety camera violations.

(15) Except as provided in this subsection, registered owners of vehicles who receive notices of infraction for automated traffic safety camera-enforced infractions and are recipients of public assistance under Title 74 RCW or

participants in the Washington women, infants, and children program, and who request reduced penalties for infractions detected through the use of automated traffic safety camera violations, must be granted reduced penalty amounts of 50 percent of what would otherwise be assessed for a first automated traffic safety camera violation and for subsequent automated traffic safety camera violations issued within 21 days of issuance of the first automated traffic safety camera violation. Eligibility for medicaid under RCW 74.09.510 is not a qualifying criterion under this subsection. Registered owners of vehicles who receive notices of infraction must be provided with information on their eligibility and the opportunity to apply for a reduction in penalty amounts through the mail or internet.

(16) Infractions detected through the use of automated traffic safety cameras are not part of the registered owner's driving record under RCW 46.52.101 and 46.52.120. Additionally, infractions generated by the use of automated traffic safety cameras under this section must be processed in the same manner as parking infractions, including for the purposes of RCW 3.50.100, 35.20.220, 46.16A.120, and 46.20.270(2). The amount of the fine issued for an infraction generated through the use of an automated traffic safety camera may not exceed \$145, as adjusted for inflation by the office of financial management every five years, beginning January 1, 2029, based upon changes in the consumer price index during that time period, but may be doubled for a school speed zone infraction generated through the use of an automated traffic safety camera.

(17) If the registered owner of the vehicle is a rental car business, the issuing agency must, before a notice of infraction being issued under this section, provide a written notice to the rental car business that a notice of infraction may be issued to the rental car business if the rental car business does not, within 18 days of receiving the written notice, provide to the issuing agency by return mail:

(a) A statement under oath stating the name and known mailing address of the individual driving or renting the vehicle when the infraction occurred; or

(b) A statement under oath that the business is unable to determine who was driving or renting the vehicle at the time the infraction occurred because the vehicle was stolen at the time of the infraction. A statement provided under this subsection must be accompanied by a copy of a filed police report regarding the vehicle theft; or

(c) In lieu of identifying the vehicle operator, the rental car business may pay the applicable penalty. Timely mailing of this statement to the issuing agency relieves a rental car business of any liability under this chapter for the notice of infraction.

Sec. 907. RCW 46.63.260 and 2024 c 307 s 6 are each amended to read as follows:

(1)(a) Subject to RCW 46.63.220 and as limited in this subsection, automated traffic safety cameras may be used in cities with populations of more than 500,000 residents to detect one or more of the following violations:

- (i) Stopping when traffic obstructed violations;
- (ii) Stopping at intersection or crosswalk violations;
- (iii) Public transportation only lane violations; or
- (iv) Stopping or traveling in restricted lane violations.

(b) Use of automated traffic safety cameras as authorized in this subsection (1) is restricted to the following locations only: Intersections as described in RCW 46.63.230(2); railroad grade crossings; school speed zones; school walk zones; public park speed zones; hospital speed zones; and midblock on arterials. The use of such automated traffic safety cameras is further limited to the following:

(i) The portion of state and local roadways in downtown areas of the city used for office and commercial activities, as well as retail shopping and support services, and that may include mixed residential uses;

(ii) The portion of state and local roadways in areas in the city within one-half mile north of the boundary of the area described in (b)(i) of this subsection;

(iii) Portions of roadway systems in the city that travel into and out of (b)(ii) of this subsection that are designated by the Washington state department of transportation as noninterstate freeways for up to four miles; and

(iv) Portions of roadway systems in the city connected to the portions of the noninterstate freeways identified in (b)(iii) of this subsection that are designated by the Washington state department of transportation as arterial roadways for up to one mile from the intersection of the arterial roadway and the noninterstate freeway.

(2) Subject to RCW 46.63.220, automated traffic safety cameras may also be used in cities with a bus rapid transit corridor or routes to detect public transportation only lane violations.

(3) Subject to RCW 46.63.220, automated traffic safety cameras that are part of a public transportation vehicle-mounted system may be used by a transit authority within a county with a population of more than 1,500,000 residents to detect stopping, standing, or parking in bus stop zone violations or traveling, stopping, standing, or parking in a public transportation only lane violations if authorized by the local legislative authority with jurisdiction over the transit authority.

(4) Subject to RCW 46.63.220, and in consultation with the department of transportation, automated traffic safety cameras may be used to detect ferry queue violations under RCW 46.61.735.

(5) A transit authority may not take disciplinary action regarding a warning or infraction issued pursuant to subsections (1) through (3) of this section against an employee who was operating a public transportation vehicle at the time the violation that was the basis of the warning or infraction was detected.

PART X: PUBLIC TRANSPORTATION BENEFIT AREAS

NEW SECTION. **Sec. 1001.** A new section is added to chapter 36.57A RCW to read as follows:

(1) A public transportation benefit area authority as provided in subsection (2) of this section may, pursuant to an interlocal agreement, annex an adjacent city operating a transit system under chapter 35.95 RCW within the county in which the public transportation benefit area is located. This method of annexation is an alternative method and is additional to all other methods provided for in this chapter.

(2) An authority and the governing body of an adjacent city described in subsection (1) of this section may jointly initiate an annexation process for annexing the city into the public transportation benefit area by adopting an interlocal agreement as provided in chapter 39.34 RCW and under this

subsection between the authority and the city. The authority and the city shall jointly agree on the annexation and its effective date. The interlocal agreement must set a date for a public hearing on the agreement for annexation.

(3) A public hearing must be held by each governing body, separately or jointly, before the agreement is executed. Each governing body holding a public hearing shall:

(a) Separately or jointly, publish a notice of availability of the agreement at least once a week for four weeks before the date of the hearing in one or more newspapers of general circulation within the public transportation benefit area and one or more newspapers of general circulation within the city; and

(b) If the governing body has the ability to do so, post the notice of availability of the agreement on its website for the same four weeks that the notice is published in the newspapers under (a) of this subsection. The notice must describe where the public may review the agreement.

(4) On the date set for hearing, the public must be afforded an opportunity to be heard. Following the hearing, if the governing body determines to undertake the annexation, it must do so by ordinance, if a city's governing body, and by resolution, if a public transportation benefit area's governing body. Upon the effective date of the annexation the city annexed must become part of the public transportation benefit area and must cease operating a transit system under chapter 35.95 RCW. Upon passage of the annexation ordinance and resolution a certified copy of each must be filed with the legislative authority of the county in which the city is located.

(5) After an annexation under this section occurs, the county legislative authority of the county in which the public transportation benefit area is located may by resolution annex county area under its jurisdiction into the public transportation benefit area. This method of annexation is an alternative method and is additional to all other methods provided for in this chapter.

Public Transportation Benefit Area Grant Eligibility

NEW SECTION. Sec. 1002. A new section is added to chapter 47.66 RCW to read as follows:

Any public transportation benefit area established under chapter 36.57A RCW that is not fully in compliance with the requirements of RCW 36.57A.050 by October 1, 2025, may not receive awards for any state grant program available under this chapter.

PART XI: BOARD OF PILOTAGE COMMISSIONERS

Board of Pilotage Commissioners Reporting

Sec. 1101. RCW 88.16.035 and 2018 c 107 s 3 are each amended to read as follows:

(1) The board of pilotage commissioners shall:

(a) Adopt rules, pursuant to chapter 34.05 RCW, necessary for the enforcement and administration of this chapter;

(b)(i) Issue training licenses and pilot licenses to pilot applicants meeting the qualifications provided for in RCW 88.16.090 and such additional qualifications as may be determined by the board;

(ii) Establish a comprehensive training program to assist in the training and evaluation of pilot applicants before final licensing; and

(iii) Establish additional training requirements, including a program of continuing education developed after consultation with pilot organizations, including those located within the state of Washington, as required to maintain a competent pilotage service;

(c) Maintain a register of pilots, records of pilot accidents, and other history pertinent to pilotage;

(d) Determine from time to time the number of pilots necessary to be licensed in each district of the state to optimize the operation of a safe, fully regulated, efficient, and competent pilotage service in each district;

(e) Provide assistance to the utilities and transportation commission, as requested by the utilities and transportation commission, in its performance of pilotage tariff setting functions under RCW 81.116.010 through 81.116.060;

(f) File annually with the governor and the chairs of the transportation committees of the senate and house of representatives a report which includes, but is not limited to, the following: The number, names, ages, pilot license number, training license number, and years of service as a Washington licensed pilot of any person licensed by the board as a Washington state pilot or trainee; the names, employment, and other information of the members of the board; the total number of pilotage assignments by pilotage district, including information concerning the various types and sizes of vessels and the total annual tonnage; the annual earnings or stipends of individual pilots and trainees before and after deduction for expenses of pilot organizations, including extra compensation as a separate category; the annual expenses of private pilot associations, including personnel employed and capital expenditures; the status of pilotage tariffs, extra compensation, and travel; the retirement contributions paid to pilots and the disposition thereof; the number of groundings, marine occurrences, or other incidents which are reported to or investigated by the board, and which are determined to be accidents, as defined by the board, including the vessel name, location of incident, pilot's or trainee's name, and disposition of the case together with information received before the board acted from all persons concerned, including the United States coast guard; the names, qualifications, time scheduled for examinations, and the district of persons desiring to apply for Washington state pilotage licenses; summaries of dispatch records, quarterly reports from pilots, and the bylaws and operating rules of pilotage organizations; the names, sizes in deadweight tons, surcharges, if any, port of call, name of the pilot or trainee, and names and horsepower of tug boats for any and all oil tankers subject to the provisions of RCW 88.16.190 together with the names of any and all vessels for which the United States coast guard requires special handling pursuant to their authority under the Ports and Waterways Safety Act of 1972; the expenses of the board; updates on efforts to increase diversity of pilots, trainees, and applicants; and any and all other information which the board deems appropriate to include;

(g) Make available information that includes the pilotage act and other statutes of Washington state and the federal government that affect pilotage, including the rules of the board, together with such additional information as may be informative for pilots, agents, owners, operators, and masters;

(h) Appoint advisory committees and employ marine experts as necessary to carry out its duties under this chapter;

(i) Provide for the maintenance of efficient and competent pilotage service on all waters covered by this chapter; and do such other things as are reasonable, necessary, and expedient to insure proper and safe pilotage upon the waters covered by this chapter and facilitate the efficient administration of this chapter.

(2) The board may pay stipends to pilot trainees under subsection (1)(b) of this section.

Marine Pilotage Exemptions

Sec. 1102. RCW 88.16.180 and 1991 c 200 s 602 are each amended to read as follows:

~~((Notwithstanding the provisions of RCW 88.16.070))~~ Except as otherwise provided in RCW 88.16.070(3), any registered oil tanker of five thousand gross tons or greater, shall be required:

(1) To take a Washington state licensed pilot while navigating Puget Sound and adjacent waters and shall be liable for and pay pilotage rates pursuant to RCW 88.16.035; and

(2) To take a licensed pilot while navigating the Columbia river.

Sec. 1103. RCW 88.16.070 and 2018 c 107 s 4 are each amended to read as follows:

Every vessel not exempt under this section that operates in the waters of the Puget Sound pilotage district or Grays Harbor pilotage district is subject to compulsory pilotage under this chapter.

(1) A United States vessel on a voyage in which it is operating exclusively on its coastwise endorsement, its fishery endorsement (including catching and processing its own catch outside United States waters and economic zone for delivery in the United States), and/or its recreational (or pleasure) endorsement, and all United States and Canadian vessels engaged exclusively in the coasting trade on the west coast of the continental United States (including Alaska) and/or British Columbia shall be exempt from the provisions of this chapter unless a pilot licensed under this chapter be actually employed, in which case the pilotage rates provided for in this chapter or established under RCW 81.116.010 through 81.116.060 shall apply.

(2) The board may, upon the written petition of any interested party, and upon notice and opportunity for hearing, grant an exemption from the provisions of this chapter to any vessel that the board finds is (a) a small passenger vessel that is not more than ~~((one thousand three hundred))~~ 1,300 gross tons (international), does not exceed ~~((two hundred))~~ 200 feet in overall length, is manned by United States-licensed deck and engine officers appropriate to the size of the vessel with merchant mariner credentials issued by the United States coast guard or Canadian deck and engine officers with Canadian-issued certificates of competency appropriate to the size of the vessel, and is operated exclusively in the waters of the Puget Sound pilotage district and lower British Columbia, or (b) a yacht that is not more than ~~((one thousand three hundred))~~ 1,300 gross tons (international) and does not exceed ~~((two hundred))~~ 200 feet in overall length. Such an exemption shall not be detrimental to the public interest in regard to safe operation preventing loss of human lives, loss of property, and protecting the marine environment of the state of Washington. Such petition shall set out the general description of the vessel, the contemplated use of same, the proposed area of operation, and the name and address of the vessel's owner.

The board shall annually, or at any other time when in the public interest, review any exemptions granted to this specified class of small vessels to insure that each exempted vessel remains in compliance with the original exemption. The board shall have the authority to revoke such exemption where there is not continued compliance with the requirements for exemption. The board shall maintain a file which shall include all petitions for exemption, a roster of vessels granted exemption, and the board's written decisions which shall set forth the findings for grants of exemption. Each applicant for exemption or annual renewal shall pay a fee, payable to the pilotage account. Fees for initial applications and for renewals shall be established by rule, and shall not exceed ~~((one thousand five hundred dollars))~~ \$1,500. The board shall report annually to the legislature on such exemptions.

(3) Every vessel not exempt under subsection (1) or (2) of this section shall, while navigating the Puget Sound and Grays Harbor pilotage districts, employ a pilot licensed under the provisions of this chapter and shall be liable for and pay pilotage rates in accordance with the pilotage rates herein established or which may hereafter be established under the provisions of this chapter or under RCW 81.116.010 through 81.116.060: PROVIDED, That any vessel inbound to or outbound from Canadian ports is exempt from the provisions of this section, if said vessel actually employs a pilot licensed by the Pacific pilotage authority (the pilot licensing authority for the western district of Canada), and if it is communicating with the vessel traffic system and has appropriate navigational charts, and if said vessel uses only those Washington waters east of the international boundary line which are west of a line which begins at the southwestern edge of Point Roberts then to Alden Point (Patos Island), then to Skipjack Island light, then to Turn Point (Stuart Island), then to Kellet Bluff (Henry Island), then to Lime Kiln (San Juan Island) then to the intersection of ~~((one hundred twenty three))~~ 123 degrees seven minutes west longitude and ~~((forty eight))~~ 48 degrees ~~((twenty five))~~ 25 minutes north latitude then to the international boundary. The board shall correspond with the Pacific pilotage authority from time to time to ensure the provisions of this section are enforced. If any exempted vessel does not comply with these provisions it shall be deemed to be in violation of this section and subject to the penalties provided in RCW 88.16.150 as now or hereafter amended and liable to pilotage fees as determined by the board. The board shall investigate any accident on the waters covered by this chapter involving a Canadian pilot and shall include the results in its annual report.

PART XII: PUBLIC-PRIVATE PARTNERSHIP PROJECTS

NEW SECTION. Sec. 1201. (1) The legislature finds that a full set of project procurement, contracting, financing, and funding tools are needed to enable the delivery of transportation projects in a manner most advantageous to the public. Current public-private partnership laws have failed to spur innovative proposals from the private sector or new project delivery approaches from the department of transportation.

(2) The legislature confirms the findings from previous studies that current laws and administrative processes are the primary obstacle impairing the state's ability to utilize public-private partnerships. The legislature finds that a new public-private partnership law is needed to:

(a) Transparently demonstrate and deliver better value for the public including, but not limited to, expedited project delivery and more effective management of project life-cycle costs;

(b) Provide an additional option for delivering complex transportation projects, including addressing a shortage of truck parking;

(c) Incorporate private sector expertise and innovation into transportation project delivery;

(d) Allocate project risks to the parties best able to manage those risks;

(e) Allow new sources of private capital;

(f) Increase access to federal funding and financing mechanisms;

(g) Better align private sector incentives with public priorities; and

(h) Provide consistency in the review and approval processes for the full range of project delivery tools and contracting methods.

NEW SECTION. Sec. 1202. DEFINITIONS. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Commission" means the transportation commission.

(2) "Department" means the department of transportation.

(3) "Eligible transportation project" means any project that is not a rail project and meets the criteria to be evaluated for delivery in section 1206 of this act, whether capital or operating, where the state's purpose for the project is to preserve or facilitate the safe transport of people or goods via any mode of travel.

(4) "Private sector partner" and "private partner" means a person, entity, or organization that is not the federal government, a state, or a political subdivision of a state.

(5) "Public funds" means all moneys derived from taxes, fees, charges, tolls, or other levies of money from the public.

(6) "Public sector partner" and "public partner" means any federal or state unit of government, bistate transportation organization, or any other political subdivision of any state.

(7) "State finance committee" means the entity created in chapter 43.33 RCW.

(8) "Unit of government" means any department or agency of the federal government, any state or agency, office, or department of a state, any city, county, district, commission, authority, entity, port, or other public corporation organized and existing under statutory law or under a voter-approved charter or initiative, and any intergovernmental entity created under chapter 39.34 RCW or this chapter.

NEW SECTION. Sec. 1203. WASHINGTON STATE DEPARTMENT OF TRANSPORTATION POWERS AND DUTIES. (1) The department shall develop policies and, where appropriate, adopt rules to carry out this chapter and govern the use of public-private partnerships for transportation projects. At a minimum, the department's policies and rules must address the following issues:

(a) The types of projects allowed;

(b) Consistent with section 1209 of this act, a process and methodology for determining whether a public-private partnership delivery model will be in the public's interest;

(c) Consistent with section 1214 of this act, a process and methodology for determining whether a negotiated partnership agreement will result in greater public value to the state than if the project is delivered using other procurement and contracting methods;

(d) The types of contracts allowed, with consideration given to the best practices available;

(e) Minimum standards and criteria required of all proposals;

(f) Procedures for the proper identification, solicitation, acceptance, review, and evaluation of projects, consistent with existing project procurement and contracting requirements and practices;

(g) Criteria to be considered in the evaluation and selection of proposals that includes:

(i) Comparison with the department's internal ability to complete the project that documents the advantages of completing the project as a partnership versus solely as a public venture; and

(ii) Factors such as, but not limited to: Priority, life-cycle cost, risk sharing, scheduling, innovation, and management conditions;

(h) The protection of confidential proprietary information while still meeting the need for transparency and public disclosure that is consistent with section 1215 of this act;

(i) Protection for local contractors to participate in subcontracting opportunities that is consistent with section 1204(3) of this act;

(j) Specifying that maintenance issues must be resolved in a manner consistent with chapter 41.80 RCW;

(k) Guidelines to address security and performance issues.

(2) During its rule-making activities, the department must consult with the department's office of equity and civil rights.

(3) By September 1, 2026, the department must provide a report to the house of representatives and senate transportation committees on proposed policies and guidelines it intends to develop into administrative rules. Rules adopted by the department pursuant to this chapter may not take effect before January 1, 2027.

NEW SECTION. Sec. 1204. APPLICABILITY OF OTHER TRANSPORTATION PROJECT GOVERNING PROVISIONS. (1) For any eligible transportation project that requires the imposition of tolls on a state facility, the legislature must approve the imposition of such tolls consistent with RCW 47.56.820.

(2) For any eligible transportation project that requires setting or adjusting toll rates on a state facility, the commission has sole responsibility consistent with RCW 47.56.850.

(3)(a) If federal funds are provided for an eligible transportation project developed under this chapter, disadvantaged business enterprise inclusion requirements, as established, monitored, and administered by the department's office of equity and civil rights, apply.

(b) If no federal funds are provided for an eligible transportation project developed under this chapter, state laws, rates, and rules must govern, including the public works small business certification program pursuant to RCW 39.19.030(7) as monitored and administered by the department's office of equity and civil rights.

NEW SECTION. Sec. 1205. APPLICATION OF PUBLIC WORKS PROVISIONS. All other transportation and public works project procurement and contracting governing provisions and procedures that do not conflict with this chapter, including responsible bidder and apprenticeship requirements under chapter 39.04 RCW and prevailing wage requirements under chapter 39.12 RCW, apply to the entire eligible transportation project.

NEW SECTION. Sec. 1206. PROJECT COST THRESHOLD FOR P3 EVALUATION. Any eligible transportation project with an estimated cost to the state of less than \$500,000,000, or any project on a United States route that is not an interstate route and includes replacement of a seismically vulnerable elevated structure at least one and one-half miles long that crosses a river, may be evaluated for delivery under a public-private partnership model as prescribed under this chapter.

NEW SECTION. Sec. 1207. ELIGIBLE FINANCING. (1) Subject to the limitations in this section, the department may, in connection with the evaluation of eligible transportation projects, consider any financing mechanisms from any lawful source, either integrated as part of a project proposal or as a separate, stand-alone proposal to finance a project. Financing may be considered for all or part of a proposed project. A project may be financed in whole or in part with:

(a) The proceeds of grant anticipation revenue bonds authorized under 23 U.S.C. Sec. 122 and applicable state law. Legislative authorization and appropriation are required to use this source of financing;

(b) Grants, loans, loan guarantees, lines of credit, revolving lines of credit, or other financing arrangements available under the transportation infrastructure finance and innovation act under 23 U.S.C. Sec. 181 et seq., or any other applicable federal law, subject to legislative authorization and appropriation as required;

(c) Infrastructure loans or assistance from the state infrastructure bank established under RCW 82.44.195, subject to legislative authorization and appropriation as required;

(d) Federal, state, or local revenues, subject to appropriation by the applicable legislative authority;

(e) User fees, tolls, fares, lease proceeds, rents, gross or net receipts from sales, proceeds from the sale of development rights, franchise fees, or any other lawful form of consideration. However, projects financed by tolls must first be authorized by the legislature under RCW 47.56.820;

(f) Loans, pledges, or contributions of funds, including equity investments, from private entities;

(g) Revenue bonds, subject to legislative authorization and appropriation as required.

(2) Subject to subsection (4) of this section, the department may develop a plan of finance that would require either the state or a private partner, or both, to: Issue debt, equity, or other securities or obligations; enter into contracts, leases, concessions, and grant and loan agreements; or secure any financing with a pledge of funds to be appropriated by the legislature or with a lien or exchange of real property.

(3) As security for the payment of any financing, the revenues from the project may be pledged, but no such pledge of revenues constitutes in any

manner or to any extent a general obligation of the state, unless specifically authorized by the legislature. Any financing described in this section may be structured on a senior, parity, or subordinate basis to any other financing.

(4) The department shall not execute any agreement with respect to an eligible transportation project, including any agreement that could materially impact the state's debt capacity or credit rating as determined by the state finance committee, without prior review and approval of the plan of finance and proposed financing terms by the state finance committee.

NEW SECTION. Sec. 1208. USE OF FEDERAL FUNDS OR OTHER SOURCES. (1) The department may accept from the United States or any of its agencies such funds as are available to this state or to any other unit of government for carrying out the purposes of this chapter, whether the funds are made available by grant, loan, or other financing arrangement. The department may enter into such agreements and other arrangements with the United States or any of its agencies as may be necessary, proper, and convenient for carrying out the purposes of this chapter, subject to subsection (2) of this section.

(2)(a) The department may accept from any source any grant, donation, gift, or other form of conveyance of land, money, other real or personal property, or other valuable thing made to the state of Washington, the department, or a local government for carrying out the purposes of this chapter.

(b) Any eligible transportation project may be financed in whole or in part by contribution of any funds or property made by any private entity or public sector partner that is a party to any agreement entered into under this chapter.

NEW SECTION. Sec. 1209. PUBLIC INTEREST FINDING. (1) The department may evaluate eligible transportation projects that are already programmed for other delivery methods to determine their appropriateness for delivery under a public-private partnership model.

(2) Before entering into a formal solicitation or procurement to develop a project as a public-private partnership, the department must make formal findings that utilizing a public-private partnership delivery method is in the public's interest. The department must adopt rules detailing the process and criteria for making such findings. At a minimum, the criteria must consider whether:

(a) Public ownership of the asset can be retained;

(b) Transparency during the consideration of a public-private partnership agreement can be provided;

(c) Public oversight of the private entity's management of the asset can be provided; and

(d) Additional criteria that reflects the legislative findings in section 1201 of this act.

(3) Before commencing any solicitation to deliver the project as a public-private partnership, the department must provide an opportunity for public comment on the proposed project and delivery method.

(4) Upon a finding of public interest pursuant to subsection (2) of this section, the department must provide written notification of their finding of public interest and intent to deliver the project as a public-private partnership to the general public, to the chairs and ranking members of the transportation committees of the legislature, and to the governor.

(5) Upon a finding of public interest pursuant to subsection (2) of this section, the department may:

(a) Solicit concepts or proposals for the identified public-private partnership project from private entities and units of government;

(b) Evaluate the concepts or proposals received under this section. The evaluation under this subsection must include consultation with any appropriate unit of government; and

(c) Select potential projects based on the concepts or proposals.

NEW SECTION. Sec. 1210. USE OF FUNDS FOR PROPOSAL PURPOSES. (1) Subject to the availability of amounts appropriated for this specific purpose, the department may spend such moneys as may be necessary for stipends for respondents to a solicitation, the evaluation of concepts or proposals for eligible transportation projects, and for negotiating agreements for eligible transportation projects authorized under this chapter. Expenses incurred by the department under this section before the issuance of transportation project bonds or other financing must be paid by the department and charged to the appropriate project. The department must keep records and accounts showing each charged amount.

(2) Unless otherwise provided in the omnibus transportation appropriations act, the funds spent by the department under this section in connection with the project must be repaid from the proceeds of the bonds or other financing upon the sale of transportation project bonds or upon obtaining other financing for an eligible transportation project, as allowed by law or contract.

NEW SECTION. Sec. 1211. EXPERT CONSULTATION. The department may consult with legal, financial, technical, and other experts in the public and private sector in the evaluation, negotiation, and development of projects under this chapter.

NEW SECTION. Sec. 1212. CONTRACTED STUDIES. In the absence of any direct federal funding or direction, the department may contract with a private developer of a selected project proposal to conduct environmental impact studies and engineering and technical studies.

NEW SECTION. Sec. 1213. PARTNERSHIP AGREEMENTS. (1) The following provisions must be included in any transportation project agreement entered into under the authority of this chapter and to which the state is a party:

(a) For any project that proposes terms for stand alone maintenance or asset management services for a public facility, those services must be provided in a manner consistent with any collective bargaining agreements, chapter 41.80 RCW, and civil service laws that are in effect for the public facility;

(b) A finding of public interest, as issued by the department pursuant to section 1209 of this act;

(c) If there is a tolling component to the project, it must be specified that the tolling technology used in the project must be consistent with tolling technology standards adopted by the department for transportation-related projects;

(d) Provisions for bonding, financial guarantees, deposits, or the posting of other security to secure the payment of laborers, subcontractors, and suppliers who perform work or provide materials as part of the project;

(e) All projects must be financed in a manner consistent with section 1207 of this act.

(2) At a minimum, agreements between the state and private sector partners entered into under this section must specifically include the following contractual elements:

(a) The point in the project at which public and private sector partners will enter the project and which partners will assume responsibility for specific project elements;

(b) How the partners will share management of the risks of the project;

(c) The compensation method and amount for the private partner, establishing a maximum rate of return, and identifying how project revenue, if any, in excess of the maximum rate of return will be distributed;

(d) How the partners will share the costs of development of the project;

(e) How the partners will allocate financial responsibility for cost overruns;

(f) The penalties for nonperformance;

(g) The incentives for performance;

(h) The accounting and auditing standards to be used to evaluate work on the project;

(i) For any project that reverts to public ownership, the responsibility for reconstruction or renovations that are required for a facility to meet all service standards and state of good repair upon reversion of the facility to the state;

(j) Provisions and remedies for default by either party, and provisions for termination of the agreement for or without cause;

(k) Provisions for public communication and participation with respect to the development of the project.

NEW SECTION. Sec. 1214. BEST VALUE FINDING AND AGREEMENT EXECUTION. Before executing an agreement under section 1213 of this act, the department must make a formal finding that the negotiated partnership agreement is expected to result in best value for the public, and the agreement must be approved through duly enacted legislation. The department must develop and adopt a process and criteria for measuring, determining, and transparently reporting best value relevant to the proposed project. At minimum, the criteria must include:

(1) A comparison of the total cost to deliver the project, including any operations and maintenance costs, as a public-private partnership compared to traditional or other alternative delivery methods available to the department;

(2) A comparison with the department's current plan, resources, delivery capacity, and schedule to complete the project that documents the advantages of completing the project as a public-private partnership versus solely as a public venture; and

(3) Factors such as, but not limited to: Priority, cost, risk sharing, scheduling, asset and service quality, innovation, and management conditions.

NEW SECTION. Sec. 1215. CONFIDENTIALITY. A proposer must identify those portions of a proposal that the proposer considers to be confidential, proprietary information, or trade secrets and provide any justification as to why these materials, upon request, should not be disclosed by the department. Patent information will be covered until the patent expires. Other information, such as originality of design or records of negotiation, is protected under this section only until an agreement under section 1214 of this act is reached. Eligible transportation projects under federal jurisdiction or using

federal funds must conform to federal regulations under the freedom of information act.

NEW SECTION. Sec. 1216. GOVERNMENT AGREEMENTS. The state may, either separately or in combination with any other public sector partner, enter into working agreements, coordination agreements, or similar implementation agreements, including the formation of bistate transportation organizations, to carry out the joint implementation and operation of an eligible transportation project selected under this chapter. The state may enter into agreements with other units of government or Canadian provinces for transborder transportation projects.

NEW SECTION. Sec. 1217. EMINENT DOMAIN. The state may exercise the power of eminent domain to acquire property, easements, or other rights or interests in property for projects that are necessary to implement an eligible transportation project developed under this chapter. Any property acquired pursuant to this section must be owned in fee simple by the state.

NEW SECTION. Sec. 1218. FEDERAL LAWS. Applicable federal laws, rules, and regulations govern in any situation that involves federal funds if the federal laws, rules, or regulations:

- (1) Conflict with any provision of this chapter;
- (2) Require procedures that are additional to or inconsistent with those provided in this chapter; or
- (3) Require contract provisions not authorized in this chapter.

NEW SECTION. Sec. 1219. PUBLIC-PRIVATE PARTNERSHIPS ACCOUNT. (1) The public-private partnerships account is created in the custody of the state treasurer.

- (2) The following moneys must be deposited into the account:
 - (a) Proceeds from bonds or other financing instruments;
 - (b) Revenues received from any transportation project developed under this chapter or developed under the general powers granted to the department; and
 - (c) Any other moneys that are by donation, grant, contract, law, or other means transferred, allocated, or appropriated to the account.
- (3) Expenditures from the account may be used only for the planning, acquisition, financing, development, design, construction, reconstruction, replacement, improvement, maintenance, preservation, management, repair, or operation of any eligible transportation project under this chapter.

(4) The state treasurer may establish separate subaccounts within the public-private partnerships account for each transportation project that is initiated under this chapter or under the general powers granted to the department. The state may pledge moneys in the public-private partnerships account to secure revenue bonds or any other debt obligations relating to the project for which the account is established.

(5) Only the secretary or the secretary's designee may authorize distributions from the account. The account is subject to the allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures.

Sec. 1220. RCW 47.56.030 and 2023 c 429 s 6 are each amended to read as follows:

(1) Except as permitted under chapter ~~((47.29))~~ 47.--- RCW (the new chapter created in section 1224 of this act) or 47.46 RCW:

(a) Unless otherwise delegated, and subject to RCW 47.56.820, the department of transportation shall have full charge of the planning, analysis, and construction of all toll bridges and other toll facilities including the Washington state ferries, and the operation and maintenance thereof.

(b) The transportation commission shall determine and establish the tolls and charges thereon.

(c) Unless otherwise delegated, and subject to RCW 47.56.820, the department shall have full charge of planning, analysis, and design of all toll facilities. The department may conduct the planning, analysis, and design of toll facilities as necessary to support the legislature's consideration of toll authorization.

(d) The department shall utilize and administer toll collection systems that are simple, unified, and interoperable. To the extent practicable, the department shall avoid the use of toll booths. The department shall set the statewide standards and protocols for all toll facilities within the state, including those authorized by local authorities.

(e) Except as provided in this section, the department shall proceed with the construction of such toll bridges and other facilities and the approaches thereto by contract in the manner of state highway construction immediately upon there being made available funds for such work and shall prosecute such work to completion as rapidly as practicable. The department is authorized to negotiate contracts for any amount without bid under (e)(i) and (ii) of this subsection:

(i) Emergency contracts, in order to make repairs to ferries or ferry terminal facilities or removal of such facilities whenever continued use of ferries or ferry terminal facilities constitutes a real or immediate danger to the traveling public or precludes prudent use of such ferries or facilities; and

(ii) Single source contracts for vessel dry dockings, when there is clearly and legitimately only one available bidder to conduct dry dock-related work for a specific class or classes of vessels. The contracts may be entered into for a single vessel dry docking or for multiple vessel dry dockings for a period not to exceed two years.

(f) Any new vessel planning, construction, purchase, analysis, or design work must be consistent with RCW 47.60.810, except as otherwise provided in RCW 47.60.826.

(2) The department shall proceed with the procurement of materials, supplies, services, and equipment needed for the support, maintenance, and use of a ferry, ferry terminal, or other facility operated by Washington state ferries, in accordance with chapter 43.19 RCW except as follows:

(a) When the secretary of the department of transportation determines in writing that the use of invitation for bid is either not practicable or not advantageous to the state and it may be necessary to make competitive evaluations, including technical or performance evaluations among acceptable proposals to complete the contract award, a contract may be entered into by use of a competitive sealed proposals method, and a formal request for proposals solicitation. Such formal request for proposals solicitation shall include a

functional description of the needs and requirements of the state and the significant factors.

(b) When purchases are made through a formal request for proposals solicitation the contract shall be awarded to the responsible proposer whose competitive sealed proposal is determined in writing to be the most advantageous to the state taking into consideration price and other evaluation factors set forth in the request for proposals. No significant factors may be used in evaluating a proposal that are not specified in the request for proposals. Factors that may be considered in evaluating proposals include but are not limited to: Price; maintainability; reliability; commonality; performance levels; life-cycle cost if applicable under this section; cost of transportation or delivery; delivery schedule offered; installation cost; cost of spare parts; availability of parts and service offered; and the following:

(i) The ability, capacity, and skill of the proposer to perform the contract or provide the service required;

(ii) The character, integrity, reputation, judgment, experience, and efficiency of the proposer;

(iii) Whether the proposer can perform the contract within the time specified;

(iv) The quality of performance of previous contracts or services;

(v) The previous and existing compliance by the proposer with laws relating to the contract or services;

(vi) Objective, measurable criteria defined in the request for proposal. These criteria may include but are not limited to items such as discounts, delivery costs, maintenance services costs, installation costs, and transportation costs; and

(vii) Such other information as may be secured having a bearing on the decision to award the contract.

(c) When purchases are made through a request for proposal process, proposals received shall be evaluated based on the evaluation factors set forth in the request for proposal. When issuing a request for proposal for the procurement of propulsion equipment or systems that include an engine, the request for proposal must specify the use of a life-cycle cost analysis that includes an evaluation of fuel efficiency. When a life-cycle cost analysis is used, the life-cycle cost of a proposal shall be given at least the same relative importance as the initial price element specified in the request of proposal documents. The department may reject any and all proposals received. If the proposals are not rejected, the award shall be made to the proposer whose proposal is most advantageous to the department, considering price and the other evaluation factors set forth in the request for proposal.

Sec. 1221. RCW 47.56.031 and 2005 c 335 s 2 are each amended to read as follows:

No tolls may be imposed on new or existing highways or bridges without specific legislative authorization, or upon a majority vote of the people within the boundaries of the unit of government empowered to impose tolls. This section applies to chapter 47.56 RCW and to any tolls authorized under chapter ~~((47.29 RCW, the transportation innovative partnership act of 2005))~~ 47.--- RCW (the new chapter created in section 1224 of this act).

Sec. 1222. RCW 70A.15.4030 and 2020 c 20 s 1126 are each amended to read as follows:

(1) A county, city, or town may, as part of its commute trip reduction plan, designate existing activity centers listed in its comprehensive plan or new activity centers as growth and transportation efficiency centers and establish a transportation demand management program in the designated area.

(a) The transportation demand management program for the growth and transportation efficiency center shall be developed in consultation with local transit agencies, the applicable regional transportation planning organization, major employers, and other interested parties.

(b) In order to be eligible for state funding provided for the purposes of this section, designated growth and transportation efficiency centers shall be certified by the applicable regional transportation organization to: (i) Meet the minimum land use and transportation criteria established in collaboration among local jurisdictions, transit agencies, the regional transportation planning organization, and other interested parties as part of the regional commute trip reduction plan; and (ii) have established a transportation demand management program that includes the elements identified in (c) of this subsection and is consistent with the rules established by the department of transportation in RCW 70A.15.4060(2). If a designated growth and transportation efficiency center is denied certification, the local jurisdiction may appeal the decision to the commute trip reduction board.

(c) Transportation demand management programs for growth and transportation efficiency centers shall include, but are not limited to: (i) Goals for reductions in the proportion of single-occupant vehicle trips that are more aggressive than the state program goal established by the commute trip reduction board; (ii) a sustainable financial plan demonstrating how the program can be implemented to meet state and regional trip reduction goals, indicating resources from public and private sources that are reasonably expected to be made available to carry out the plan, and recommending any innovative financing techniques consistent with chapter ~~((47.29 RCW))~~ 47.--- RCW (the new chapter created in section 1224 of this act), including public/private partnerships, to finance needed facilities, services, and programs; (iii) a proposed organizational structure for implementing the program; (iv) a proposal to measure performance toward the goal and implementation progress; and (v) an evaluation to which local land use and transportation policies apply, including parking policies and ordinances, to determine the extent that they complement and support the trip reduction investments of major employers. Each of these program elements shall be consistent with the rules established under RCW 70A.15.4060.

(d) A designated growth and transportation efficiency center shall be consistent with the land use and transportation elements of the local comprehensive plan.

(e) Transit agencies, local governments, and regional transportation planning organizations shall identify certified growth and transportation efficiency centers as priority areas for new service and facility investments in their respective investment plans.

(2) A county, city, or town that has established a growth and transportation efficiency center program shall support vehicle trip reduction activities in the designated area. The implementing jurisdiction shall adopt policies, ordinances,

and funding strategies that will lead to attainment of program goals in those areas.

NEW SECTION. Sec. 1223. The following acts or parts of acts are each repealed:

- (1) RCW 47.29.010 (Finding—Intent) and 2006 c 334 s 48 & 2005 c 317 s 1;
- (2) RCW 47.29.020 (Definitions) and 2005 c 317 s 2;
- (3) RCW 47.29.030 (Transportation commission powers and duties) and 2005 c 317 s 3;
- (4) RCW 47.29.040 (Purpose) and 2005 c 317 s 4;
- (5) RCW 47.29.050 (Eligible projects) and 2005 c 317 s 5;
- (6) RCW 47.29.060 (Eligible financing) and 2008 c 122 s 18 & 2005 c 317 s 6;
- (7) RCW 47.29.070 (Use of federal funds and similar revenues) and 2005 c 317 s 7;
- (8) RCW 47.29.080 (Other sources of funds or property) and 2005 c 317 s 8;
- (9) RCW 47.29.090 (Project review, evaluation, and selection) and 2005 c 317 s 9;
- (10) RCW 47.29.100 (Administrative fee) and 2005 c 317 s 10;
- (11) RCW 47.29.110 (Funds for proposal evaluation and negotiation) and 2005 c 317 s 11;
- (12) RCW 47.29.120 (Expert consultation) and 2005 c 317 s 12;
- (13) RCW 47.29.130 (Contracted studies) and 2005 c 317 s 13;
- (14) RCW 47.29.140 (Partnership agreements) and 2005 c 317 s 14;
- (15) RCW 47.29.150 (Public involvement and participation) and 2005 c 317 s 15;
- (16) RCW 47.29.160 (Approval and execution) and 2005 c 317 s 16;
- (17) RCW 47.29.170 (Unsolicited proposals) and 2017 c 313 s 711, 2015 1st sp.s. c 10 s 704, 2013 c 306 s 708, 2011 c 367 s 701, 2009 c 470 s 702, 2007 c 518 s 702, 2006 c 370 s 604, & 2005 c 317 s 17;
- (18) RCW 47.29.180 (Advisory committees) and 2005 c 317 s 18;
- (19) RCW 47.29.190 (Confidentiality) and 2005 c 317 s 19;
- (20) RCW 47.29.200 (Prevailing wages) and 2005 c 317 s 20;
- (21) RCW 47.29.210 (Government agreements) and 2005 c 317 s 21;
- (22) RCW 47.29.220 (Eminent domain) and 2005 c 317 s 22;
- (23) RCW 47.29.230 (Transportation innovative partnership account) and 2005 c 317 s 23;
- (24) RCW 47.29.240 (Use of account) and 2005 c 317 s 24;
- (25) RCW 47.29.250 (Issuing bonds and other obligations) and 2005 c 317 s 25;
- (26) RCW 47.29.260 (Study and report) and 2005 c 317 s 26;
- (27) RCW 47.29.270 (Federal laws) and 2005 c 317 s 27;
- (28) RCW 47.29.280 (Expert review panel on proposed project agreements—Creation—Authority) and 2006 c 334 s 49; and
- (29) RCW 47.29.290 (Expert review panel on proposed project agreements—Execution of agreements) and 2006 c 334 s 50.

NEW SECTION. **Sec. 1224.** Sections 1201 through 1219 of this act constitute a new chapter in Title 47 RCW.

PART XIII: MISCELLANEOUS

Railroad Fencing Requirements

Sec. 1301. RCW 81.52.050 and 2013 c 23 s 301 are each amended to read as follows:

Every person, company, or corporation having the control or management of any railroad shall, outside of any corporate city or town, and outside the limits of any sidetrack or switch, cause to be constructed and maintained in good repair on each side of said railroad, along the line of said right-of-way of such person, company, or corporation operating the same, a substantial fence, and at every point where any roadway or other public highway shall cross said railroad, a safe and sufficient crossing must be built and maintained, and on each side of such crossing and at each end of such sidetrack or switch, outside of any incorporated city or town, a sufficient cattle guard: **PROVIDED,** That any person holding land on both sides of said right-of-way shall have the right to put in gates for his or her own use at such places as may be convenient. This section does not apply to rail right-of-way owned by the department of transportation.

Temporary License Plates

Sec. 1302. RCW 46.16A.305 and 2022 c 132 s 5 are each amended to read as follows:

(1) The department, county auditor or other agent, or subagent appointed by the director may grant a temporary license plate to operate a vehicle for which an application for registration has been made. The application for a temporary license plate must be made by the owner or the owner's representative to the department, county auditor or other agent, or subagent appointed by the director on a form furnished by the department and must contain:

(a) A full description of the vehicle, including its make, model, vehicle identification number, and type of body;

(b) The name and address of the applicant;

(c) The date of application; and

(d) Other information that the department may require.

(2) Temporary license plates must:

(a) Be consecutively numbered;

(b) Be displayed as described for permanent license plates in RCW 46.16A.200(5)(a);

(c) Be composed of material that must be durable and remain unaltered in field conditions for a minimum of four months; and

(d) Remain on the vehicle only until the receipt of permanent license plates.

(3) The application must be accompanied by the fee required under RCW 46.17.400(1)(b).

(4) Pursuant to subsection (2) of this section, the department may adopt rules for the design and display of temporary license plates.

(5) By December 1, 2025, the department must adopt rules implementing contingency extensions of the expiration date for department temporary license plates in cases of shortages of permanent license plates. The rules must prioritize reducing customer return trips for department temporary license plates, and

include a communication plan with state and local law enforcement agencies regarding the implementation of the contingency extensions.

NEW SECTION, Sec. 1303. A new section is added to chapter 72.60 RCW to read as follows:

When the department of corrections, in conjunction with the department of licensing, anticipates a projected license plate shortage statewide or in particular locations, the department of licensing must promptly communicate such shortage to the county auditors or other agents, and subagents appointed by the director of the department of licensing. The department of corrections, in conjunction with the department of licensing, must also develop and implement a mitigation plan to address the shortage that may include the contracting with a third-party vendor for production of license plates until such time as the shortage is eliminated and a sufficient license plate inventory is available for the subsequent 90-day period. Use of a third-party vendor may thereafter be initiated by the department of corrections, the department of licensing, or jointly by the two agencies.

Aeronautics Account

Sec. 1304. RCW 82.42.090 and 2017 3rd sp.s. c 25 s 42 are each amended to read as follows:

All moneys collected by the director from the aircraft fuel excise tax as provided in RCW 82.42.020 shall be transmitted to the state treasurer and shall be credited to the aeronautics account hereby created in the state treasury. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only for aviation-related purposes. Moneys collected from the consumer or user of aircraft fuel from either the use tax imposed by RCW 82.12.020 or the retail sales tax imposed by RCW 82.08.020 shall be transmitted to the state treasurer and credited to the state general fund.

City Streets as Part of State Highways

Sec. 1305. RCW 47.24.020 and 2018 c 100 s 1 are each amended to read as follows:

The jurisdiction, control, and duty of the state and city or town with respect to such streets is as follows:

(1) The department has no authority to change or establish any grade of any such street without approval of the governing body of such city or town, except with respect to limited access facilities established by the commission;

(2) The city or town shall exercise full responsibility for and control over any such street beyond the curbs and if no curb is installed, beyond that portion of the highway used for highway purposes. However, within incorporated cities and towns the title to a state limited access highway vests in the state, and, notwithstanding any other provision of this section, the department shall exercise full jurisdiction, responsibility, and control to and over such facility as provided in chapter 47.52 RCW;

(3) The department has authority to prohibit the suspension of signs, banners, or decorations above the portion of such street between the curbs or portion used for highway purposes up to a vertical height of ~~((twenty))~~ 20 feet above the surface of the roadway;

(4) The city or town shall at its own expense maintain all underground facilities in such streets, and has the right to construct such additional

underground facilities as may be necessary in such streets. However, pavement trenching and restoration performed as part of installation of such facilities must meet or exceed requirements established by the department;

(5) The city or town has the right to grant the privilege to open the surface of any such street, but all damage occasioned thereby shall promptly be repaired either by the city or town itself or at its direction. Pavement trenching and restoration performed under a privilege granted by the city under this subsection must meet or exceed requirements established by the department;

(6) Except as otherwise provided in subsection (17) of this section, the city or town at its own expense shall provide street illumination and shall clean all such streets, including storm sewer inlets and catch basins, and remove all snow, except that the state shall when necessary plow the snow on the roadway. In cities and towns having a population of (~~((twenty-seven thousand five hundred))~~) 27,500 or less according to the latest determination of population by the office of financial management, the state, when necessary for public safety, shall assume, at its expense, responsibility for the stability of the slopes of cuts and fills and the embankments within the right-of-way to protect the roadway itself. When the population of a city or town first exceeds (~~((twenty-seven thousand five hundred))~~) 27,500 according to the determination of population by the office of financial management, the city or town shall have three years from the date of the determination to plan for additional staffing, budgetary, and equipment requirements before being required to assume the responsibilities under this subsection. The state shall install, maintain, and operate all illuminating facilities on any limited access facility, together with its interchanges, located within the corporate limits of any city or town, and shall assume and pay the costs of all such installation, maintenance, and operation incurred after November 1, 1954;

(7) The department has the right to use all storm sewers on such highways without cost; and if new storm sewer facilities are necessary in construction of new streets by the department, the cost of the facilities shall be borne by the state and/or city as may be mutually agreed upon between the department and the governing body of the city or town;

(8) Cities and towns have exclusive right to grant franchises not in conflict with state laws and rules, over, beneath, and upon such streets, but the department is authorized to enforce in an action brought in the name of the state any condition of any franchise which a city or town has granted on such street. No franchise for transportation of passengers in motor vehicles may be granted on such streets without the approval of the department, but the department shall not refuse to approve such franchise unless another street conveniently located and of strength of construction to sustain travel of such vehicles is accessible;

(9) Every franchise or permit granted any person by a city or town for use of any portion of such street by a public utility must require the grantee or permittee to restore, repair, and replace any portion of the street damaged or injured by it to conditions that meet or exceed requirements established by the department;

(10) The city or town has the right to issue overload or overwidth permits for vehicles to operate on such streets or roads subject to regulations printed and distributed to the cities and towns by the department;

(11) Cities and towns shall regulate and enforce all traffic and parking restrictions on such streets, but all regulations adopted by a city or town relating

to speed, parking, and traffic control devices on such streets not identical to state law relating thereto are subject to the approval of the department before becoming effective. All regulations pertaining to speed, parking, and traffic control devices relating to such streets heretofore adopted by a city or town not identical with state laws shall become null and void unless approved by the department heretofore or within one year after March 21, 1963;

(12) The department shall erect, control, and maintain at state expense all route markers and directional signs, except street signs, on such streets;

(13) Except as otherwise provided in subsection (17) of this section, the department shall install, operate, maintain, and control at state expense all traffic control signals, signs, and traffic control devices for the purpose of regulating both pedestrian and motor vehicular traffic on, entering upon, or leaving state highways in cities and towns having a population of (~~twenty-seven thousand five hundred~~) 27,500 or less according to the latest determination of population by the office of financial management. Such cities and towns may submit to the department a plan for traffic control signals, signs, and traffic control devices desired by them, indicating the location, nature of installation, or type thereof, or a proposed amendment to such an existing plan or installation, and the department shall consult with the cities or towns concerning the plan before installing such signals, signs, or devices. Cities and towns having a population in excess of (~~twenty-seven thousand five hundred~~) 27,500 according to the latest determination of population by the office of financial management shall install, maintain, operate, and control such signals, signs, and devices at their own expense, subject to approval of the department for the installation and type only. When the population of a city or town first exceeds (~~twenty-seven thousand five hundred~~) 27,500 according to the determination of population by the office of financial management, the city or town shall have three years from the date of the determination to plan for additional staffing, budgetary, and equipment requirements before being required to assume the responsibilities under this subsection. For the purpose of this subsection, striping, lane marking, and channelization are considered traffic control devices;

(14) All revenue from parking meters placed on such streets belongs to the city or town;

(15) Rights-of-way for such streets shall be acquired by either the city or town or by the state as shall be mutually agreed upon. Costs of acquiring rights-of-way may be at the sole expense of the state or at the expense of the city or town or at the expense of the state and the city or town as may be mutually agreed upon. Title to all such rights-of-way so acquired shall vest in the city or town: PROVIDED, That no vacation, sale, rental, or any other nontransportation use of any unused portion of any such street may be made by the city or town without the prior written approval of the department; and all revenue derived from sale, vacation, rental, or any nontransportation use of such rights-of-way shall be shared by the city or town and the state in the same proportion as the purchase costs were shared;

(16) If any city or town fails to perform any of its obligations as set forth in this section or in any cooperative agreement entered into with the department for the maintenance of a city or town street forming part of the route of a state highway, the department may notify the mayor of the city or town to perform the necessary maintenance within (~~thirty~~) 30 days. If the city or town within the

~~((thirty))~~ 30 days fails to perform the maintenance or fails to authorize the department to perform the maintenance as provided by RCW 47.24.050, the department may perform the maintenance, the cost of which is to be deducted from any sums in the motor vehicle fund credited or to be credited to the city or town;

(17) The population thresholds identified in subsections (6) and (13) of this section shall be increased as follows:

(a) Thirty thousand on July 1, 2023;

(b) Thirty-two thousand five hundred on July 1, ~~((2028))~~ 2025, for cities or towns having a population of 30,000 or less on January 1, 2025; and

(c) Thirty-five thousand on July 1, ~~((2033))~~ 2030.

Solicited Property Transactions For Transportation Purposes

Sec. 1306. RCW 61.---.--- and 2025 c . . . (SHB 1081) s 1 are each amended to read as follows:

(1) For real estate transactions executed on or after January 1, 2026, in which a potential buyer or someone representing a potential buyer actively solicits the purchase of real property through public advertising or written, electronic, or in-person contact with an owner of real property that is not currently publicly available or listed on the real estate market for purchase, the owner of the solicited real property shall, upon execution of a purchase contract between the potential buyer and the owner of the solicited real property:

(a) Have the right to an appraisal of the real property by an appraiser licensed in accordance with chapter 18.140 RCW, which right shall be expressly included in the purchase contract between the potential buyer and the owner of the solicited real property; and

(b) Have the right to cancel the purchase contract without penalty or further obligation subject to subsection (2) of this section.

(2)(a) For owners of the solicited real property who wish to exercise their right to an appraisal:

(i) The owner has the right to select the appraiser, and the potential buyer is responsible for the expense of the appraisal;

(ii) The appraisal must be ordered within three business days after the execution of the purchase contract, and the owner of the solicited real property shall notify the potential buyer of the appraisal; and

(iii) The owner of the solicited real property has the right to cancel the purchase contract, without penalty or further obligation, within four business days after the appraisal is received.

(b) For owners of solicited real property who do not wish to receive an appraisal, the owner has the right to cancel the purchase contract without penalty or further obligation within 10 business days after execution of the contract.

(c) In the event of cancellation, the owner of the solicited real property shall send a notice of cancellation to the buyer by mail, telegram, email, or other means of written communication. Notice of cancellation is considered given when mailed, when filed for telegraphic transmission, when emailed, or, if sent by other means, when delivered to the buyer's designated place of business.

(3) The purchase contract for a real estate transaction described in this section must state clearly in at least size 10-point boldface type, and the seller must affirmatively acknowledge in writing, that the seller:

(a) Has a right to an appraisal as specified in subsection (2) of this section; and

(b) Has a right to cancel the purchase contract without penalty or further obligation in accordance with subsection (2) of this section.

(4) This section does not apply to a buyer or seller represented by a real estate broker licensed in accordance with chapter 18.85 RCW.

(5) Nothing in this chapter affects the rights accruing to any party as set forth in RCW 64.04.220.

(6) The legislature finds that the practices covered by this section are matters vitally affecting the public interest for the purpose of applying the consumer protection act, chapter 19.86 RCW. A violation of this section is not reasonable in relation to the development and preservation of business and is an unfair or deceptive act in trade or commerce and an unfair method of competition for the purpose of applying the consumer protection act, chapter 19.86 RCW.

(7) This section does not apply to any public entity including, but not limited to, the department of transportation, cities, and counties, acquiring real property for transportation purposes.

Tow Truck Impounds

NEW SECTION. Sec. 1307. A new section is added to chapter 46.55 RCW to read as follows:

(1) The department shall create a program to compensate registered tow truck operators for private property impounds or impounds performed at the direction of law enforcement to apply when the owner of the vehicle is indigent, except when the vehicle has been impounded after the vehicle owner has been arrested by a law enforcement officer.

(2) An individual seeking the release of a vehicle under this program must:

(a) Be the legal or registered owner of the vehicle;

(b) Be indigent;

(c) Either not have the ability to pay for the towing service or when making such payment would be a severe hardship;

(d) Not have applied for the release of a vehicle under this program more than once in the preceding year; and

(e) Fill out and certify the first part of the form described in subsection (4)(a) of this section and submit it to the registered tow truck operator.

(3) A registered tow truck operator may seek payment for private property impounds or impounds ordered by a law enforcement agency when the impound was not ordered following an arrest, for vehicles owned by individuals meeting the requirements of subsection (2) of this section. The registered tow truck operator applying for payment must fill out the second part of the form described in subsection (4)(b) of this section and must submit the completed form to the department.

(4) The department shall provide a form to registered tow truck operators that consists of two parts.

(a) The first part of the form is to be completed by individuals seeking the release of a vehicle and must include a requirement that individuals self-certify under penalty of perjury that they meet the requirements of the program and acknowledge that they understand that the department may verify or audit the information and that perjury is a criminal offense.

(b)(i) The second part of the form is to be completed by registered tow truck operators and must include a requirement that registered tow truck operators self-certify under penalty of perjury that they have verified that:

(A) The impound was a private property impound or ordered by a law enforcement agency;

(B) The impound was not ordered following an arrest;

(C) The individual seeking the release of a vehicle is the owner of the vehicle registered or titled with the department; and

(ii) The registered tow truck operators must acknowledge that they understand that the department may verify or audit the information and that perjury is a criminal offense.

(5)(a) Subject to the availability of amounts appropriated for this specific purpose, the department shall disburse excess funds deposited under RCW 46.55.130(2)(h) that are no longer subject to payment for a valid claim under RCW 46.55.130(2)(h) in an amount equal to the cost of the towing, storage, or other services incurred by the registered tow truck operators during the course of the private property impound or law enforcement directed impound to the eligible registered tow truck operators following submission of the form by the registered tow truck operator. Eligibility for payment under this section does not constitute an entitlement for payment. If eligible applications for payment exceed the funds available, the department must create and maintain a waitlist in the order the forms are received pursuant to this section. The department is not civilly or criminally liable and no penalty or cause of action may be brought against it regarding the provision or lack of provision of funds.

(b) After consulting with appropriate stakeholders, the department must develop rules establishing maximum rates of reimbursement for towing, storage, and other services, under this subsection. The department shall convene a stakeholder work group every two years, with the first meeting to be held within 12 months of rule adoption, to make recommendations on amendments to these rules.

(6) The department shall provide an annual report to the appropriate committees of the legislature by October 1st of each year. The annual report must include the total number of law enforcement directed tows not following an arrest, the number of vehicles released under this program, the number of applicants who received payment under this program, the total funds provided to applicants, the number of applicants on the waitlist who did not receive grants, the total amount of grants unpaid due to lack of funds, and the number of ineligible applicants and the reasons for ineligibility.

(7) A registered tow truck operator who releases the vehicle under this section does not have a lien or deficiency claim on the released vehicle.

(8) When an impounding tow truck operator sends notification to the legal and registered owners of a vehicle regarding the impoundment of it as required under RCW 46.55.110 and the vehicle may be eligible under this program, the impounding tow truck operator must include information in the notification about the program established in this section for the release of vehicles to indigent persons.

(9) The registered tow truck operator shall provide to each person who seeks to redeem an impounded vehicle that may be eligible under this program written notice, in a form and manner specified by the department, of the release of

vehicles to indigent individuals. The notice must be accompanied by the form described in subsection (4) of this section.

Sec. 1308. RCW 46.55.115 and 1993 c 121 s 2 are each amended to read as follows:

The Washington state patrol, under its authority to remove vehicles from the highway, may remove the vehicles directly, through towing operators appointed by the state patrol and called on a rotational or other basis, through contracts with towing operators, or by a combination of these methods. When removal is to be accomplished through a towing operator on a noncontractual basis, the state patrol may appoint any towing operator for this purpose upon the application of the operator. Each appointment shall be contingent upon the submission of an application to the state patrol and the making of subsequent reports in such form and frequency and compliance with such standards of equipment, performance, pricing, and practices as may be required by rule of the state patrol.

An appointment may be rescinded by the state patrol upon evidence that the appointed towing operator is not complying with the laws or rules relating to the removal and storage of vehicles from the highway. The state patrol may not rescind an appointment merely because a registered tow truck operator negotiates a different rate for voluntary, owner-requested towing than for involuntary towing under this chapter. The costs of removal and storage of vehicles under this section shall be paid by the owner or driver of the vehicle and shall be a lien upon the vehicle until paid, unless the removal is determined to be invalid or the registered tow truck operator releases the vehicle under the program established in section 1307 of this act.

Rules promulgated under this section shall be binding only upon those towing operators appointed by the state patrol for the purpose of performing towing services at the request of the Washington state patrol. Any person aggrieved by a decision of the state patrol made under this section may appeal the decision under chapter 34.05 RCW.

Sec. 1309. RCW 46.55.120 and 2017 c 152 s 1 are each amended to read as follows:

(1)(a) Vehicles or other items of personal property registered or titled with the department that are impounded by registered tow truck operators pursuant to RCW 46.55.080, 46.55.085, 46.55.113, or 9A.88.140 may be redeemed only by the following persons or entities:

- (i) The legal owner;
- (ii) The registered owner;
- (iii) A person authorized in writing by the registered owner;
- (iv) The vehicle's insurer or a vendor working on behalf of the vehicle's insurer;

(v) A third-party insurer that has a duty to repair or replace the vehicle, has obtained consent from the registered owner or the owner's agent to move the vehicle, and has documented that consent in the insurer's claim file, or a vendor working on behalf of a third-party insurer that has received such consent; provided, however, that at all times the registered owner must be granted access to and may reclaim possession of the vehicle. For the purposes of this subsection, "owner's agent" means the legal owner of the vehicle, a driver in

possession of the vehicle with the registered owner's permission, or an adult member of the registered owner's family;

(vi) A person who is determined and verified by the operator to have the permission of the registered owner of the vehicle or other item of personal property registered or titled with the department;

(vii) A person who has purchased a vehicle or item of personal property registered or titled with the department from the registered owner who produces proof of ownership or written authorization and signs a receipt therefor; or

(viii) If (a)(i) through (vii) of this subsection do not apply, a person, who is known to the registered or legal owner of a motorcycle or moped, as each are defined in chapter 46.04 RCW, that was towed from the scene of an accident, may redeem the motorcycle or moped as a bailment in accordance with RCW 46.55.125 while the registered or legal owner is admitted as a patient in a hospital due to the accident.

(b) In addition, a vehicle impounded because the operator is in violation of RCW 46.20.342(1)(c) shall not be released until a person eligible to redeem it under (a) of this subsection satisfies the requirements of (f) of this subsection, including paying all towing, removal, and storage fees, notwithstanding the fact that the hold was ordered by a government agency. If the department's records show that the operator has been convicted of a violation of RCW 46.20.342 or a similar local ordinance within the past five years, the vehicle may be held for up to ~~((thirty))~~ 30 days at the written direction of the agency ordering the vehicle impounded. A vehicle impounded because the operator is arrested for a violation of RCW 46.20.342 may be released only pursuant to a written order from the agency that ordered the vehicle impounded or from the court having jurisdiction. An agency shall issue a written order to release pursuant to a provision of an applicable state agency rule or local ordinance authorizing release on the basis of the following:

(i) Economic or personal hardship to the spouse of the operator, taking into consideration public safety factors, including the operator's criminal history and driving record; or

(ii) The owner of the vehicle was not the driver, the owner did not know that the driver's license was suspended or revoked, and the owner has not received a prior release under this subsection or RCW 46.55.113(3).

In order to avoid discriminatory application, other than for the reasons for release set forth in (b)(i) and (ii) of this subsection, an agency shall, under a provision of an applicable state agency rule or local ordinance, deny release in all other circumstances without discretion.

If a vehicle is impounded because the operator is in violation of RCW 46.20.342(1) (a) or (b), the vehicle may be held for up to ~~((thirty))~~ 30 days at the written direction of the agency ordering the vehicle impounded. However, if the department's records show that the operator has been convicted of a violation of RCW 46.20.342(1) (a) or (b) or a similar local ordinance within the past five years, the vehicle may be held at the written direction of the agency ordering the vehicle impounded for up to ~~((sixty))~~ 60 days, and for up to ~~((ninety))~~ 90 days if the operator has two or more such prior offenses. If a vehicle is impounded because the operator is arrested for a violation of RCW 46.20.342, the vehicle may not be released until a person eligible to redeem it under (a) of this subsection satisfies the requirements of (f) of this subsection, including paying

all towing, removal, and storage fees, notwithstanding the fact that the hold was ordered by a government agency.

(c) If the vehicle is directed to be held for a suspended license impound, a person who desires to redeem the vehicle at the end of the period of impound shall within five days of the impound at the request of the tow truck operator pay a security deposit to the tow truck operator of not more than one-half of the applicable impound storage rate for each day of the proposed suspended license impound. The tow truck operator shall credit this amount against the final bill for removal, towing, and storage upon redemption. The tow truck operator may accept other sufficient security in lieu of the security deposit. If the person desiring to redeem the vehicle does not pay the security deposit or provide other security acceptable to the tow truck operator, the tow truck operator may process and sell at auction the vehicle as an abandoned vehicle within the normal time limits set out in RCW 46.55.130(1). The security deposit required by this section may be paid and must be accepted at any time up to ~~((twenty-four))~~ 24 hours before the beginning of the auction to sell the vehicle as abandoned. The registered owner is not eligible to purchase the vehicle at the auction, and the tow truck operator shall sell the vehicle to the highest bidder who is not the registered owner.

(d) Notwithstanding (c) of this subsection, a rental car business may immediately redeem a rental vehicle it owns by payment of the costs of removal, towing, and storage, whereupon the vehicle will not be held for a suspended license impound.

(e) Notwithstanding (c) of this subsection, a motor vehicle dealer or lender with a perfected security interest in the vehicle may redeem or lawfully repossess a vehicle immediately by payment of the costs of removal, towing, and storage, whereupon the vehicle will not be held for a suspended license impound. A motor vehicle dealer or lender with a perfected security interest in the vehicle may not knowingly and intentionally engage in collusion with a registered owner to repossess and then return or resell a vehicle to the registered owner in an attempt to avoid a suspended license impound. However, this provision does not preclude a vehicle dealer or a lender with a perfected security interest in the vehicle from repossessing the vehicle and then selling, leasing, or otherwise disposing of it in accordance with chapter 62A.9A RCW, including providing redemption rights to the debtor under RCW 62A.9A-623. If the debtor is the registered owner of the vehicle, the debtor's right to redeem the vehicle under chapter 62A.9A RCW is conditioned upon the debtor obtaining and providing proof from the impounding authority or court having jurisdiction that any fines, penalties, and forfeitures owed by the registered owner, as a result of the suspended license impound, have been paid, and proof of the payment must be tendered to the vehicle dealer or lender at the time the debtor tenders all other obligations required to redeem the vehicle. Vehicle dealers or lenders are not liable for damages if they rely in good faith on an order from the impounding agency or a court in releasing a vehicle held under a suspended license impound.

(f) The vehicle or other item of personal property registered or titled with the department shall be released upon the presentation to any person having custody of the vehicle of commercially reasonable tender sufficient to cover the costs of towing, storage, or other services rendered during the course of towing, removing, impounding, or storing any such vehicle, with credit being given for

the amount of any security deposit paid under (c) of this subsection. Alternatively, a vehicle must be released when the registered tow truck operator completes the form described in section 1307(4) of this act provided that the first part of the form is completed by an individual seeking the release of a vehicle. In addition, if a vehicle is impounded because the operator was arrested for a violation of RCW 46.20.342 or 46.20.345 and was being operated by the registered owner when it was impounded under local ordinance or agency rule, it must not be released to any person until the registered owner establishes with the agency that ordered the vehicle impounded or the court having jurisdiction that any penalties, fines, or forfeitures owed by him or her have been satisfied. Registered tow truck operators are not liable for damages if they rely in good faith on an order from the impounding agency or a court in releasing a vehicle held under a suspended license impound. Commercially reasonable tender shall include, without limitation, cash, major bank credit cards issued by financial institutions, or personal checks drawn on Washington state branches of financial institutions if accompanied by two pieces of valid identification, one of which may be required by the operator to have a photograph. If the towing firm cannot determine through the customer's bank or a check verification service that the presented check would be paid by the bank or guaranteed by the service, the towing firm may refuse to accept the check. Any person who stops payment on a personal check or credit card, or does not make restitution within ~~((ten))~~ 10 days from the date a check becomes insufficient due to lack of funds, to a towing firm that has provided a service pursuant to this section or in any other manner defrauds the towing firm in connection with services rendered pursuant to this section shall be liable for damages in the amount of twice the towing and storage fees, plus costs and reasonable attorney's fees.

(2)(a) The registered tow truck operator shall give to each person who seeks to redeem an impounded vehicle, or item of personal property registered or titled with the department, written notice of the right of redemption and opportunity for a hearing, which notice shall be accompanied by a form to be used for requesting a hearing, the name of the person or agency authorizing the impound, and a copy of the towing and storage invoice. The registered tow truck operator shall maintain a record evidenced by the redeeming person's signature that such notification was provided.

(b) Any person seeking to redeem an impounded vehicle under this section has a right to a hearing in the district or municipal court for the jurisdiction in which the vehicle was impounded to contest the validity of the impoundment or the amount of towing and storage charges. The district court has jurisdiction to determine the issues involving all impoundments including those authorized by the state or its agents. The municipal court has jurisdiction to determine the issues involving impoundments authorized by agents of the municipality. Any request for a hearing shall be made in writing on the form provided for that purpose and must be received by the appropriate court within ~~((ten))~~ 10 days of the date the opportunity was provided for in (a) of this subsection and more than five days before the date of the auction. At the time of the filing of the hearing request, the petitioner shall pay to the court clerk a filing fee in the same amount required for the filing of a suit in district court. If the hearing request is not received by the court within the ~~((ten-day))~~ 10-day period, the right to a hearing is waived and the registered owner is liable for any towing, storage, or other

impoundment charges permitted under this chapter. Upon receipt of a timely hearing request, the court shall proceed to hear and determine the validity of the impoundment.

(3)(a) The court, within five days after the request for a hearing, shall notify the registered tow truck operator, the person requesting the hearing if not the owner, the registered and legal owners of the vehicle or other item of personal property registered or titled with the department, and the person or agency authorizing the impound in writing of the hearing date and time.

(b) At the hearing, the person or persons requesting the hearing may produce any relevant evidence to show that the impoundment, towing, or storage fees charged were not proper. The court may consider a written report made under oath by the officer who authorized the impoundment in lieu of the officer's personal appearance at the hearing.

(c) At the conclusion of the hearing, the court shall determine whether the impoundment was proper, whether the towing or storage fees charged were in compliance with the posted rates, and who is responsible for payment of the fees. The court may not adjust fees or charges that are in compliance with the posted or contracted rates.

(d) If the impoundment is found proper, the impoundment, towing, and storage fees as permitted under this chapter together with court costs shall be assessed against the person or persons requesting the hearing, unless the operator did not have a signed and valid impoundment authorization from a private property owner or an authorized agent.

(e) If the impoundment is determined to be in violation of this chapter, then the registered and legal owners of the vehicle or other item of personal property registered or titled with the department shall bear no impoundment, towing, or storage fees, and any security shall be returned or discharged as appropriate, and the person or agency who authorized the impoundment shall be liable for any towing, storage, or other impoundment fees permitted under this chapter. The court shall enter judgment in favor of the registered tow truck operator against the person or agency authorizing the impound for the impoundment, towing, and storage fees paid. In addition, the court shall enter judgment in favor of the registered and legal owners of the vehicle, or other item of personal property registered or titled with the department, for the amount of the filing fee required by law for the impound hearing petition as well as reasonable damages for loss of the use of the vehicle during the time the same was impounded against the person or agency authorizing the impound. However, if an impoundment arising from an alleged violation of RCW 46.20.342 or 46.20.345 is determined to be in violation of this chapter, then the law enforcement officer directing the impoundment and the government employing the officer are not liable for damages if the officer relied in good faith and without gross negligence on the records of the department in ascertaining that the operator of the vehicle had a suspended or revoked driver's license. If any judgment entered is not paid within ~~((fifteen))~~ 15 days of notice in writing of its entry, the court shall award reasonable attorneys' fees and costs against the defendant in any action to enforce the judgment. Notice of entry of judgment may be made by registered or certified mail, and proof of mailing may be made by affidavit of the party mailing the notice. Notice of the entry of the judgment shall read essentially as follows:

TO:

YOU ARE HEREBY NOTIFIED JUDGMENT was entered against you in the Court located at in the sum of \$., in an action entitled, Case No. YOU ARE FURTHER NOTIFIED that attorneys fees and costs will be awarded against you under RCW . . . if the judgment is not paid within 15 days of the date of this notice.

DATED this day of, (year) . . .

Signature

Typed name and address
of party mailing notice

(4) Any impounded abandoned vehicle or item of personal property registered or titled with the department that is not redeemed within ~~((fifteen))~~ 15 days of mailing of the notice of custody and sale as required by RCW 46.55.110(3) shall be sold at public auction in accordance with all the provisions and subject to all the conditions of RCW 46.55.130. A vehicle or item of personal property registered or titled with the department may be redeemed at any time before the start of the auction either upon ~~((payment))~~:

- (a) Payment of the applicable towing and storage fees; or
- (b) The completion of the form specified in section 1307 of this act.

Tax Increment Financing for Transportation Projects

Sec. 1310. RCW 39.114.020 and 2024 c 236 s 2 are each amended to read as follows:

(1) A local government may designate an increment area under this chapter and use the tax allocation revenues to pay public improvement costs, subject to the following conditions:

(a) The local government must adopt an ordinance designating an increment area within its boundaries and describing the public improvements proposed to be paid for, or financed with, tax allocation revenues;

(b) The local government may not designate increment area boundaries such that the entirety of its territory falls within an increment area;

(c) ~~((The))~~ (i) Except as provided in (c)(ii) of this subsection, the increment area may not have an assessed valuation of more than \$200,000,000 or more than 20 percent of the sponsoring jurisdiction's total assessed valuation, whichever is less, when the ordinance is passed. If a sponsoring jurisdiction creates two increment areas, the total combined assessed valuation in both of the two increment areas may not equal more than \$200,000,000 or more than 20 percent of the sponsoring jurisdiction's total assessed valuation, whichever is less, when the ordinances are passed creating the increment areas.

(ii) During the 2026 fiscal year, a sponsoring jurisdiction may enact a tax increment area or areas with a combined assessed valuation greater than \$200,000,000 but no more than \$500,000,000 if:

(A) The sponsoring jurisdiction is a city with a population over 150,000 but less than 170,000 and is located in a county with a population of over 1,500,000;

(B) The tax increment area is connected to Interstate 405 and the transportation-related public improvements that will be funded enhance the

integration and connection of neighborhoods within and adjacent to the increment area;

(C) The sponsoring jurisdiction enacted an ordinance designating the increment area no later than June 30, 2026; and

(D) A governing body of any taxing district within the increment area approves by a majority vote, and according to the governing body's ordinance and publication procedures, the taxing district's partial or full participation in the tax increment project. If the governing body does not approve its participation, the taxing district's property taxes are not subject to apportionment under this chapter and the taxing district is excluded from the provisions of this section;

(d) ~~((A))~~ Except as otherwise provided in (c)(ii) of this subsection, a local government can create no more than two active increment areas at any given time and they may not physically overlap by including the same land in more than one increment area at any time;

(e) The ordinance must set a sunset date for the increment area, which may be no more than 25 years after the first year in which tax allocation revenues are collected from the increment area;

(f) The ordinance must identify the public improvements to be financed and indicate whether the local government intends to issue bonds or other obligations, payable in whole or in part, from tax allocation revenues to finance the public improvement costs, and must estimate the maximum amount of obligations contemplated;

(g) The ordinance must provide that the increment area takes effect on June 1st following the adoption of the ordinance in (a) of this subsection;

(h) The sponsoring jurisdiction may not add additional public improvements to the project after adoption of the ordinance creating the increment area or change the boundaries of the increment area. The sponsoring jurisdiction may expand, alter, or add to the original public improvements when doing so is necessary to assure the originally approved improvements can be constructed or operated;

(i) The ordinance must impose a deadline by which commencement of construction of the public improvements shall begin, which deadline must be at least five years into the future and for which extensions shall be made available for good cause; and

(j) The local government must make a finding that:

(i) The public improvements proposed to be paid or financed with tax allocation revenues are expected to encourage private development within the increment area and to increase the assessed value of real property within the increment area;

(ii) Private development that is anticipated to occur within the increment area as a result of the proposed public improvements will be permitted consistent with the permitting jurisdiction's applicable zoning and development standards;

(iii) The private development would not reasonably be expected to occur solely through private investment within the reasonably foreseeable future without the proposed public improvements; and

(iv) The increased assessed value within the increment area that could reasonably be expected to occur without the proposed public improvements would be less than the increase in the assessed value estimated to result from the proposed development with the proposed public improvements.

(2) In considering whether to designate an increment area, the legislative body of the local government must prepare a project analysis that shall include, but need not be limited to, the following:

(a) A statement of objectives of the local government for the designated increment area;

(b) A statement as to the property within the increment area, if any, that the local government may intend to acquire;

(c) The duration of the increment area;

(d) Identification of all parcels to be included in the area;

(e) A description of the expected private development within the increment area, including a comparison of scenarios with the proposed public improvements and without the proposed public improvements;

(f) A description of the public improvements, estimated public improvement costs, and the estimated amount of bonds or other obligations expected to be issued to finance the public improvement costs and repaid with tax allocation revenues;

(g) The assessed value of real property listed on the tax roll as certified by the county assessor under RCW 84.52.080 from within the increment area and an estimate of the increment value and tax allocation revenues expected to be generated;

(h) An estimate of the job creation reasonably expected to result from the public improvements and the private development expected to occur in the increment area;

(i) An assessment of any impacts on the following:

(i) Affordable and low-income housing;

(ii) The local business community;

(iii) The local school districts; and

(iv) The local fire service, public hospital service, and emergency medical services; and

(j) The assessment of impacts under (i) of this subsection (2) must include any necessary mitigation to the local fire service, public hospital service, and emergency medical services; and

(k) An assessment of any impacts of any other junior taxing districts not referenced in (i) of this subsection (2).

(3) The local government may charge a private developer, who agrees to participate in creating the increment area, a fee sufficient to cover the cost of the project analysis and establishing the increment area, including staff time, professionals and consultants, and other administrative costs related to establishing the increment area.

(4) Nothing in this section prohibits a local government from entering into an agreement under chapter 39.34 RCW with another local government for the administration or other activities related to tax increment financing authorized under this section.

(5)(a) If the project analysis indicates that an increment area will impact at least 20 percent of the assessed value in a public hospital district, fire protection district, or regional fire protection service authority, or if the public hospital district's or the fire service agency's annual report, or other governing board-adopted capital facilities plan, demonstrates an increase in the level of service directly related to the increased development in the increment area, the local

government must enter into negotiations for a mitigation plan with the impacted public hospital district, fire protection district, or regional fire protection service authority to address level of service issues in the increment area.

(b) If the parties cannot agree pursuant to (a) of this subsection (5), the parties must proceed to arbitration to determine the appropriate mitigation plan. The board of arbitrators must consist of three persons: One appointed by the local government seeking to designate the increment area and one appointed by the junior taxing district, both of whom must be appointed within 60 days of the date when arbitration is requested, and a third arbitrator who must be appointed by agreement of the other two arbitrators within 90 days of the date when arbitration is requested. If the two are unable to agree on the appointment of the third arbitrator within this 90-day period, then the third arbitrator must be appointed by a judge in the superior court of the county within which the largest portion of the increment area is located. The determination by the board of arbitrators is binding on both the local government seeking to impose the increment area and the junior taxing district.

(6) The local government may reimburse the assessor and treasurer for their costs as provided in RCW 39.114.010(6)(e).

(7) Prior to the adoption of an ordinance authorizing creation of an increment area, the local government must:

(a) Hold at least two public briefings for the community solely on the tax increment project that include the description of the increment area, the public improvements proposed to be financed with the tax allocation revenues, and a detailed estimate of tax revenues for the participating local governments and taxing districts, including the amounts allocated to the increment public improvements. The briefings must be announced at least two weeks prior to the date being held, including publishing in a legal newspaper of general circulation and posting information on the local government website and all local government social media sites, and must occur no earlier than 90 days after submitting the project analysis to the office of the treasurer and all local governments and taxing districts impacted by the increment area;

(b) Submit the project analysis to all local governments and taxing districts impacted by the increment area no less than 90 days prior to the adoption of the ordinance; and

(c) Submit the project analysis to the office of the treasurer for review and consider any comments that the treasurer may provide upon completion of their review of the project analysis as provided under this subsection. The treasurer must complete the review within 90 days of receipt of the project analysis and may consult with other agencies and outside experts as necessary. Upon completing their review, the treasurer must promptly provide to the local government any comments regarding suggested revisions or enhancements to the project analysis that the treasurer deems appropriate based on the requirements in subsection (2) of this section.

Sec. 1311. RCW 84.55.010 and 2021 c 207 s 10 are each amended to read as follows:

(1) Except as provided in this chapter, the levy for a taxing district in any year must be set so that the regular property taxes payable in the following year do not exceed the limit factor multiplied by the amount of regular property taxes lawfully levied for such district in the highest of the three most recent years in

which such taxes were levied for such district, excluding any increase due to (e) of this subsection, unless the highest levy was the statutory maximum rate amount, plus an additional dollar amount calculated by multiplying the regular property tax levy rate of that district for the preceding year by the increase in assessed value in that district resulting from:

(a) New construction;

(b) Increases in assessed value due to construction of wind turbine, solar, biomass, and geothermal facilities, if such facilities generate electricity and the property is not included elsewhere under this section for purposes of providing an additional dollar amount. The property may be classified as real or personal property;

(c) Improvements to property;

(d) Any increase in the assessed value of state-assessed property; and

(e) Any increase in the assessed value of real property, as that term is defined in RCW 39.114.010, within an increment area as designated by any local government in RCW 39.114.020 provided that such increase is not included elsewhere under this section. This subsection (1)(e) does not apply to levies by the state or by port districts and public utility districts for the purpose of making required payments of principal and interest on general indebtedness. For the purposes of this subsection (1)(e), "increment area" does not include increment areas that are not approved by the taxing district's governing body for participation in the tax increment project pursuant to RCW 39.114.020(1)(c)(ii)(D).

(2) The requirements of this section do not apply to:

(a) State property taxes levied under RCW 84.52.065(1) for collection in calendar years 2019 through 2021; and

(b) State property taxes levied under RCW 84.52.065(2) for collection in calendar years 2018 through 2021.

Sec. 1312. RCW 84.55.020 and 2023 c 354 s 5 and 2023 c 28 s 9 are each reenacted and amended to read as follows:

Notwithstanding the limitation set forth in RCW 84.55.010, the first levy for a taxing district created from consolidation of similar taxing districts must be set so that the regular property taxes payable in the following year do not exceed the limit factor multiplied by the sum of the amount of regular property taxes each component taxing district could have levied under RCW 84.55.092 plus the additional dollar amount calculated by multiplying the regular property tax rate of each component district for the preceding year by the increase in assessed value in each component district resulting from:

(1) New construction;

(2) Increases in assessed value due to construction of wind turbine, solar, biomass, and geothermal facilities, if such facilities generate electricity and the property is not included elsewhere under this section for purposes of providing an additional dollar amount. The property may be classified as real or personal property;

(3) Improvements to property;

(4) Any increase in the assessed value of state-assessed property; and

(5) Any increase in the assessed value of real property, as defined in RCW 39.114.010, within an increment area as designated by any local government under RCW 39.114.020 if the increase is not included elsewhere under this

section. This subsection (5) does not apply to levies by the state or by port districts and public utility districts for the purpose of making required payments of principal and interest on general indebtedness. For the purposes of this subsection (5), "increment area" does not include increment areas that are not approved by the taxing district's governing body for participation in the tax increment project pursuant to RCW 39.114.020(1)(c)(ii)(D).

Sec. 1313. RCW 84.55.030 and 2023 c 354 s 6 are each amended to read as follows:

For the first levy for a taxing district following annexation of additional property, the limitation set forth in RCW 84.55.010 must be increased by an amount equal to the aggregate assessed valuation of the newly annexed property as shown by the current completed and balanced tax rolls of the county or counties within which such property lies, multiplied by the dollar rate that would have been used by the annexing unit in the absence of such annexation, plus the additional dollar amount calculated by multiplying the regular property tax levy rate of that annexing taxing district for the preceding year by the increase in assessed value in the annexing district resulting from:

(1) New construction;

(2) Increases in assessed value due to construction of wind turbine, solar, biomass, and geothermal facilities, if such facilities generate electricity and the property is not included elsewhere under this section for purposes of providing an additional dollar amount. The property may be classified as real or personal property;

(3) Improvements to property;

(4) Any increase in the assessed value of state-assessed property; and

(5) Any increase in the assessed value of real property, as defined in RCW 39.114.010, within an increment area as designated by any local government in RCW 39.114.020 if the increase is not included elsewhere under this section. This subsection does not apply to levies by the state or by port districts or public utility districts for the purpose of making required payments of principal and interest on general indebtedness. For the purposes of this subsection (5), "increment area" does not include increment areas that are not approved by the taxing district's governing body for participation in the tax increment project pursuant to RCW 39.114.020(1)(c)(ii)(D).

Sec. 1314. RCW 84.55.120 and 2021 c 207 s 11 are each amended to read as follows:

(1) A taxing district, other than the state, that collects regular levies must hold a public hearing on revenue sources for the district's following year's current expense budget. The hearing must include consideration of possible increases in property tax revenues and must be held prior to the time the taxing district levies the taxes or makes the request to have the taxes levied. The county legislative authority, or the taxing district's governing body if the district is a city, town, or other type of district, must hold the hearing. For purposes of this section, "current expense budget" means that budget which is primarily funded by taxes and charges and reflects the provision of ongoing services. It does not mean the capital, enterprise, or special assessment budgets of cities, towns, counties, or special purpose districts.

(2) If the taxing district is otherwise required to hold a public hearing on its proposed regular tax levy, a single public hearing may be held on this matter.

(3)(a) Except as provided in (b) of this subsection (3), no increase in property tax revenue may be authorized by a taxing district, other than the state, except by adoption of a separate ordinance or resolution, pursuant to notice, specifically authorizing the increase in terms of both dollars and percentage. The ordinance or resolution may cover a period of up to two years, but the ordinance must specifically state for each year the dollar increase and percentage change in the levy from the previous year.

(b) Exempt from the requirements of (a) of this subsection are increases in revenue resulting from the addition of:

(i) New construction;

(ii) Increases in assessed value due to construction of wind turbine, solar, biomass, and geothermal facilities, if such facilities generate electricity and the property is not included elsewhere under this section for purposes of providing an additional dollar amount. The property may be classified as real or personal property;

(iii) Improvements to property;

(iv) Any increase in the value of state-assessed property; and

(v) Any increase in the assessed value of real property, as that term is defined in RCW 39.114.010, within an increment area as designated by any local government in RCW 39.114.020 provided that such increase is not included elsewhere under this section. This subsection (3)(b)(v) does not apply to levies by the state or by port districts and public utility districts for the purpose of making required payments of principal and interest on general indebtedness. For the purposes of this subsection (3)(b)(v), "increment area" does not include increment areas that are not approved by the taxing district's governing body for participation in the tax increment project pursuant to RCW 39.114.020(1)(c)(ii)(D).

PART XIV: EFFECTIVE DATES AND OTHER MISCELLANEOUS PROVISIONS

NEW SECTION. Sec. 1401. Sections 801, 802, and 804 through 807 of this act are necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and take effect June 30, 2025.

NEW SECTION. Sec. 1402. Sections 101 through 103, 406, 701 through 709, 808 through 814, 1102, 1103, and 1305 of this act are necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and take effect July 1, 2025.

NEW SECTION. Sec. 1403. Sections 305 through 307 and 401 of this act take effect October 1, 2025.

NEW SECTION. Sec. 1404. Sections 104, 105, 107 through 110, 201 through 206, 301 through 303, 604 and 903 of this act take effect January 1, 2026.

NEW SECTION. Sec. 1405. Sections 603 and 902 of this act expire January 1, 2026.

NEW SECTION. Sec. 1406. Sections 1307 through 1309 of this act take effect February 1, 2026.

NEW SECTION. Sec. 1407. Section 405 of this act takes effect March 1, 2026.

NEW SECTION. Sec. 1408. Sections 207 through 211 of this act take effect April 1, 2026.

NEW SECTION. Sec. 1409. Sections 304 and 1201 through 1224 of this act take effect July 1, 2026.

NEW SECTION. Sec. 1410. Sections 1102 and 1103 of this act expire July 1, 2027.

NEW SECTION. Sec. 1411. Section 803 of this act takes effect July 1, 2028.

NEW SECTION. Sec. 1412. Section 802 of this act expires July 1, 2028.

NEW SECTION. Sec. 1413. Section 106 of this act takes effect January 1, 2029.

NEW SECTION. Sec. 1414. Section 105 of this act expires January 1, 2029.

NEW SECTION. Sec. 1415. Section 106 of this act applies to vehicle registrations that are due or become due on or after January 1, 2029.

NEW SECTION. Sec. 1416. Sections 104, 105, and 107 through 110 of this act apply to vehicle registrations that are due or become due on or after January 1, 2026.

NEW SECTION. Sec. 1417. 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.

Passed by the Senate April 25, 2025.

Passed by the House April 24, 2025.

Approved by the Governor May 20, 2025.

Filed in Office of Secretary of State May 21, 2025.

CHAPTER 418

[Second Substitute Senate Bill 5802]

TRANSPORTATION FUND TRANSFERS AND REVENUE DEDICATIONS

AN ACT Relating to rebalancing statutory fund transfers and revenue dedications for transportation; amending RCW 82.32.385, 82.08.020, 82.12.020, 47.46.060, and 47.01.412; reenacting and amending RCW 43.155.050; and declaring an emergency.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. RCW 82.32.385 and 2022 c 182 s 301 are each amended to read as follows:

(1) ~~((Beginning September 2019 and ending December 2019, by the last day of September and December, the state treasurer must transfer from the general fund to the connecting Washington account created in RCW 46.68.395 \$13,680,000.~~

~~(2) Beginning March 2020 and ending June 2021, by the last day of September, December, March, and June of each year, the state treasurer must transfer from the general fund to the multimodal transportation account created in RCW 47.66.070 \$13,680,000.~~

~~(3) Beginning September 2021 and ending June 2023, by the last day of September, December, March, and June of each year, the state treasurer must transfer from the general fund to the connecting Washington account created in RCW 46.68.395 \$13,805,000.~~

~~((4)) (a) Beginning September 2023 and ending June 2025, by the last day of September, December, March, and June of each year, the state treasurer must transfer from the general fund to the connecting Washington account created in RCW 46.68.395 \$13,987,000.~~

~~((5)) (b) For fiscal year 2026, the state treasurer must transfer from the multimodal transportation account created in RCW 47.66.070 to the general fund \$111,896,000 in four equal quarterly transfers.~~

(2) Beginning September 2025 and ending June 2027, by the last day of September, December, March, and June of each year, the state treasurer must transfer from the general fund to the connecting Washington account created in RCW 46.68.395 \$11,658,000.

((6)) (3) Beginning September 2027 and ending June 2029, by the last day of September, December, March, and June of each year, the state treasurer must transfer from the general fund to the connecting Washington account created in RCW 46.68.395 \$7,564,000.

((7)) (4) Beginning September 2029 and ending June 2031, by the last day of September, December, March, and June of each year, the state treasurer must transfer from the general fund to the connecting Washington account created in RCW 46.68.395 \$4,056,000.

((8)) (5) For fiscal year 2026 through fiscal year 2038, the state treasurer must transfer from the general fund to the move ahead WA flexible account created in RCW 46.68.520 \$31,000,000 each fiscal year in four equal quarterly transfers. This amount represents the estimated state sales and use tax generated from new transportation projects and activities funded as a result of chapter 182, Laws of 2022.

~~((9)) (6)(a) For fiscal year 2024, fiscal year 2025, and fiscal year 2028 through fiscal year 2038, the state treasurer must transfer from the general fund to the move ahead WA flexible account created in RCW 46.68.520 \$57,000,000 each fiscal year in four equal quarterly transfers.~~

~~(b) For fiscal year 2026, the state treasurer must transfer from the multimodal transportation account created in RCW 47.66.070 to the general fund \$114,000,000 in four equal quarterly transfers.~~

~~(7) For fiscal year 2028 and fiscal year 2029, the state treasurer must transfer from the general fund to the multimodal transportation account created in RCW 47.66.070 \$304,691,000 each fiscal year in four equal quarterly transfers.~~

Sec. 2. RCW 43.155.050 and 2023 c 475 s 932 and 2023 c 474 s 8037 are each reenacted and amended to read as follows:

(1) The public works assistance account is hereby established in the state treasury. Money may be placed in the public works assistance account from the proceeds of bonds when authorized by the legislature or from any other lawful

source. Money in the public works assistance account shall be used to make loans and grants and to give financial guarantees to local governments for public works projects. Moneys in the account may also be appropriated or transferred to the water pollution control revolving fund and the drinking water assistance account to provide for state match requirements under federal law. Moneys in the account may be transferred to the move ahead WA account to provide support of public works projects funded in the move ahead WA program. Not more than 20 percent of the biennial capital budget appropriation to the public works board from this account may be expended or obligated for preconstruction loans and grants, emergency loans and grants, or loans and grants for capital facility planning under this chapter. Not more than 10 percent of the biennial capital budget appropriation to the public works board from this account may be expended or obligated as grants for preconstruction, emergency, capital facility planning, and construction projects. During the 2017-2019 and 2019-2021 fiscal biennia, the legislature may appropriate moneys from the account for activities related to rural economic development, the growth management act, the aviation revitalization loan program, the community economic revitalization board broadband program, and the voluntary stewardship program. During the 2021-2023 and 2023-2025 fiscal biennia, the legislature may appropriate moneys from the account for activities related to the community aviation revitalization board. During the 2019-2021 fiscal biennia, the legislature may direct the state treasurer to make transfers of moneys in the public works assistance account to the education legacy trust account. During the 2019-2021 and 2021-2023 fiscal biennia, the legislature may direct the state treasurer to make transfers of moneys in the public works assistance account to the statewide broadband account. The legislature may appropriate moneys from the public works assistance account for activities related to the voluntary stewardship program, rural economic development, and the growth management act. During the 2021-2023 biennium, the legislature may appropriate moneys from the account for projects identified in section 1033, chapter 296, Laws of 2022. During the 2023-2025 fiscal biennium, the legislature may appropriate moneys from the public works assistance account for an evaluation of the costs of relocating public utilities related to fish barrier removal projects. During the 2023-2025 fiscal biennium, the legislature may appropriate moneys from the account for activities related to developing a data dashboard to map investments made by the public works board, the department of commerce, the department of health, the department of ecology, the department of transportation, the transportation improvement board, and by board partners to the system improvement team created in RCW 43.155.150.

(2)(a) For fiscal year 2024 (~~((through fiscal year 2038))~~), fiscal year 2025, and fiscal year 2028 through fiscal year 2038, the state treasurer must transfer from the public works assistance account to the move ahead WA account created in RCW 46.68.510 \$57,000,000 each fiscal year in four equal quarterly transfers.

(b) For fiscal year 2026 and fiscal year 2027, the state treasurer must transfer from the public works assistance account to the general fund \$57,000,000 each fiscal year in four equal quarterly transfers.

Sec. 3. RCW 82.08.020 and 2022 c 16 s 145 are each amended to read as follows:

(1) There is levied and collected a tax equal to six and five-tenths percent of the selling price on each retail sale in this state of:

(a) Tangible personal property, unless the sale is specifically excluded from the RCW 82.04.050 definition of retail sale;

(b) Digital goods, digital codes, and digital automated services, if the sale is included within the RCW 82.04.050 definition of retail sale;

(c) Services, other than digital automated services, included within the RCW 82.04.050 definition of retail sale;

(d) Extended warranties to consumers; and

(e) Anything else, the sale of which is included within the RCW 82.04.050 definition of retail sale.

(2) There is levied and collected an additional tax on each retail car rental, regardless of whether the vehicle is licensed in this state, equal to five and nine-tenths percent of the selling price. The revenue collected under this subsection must be deposited in the multimodal transportation account created in RCW 47.66.070.

(3) Beginning July 1, 2003, there is levied and collected an additional tax of three-tenths of one percent of the selling price on each retail sale of a motor vehicle in this state, other than retail car rentals taxed under subsection (2) of this section. The revenue collected under this subsection must be deposited in the multimodal transportation account created in RCW 47.66.070.

(4) For purposes of subsection (3) of this section, "motor vehicle" has the meaning provided in RCW 46.04.320, but does not include:

(a) Farm tractors or farm vehicles as defined in RCW 46.04.180 and 46.04.181, unless the farm tractor or farm vehicle is for use in the production of cannabis;

(b) Off-road vehicles as defined in RCW 46.04.365;

(c) Nonhighway vehicles as defined in RCW 46.09.310; and

(d) Snowmobiles as defined in RCW 46.04.546.

(5) Beginning on December 8, 2005, 0.16 percent of the taxes collected under subsection (1) of this section must be dedicated to funding comprehensive performance audits required under RCW 43.09.470. The revenue identified in this subsection must be deposited in the performance audits of government account created in RCW 43.09.475.

(6) Beginning July 1, 2027, the portion of taxes collected by the state under subsection (1) of this section equal to 0.1 percent of the selling price on each retail sale in this state must be deposited in the multimodal transportation account created in RCW 47.66.070.

(7) The taxes imposed under this chapter apply to successive retail sales of the same property.

~~((7))~~ (8) The rates provided in this section apply to taxes imposed under chapter 82.12 RCW as provided in RCW 82.12.020.

Sec. 4. RCW 82.12.020 and 2017 c 323 s 520 are each amended to read as follows:

(1) There is levied and collected from every person in this state a tax or excise for the privilege of using within this state as a consumer any:

(a) Article of tangible personal property acquired by the user in any manner, including tangible personal property acquired at a casual or isolated sale, and including by-products used by the manufacturer thereof, except as otherwise provided in this chapter, irrespective of whether the article or similar articles are manufactured or are available for purchase within this state;

(b) Prewritten computer software, regardless of the method of delivery, but excluding prewritten computer software that is either provided free of charge or is provided for temporary use in viewing information, or both;

(c) Services defined as a retail sale in RCW 82.04.050 (2) (a) or (g) or (6)(c), excluding services defined as a retail sale in RCW 82.04.050(6)(c) that are provided free of charge;

(d) Extended warranty; or

(e)(i) Digital good, digital code, or digital automated service, including the use of any services provided by a seller exclusively in connection with digital goods, digital codes, or digital automated services, whether or not a separate charge is made for such services.

(ii) With respect to the use of digital goods, digital automated services, and digital codes acquired by purchase, the tax imposed in this subsection (1)(e) applies in respect to:

(A) Sales in which the seller has granted the purchaser the right of permanent use;

(B) Sales in which the seller has granted the purchaser a right of use that is less than permanent;

(C) Sales in which the purchaser is not obligated to make continued payment as a condition of the sale; and

(D) Sales in which the purchaser is obligated to make continued payment as a condition of the sale.

(iii) With respect to digital goods, digital automated services, and digital codes acquired other than by purchase, the tax imposed in this subsection (1)(e) applies regardless of whether or not the consumer has a right of permanent use or is obligated to make continued payment as a condition of use.

(2) The provisions of this chapter do not apply in respect to the use of any article of tangible personal property, extended warranty, digital good, digital code, digital automated service, or service taxable under RCW 82.04.050 (2) (a) or (g) or (6)(c), if the sale to, or the use by, the present user or the present user's bailor or donor has already been subjected to the tax under chapter 82.08 RCW or this chapter and the tax has been paid by the present user or by the present user's bailor or donor.

(3)(a) Except as provided in this section, payment of the tax imposed by this chapter or chapter 82.08 RCW by one purchaser or user of tangible personal property, extended warranty, digital good, digital code, digital automated service, or other service does not have the effect of exempting any other purchaser or user of the same property, extended warranty, digital good, digital code, digital automated service, or other service from the taxes imposed by such chapters.

(b) The tax imposed by this chapter does not apply:

(i) If the sale to, or the use by, the present user or his or her bailor or donor has already been subjected to the tax under chapter 82.08 RCW or this chapter and the tax has been paid by the present user or by his or her bailor or donor;

(ii) In respect to the use of any article of tangible personal property acquired by bailment and the tax has once been paid based on reasonable rental as determined by RCW 82.12.060 measured by the value of the article at time of first use multiplied by the tax rate imposed by chapter 82.08 RCW or this chapter as of the time of first use;

(iii) In respect to the use of any article of tangible personal property acquired by bailment, if the property was acquired by a previous bailee from the same bailor for use in the same general activity and the original bailment was prior to June 9, 1961; or

(iv) To the use of digital goods or digital automated services, which were obtained through the use of a digital code, if the sale of the digital code to, or the use of the digital code by, the present user or the present user's bailor or donor has already been subjected to the tax under chapter 82.08 RCW or this chapter and the tax has been paid by the present user or by the present user's bailor or donor.

(4)(a) Except as provided in (b) of this subsection (4), the tax is levied and must be collected in an amount equal to the value of the article used, value of the digital good or digital code used, value of the extended warranty used, or value of the service used by the taxpayer, multiplied by the applicable rates in effect for the retail sales tax under RCW 82.08.020.

(b) In the case of a seller required to collect use tax from the purchaser, the tax must be collected in an amount equal to the purchase price multiplied by the applicable rate in effect for the retail sales tax under RCW 82.08.020.

(5) Beginning July 1, 2027, the portion of taxes collected by the state under subsection (1) of this section equal to 0.1 percent of the value of the article used, value of the digital good or digital code used, value of the extended warranty used, or value of the service used by the taxpayer, must be deposited in the multimodal transportation account created in RCW 47.66.070.

(6) For purposes of the tax imposed in this section, "person" includes anyone within the definition of "buyer," "purchaser," and "consumer" in RCW 82.08.010.

Sec. 5. RCW 47.46.060 and 2015 3rd sp.s. c 44 s 405 are each amended to read as follows:

(1) Any person, including the department of transportation and any private entity or entities, may apply for deferral of taxes on the site preparation for, the construction of, the acquisition of any related machinery and equipment that becomes a part of, and the rental of equipment for use in the state route number 16 corridor improvements project under this chapter. Application must be made to the department of revenue in a form and manner prescribed by the department of revenue. The application must contain information regarding estimated or actual costs, time schedules for completion and operation, and other information required by the department of revenue. The department of revenue must approve the application within ~~((sixty))~~ 60 days if it meets the requirements of this section.

(2) The department of revenue must issue a sales and use tax deferral certificate for state and local sales and use taxes due under chapters 82.08, 82.12, and 82.14 RCW on the project.

(3) The department of transportation or a private entity granted a tax deferral under this section must ~~((begin))~~ complete paying the deferred taxes ~~((in~~

~~the twenty-fourth year after the date certified by the department of revenue as the date on which the project is operationally complete. The first payment is due on December 31st of the twenty-fourth calendar year after such certified date, with subsequent annual payments due on December 31st of the following nine years. Each payment must equal ten percent of the deferred tax. The project is operationally complete under this section when the collection of tolls is commenced for the state route number 16 improvements covered by the deferral)) by June 30, 2026. It is the intent of the legislature that any nontoll accounts used to pay the deferred sales and use taxes will be reimbursed by toll revenues no later than December 31, 2032, which reflects prior legislative intent regarding the use of toll revenues for this purpose.~~

(4) The department of revenue may authorize an accelerated repayment schedule upon request of the department of transportation or a private entity granted a deferral under this section.

(5) Interest may not be charged on any taxes deferred under this section for the period of deferral, although all other penalties and interest applicable to delinquent excise taxes may be assessed and imposed for delinquent payments under this section. The debt for deferred taxes is not extinguished by insolvency or other failure of the private entity. Transfer of ownership does not terminate the deferral.

(6) Applications and any other information received by the department of revenue under this section are not confidential and are subject to disclosure. Chapter 82.32 RCW applies to the administration of this section.

Sec. 6. RCW 47.01.412 and 2022 c 144 s 1 are each amended to read as follows:

(1)(a) Any person involved in the construction of the state route number 520 bridge replacement and HOV project may apply for deferral of state and local sales and use taxes on the site preparation for, the construction of, the acquisition of any related machinery and equipment that will become a part of, and the rental of equipment for use in, the project.

(b) Application shall be made to the department of revenue in a form and manner prescribed by the department of revenue. The application must contain information regarding estimated or actual costs, time schedules for completion and operation, and other information required by the department of revenue. The department of revenue shall approve the application within 60 days if it meets the requirements of this section.

(2) The department of revenue shall issue a sales and use tax deferral certificate for state and local sales and use taxes imposed or authorized under chapters 82.08, 82.12, and 82.14 RCW and RCW 81.104.170 on the project.

(3) A person granted a tax deferral under this section shall ~~((begin))~~ complete paying the deferred taxes ~~((in the 24th year after the date certified by the department of revenue as the date on which the project is operationally complete. The project is operationally complete under this section when the replacement bridge is constructed and opened to traffic. The first payment is due on December 31st of the 24th calendar year after the certified date, with subsequent annual payments due on December 31st of the following nine years. Each payment shall equal 10 percent of the deferred tax))~~ by June 30, 2026. It is the intent of the legislature that any nontoll accounts used to pay the deferred sales and use taxes will be reimbursed by toll revenues no later than December

31, 2050, which reflects prior legislative intent regarding the use of toll revenues for this purpose.

(4) The department of revenue may authorize an accelerated repayment schedule upon request of a person granted a deferral under this section.

(5) Interest shall not be charged on any taxes deferred under this section for the period of deferral, although all other penalties and interest applicable to delinquent excise taxes may be assessed and imposed for delinquent payments under this section. The debt for deferred taxes is not extinguished by insolvency or other failure of any private entity granted a deferral under this section.

(6) Applications and any other information received by the department of revenue under this section are not confidential and are subject to disclosure. Chapter 82.32 RCW applies to the administration of this section.

(7) For purposes of this section, "person" has the same meaning as in RCW 82.04.030 and also includes the department of transportation.

NEW SECTION. Sec. 7. Sections 1 and 2 of this act are necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and take effect immediately.

Passed by the Senate April 25, 2025.

Passed by the House April 24, 2025.

Approved by the Governor May 20, 2025.

Filed in Office of Secretary of State May 21, 2025.

AUTHENTICATION

I, Kathleen Buchli, Code Reviser of the State of Washington, certify that, with the exception of such corrections as I have made in accordance with the powers vested in me by RCW 44.20.060, the laws published in this volume are a true and correct reproduction of the copies of the enrolled laws of the 2025 session (69th Legislature), chapters 371 through 418, as certified and transmitted to the Statute Law Committee by the Secretary of State under RCW 44.20.020.

IN TESTIMONY WHEREOF, I have hereunto set my hand at Olympia, Washington, this 23rd day of June, 2025.

A handwritten signature in dark ink, appearing to read 'Kathleen Buchli', is written over a light blue horizontal line.

Kathleen Buchli
Code Reviser

