

THIRTY FIRST DAY, FEBRUARY 12, 2025

2025 REGULAR SESSION

**THIRTY FIRST DAY****AFTERNOON SESSION**Senate Chamber, Olympia  
Wednesday, February 12, 2025

The Senate was called to order at 12:30 p.m. by the President Pro Tempore, Senator Conway presiding. The Secretary called the roll and announced to the President Pro Tempore that all Senators were present.

The Sergeant at Arms Color Guard consisting of Pages Miss Brielle Peterson and Mr. David Mun, presented the Colors.

Page Mr. Andy Sinha led the Senate in the Pledge of Allegiance.

Reverend Tammy Stampfli of Olympia offered the prayer.

**MOTIONS**

On motion of Senator Riccelli the reading of the Journal of the previous day was dispensed with and it was approved.

On motion of Senator Riccelli, the Senate advanced to the first order of business.

**REPORTS OF STANDING COMMITTEES**

February 11, 2025

**SB 5083** Prime Sponsor, Senator Robinson: Ensuring access to primary care, behavioral health, and affordable hospital services. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5083 be substituted therefor, and the substitute bill do pass. Signed by Senators Orwall, Vice Chair; Cleveland, Chair; Bateman; Chapman; Riccelli; Robinson and Slatter.

MINORITY recommendation: Do not pass. Signed by Senators Muzzall, Ranking Member and Christian.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Harris and Holy.

Referred to Committee on Ways & Means.

February 11, 2025

**SB 5226** Prime Sponsor, Senator Nobles: Establishing funding for physician residency positions dedicated to international medical graduates. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5226 be substituted therefor, and the substitute bill do pass. Signed by Senators Orwall, Vice Chair; Muzzall, Ranking Member; Cleveland, Chair; Bateman; Chapman; Christian; Harris; Holy; Riccelli; Robinson and Slatter.

Referred to Committee on Ways & Means.

February 11, 2025

**SB 5240** Prime Sponsor, Senator Wellman: Concerning anaphylaxis medications in schools. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill

No. 5240 be substituted therefor, and the substitute bill do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair, K-12; Wilson, C., Vice Chair, Early Learning; Harris, Ranking Member; Cortes; Dozier; Hansen; Krishnadasan and McCune.

Referred to Committee on Rules for second reading.

February 11, 2025

**SB 5253** Prime Sponsor, Senator Cortes: Extending special education services to students with disabilities until the end of the school year in which the student turns 22. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 5253 be substituted therefor, and the substitute bill do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair, K-12; Wilson, C., Vice Chair, Early Learning; Harris, Ranking Member; Cortes; Dozier; Krishnadasan and McCune.

Referred to Committee on Ways & Means.

February 11, 2025

**SB 5299** Prime Sponsor, Senator Riccelli: Concerning general supervision of diagnostic radiologic technologists, therapeutic radiologic technologists, and magnetic resonance imaging technologists by licensed physicians. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5299 be substituted therefor, and the substitute bill do pass. Signed by Senators Orwall, Vice Chair; Muzzall, Ranking Member; Cleveland, Chair; Bateman; Chapman; Christian; Harris; Holy; Riccelli; Robinson and Slatter.

Referred to Committee on Rules for second reading.

February 11, 2025

**SB 5324** Prime Sponsor, Senator Cleveland: Aligning the implementation of application programming interfaces for prior authorization with federal guidelines. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5324 be substituted therefor, and the substitute bill do pass. Signed by Senators Orwall, Vice Chair; Muzzall, Ranking Member; Cleveland, Chair; Bateman; Chapman; Christian; Harris; Holy; Riccelli; Robinson and Slatter.

Referred to Committee on Rules for second reading.

February 11, 2025

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

MAJORITY recommendation: That Substitute Senate Bill No. 5327 be substituted therefor, and the substitute bill do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair, K-12; Wilson, C., Vice Chair, Early Learning; Harris,

Ranking Member; Cortes; Dozier; Hansen; Krishnadasan and McCune.

Referred to Committee on Ways & Means.

February 11, 2025

SB 5344 Prime Sponsor, Senator Riccelli: Establishing the essential worker health care program. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5344 be substituted therefor, and the substitute bill do pass. Signed by Senators Orwall, Vice Chair; Muzzall, Ranking Member; Cleveland, Chair; Bateman; Chapman; Christian; Harris; Holy; Riccelli; Robinson and Slatter.

Referred to Committee on Ways & Means.

February 11, 2025

SB 5478 Prime Sponsor, Senator Bateman: Concerning benefits authorized to be offered by the public employees' benefits board. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass. Signed by Senators Orwall, Vice Chair; Muzzall, Ranking Member; Cleveland, Chair; Bateman; Chapman; Christian; Harris; Holy; Riccelli; Robinson and Slatter.

Referred to Committee on Rules for second reading.

February 11, 2025

SB 5570 Prime Sponsor, Senator Kauffman: Supporting public school instruction in tribal sovereignty and federally recognized Indian tribes. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair, K-12; Wilson, C., Vice Chair, Early Learning; Cortes; Hansen and Krishnadasan.

MINORITY recommendation: Do not pass. Signed by Senator McCune.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Harris, Ranking Member and Dozier.

Referred to Committee on Ways & Means.

February 11, 2025

SGA 9140 ROBERT A. BATTLES, appointed on September 3, 2024, for the term ending June 17, 2029, as Member of the Board of Industrial Insurance Appeals. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Saldaña, Chair; Conway, Vice Chair; King, Ranking Member; Alvarado; Braun; Ramos and Stanford.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Schoesler.

Referred to Committee on Rules for second reading.

February 12, 2025

SGA 9175 RHONDA SALVESEN, appointed on October 17, 2024, for the term ending September 25, 2028, as Member of the Clemency and Pardons Board. Reported by Committee on Human Services

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Wilson, C., Chair; Frame, Vice Chair; Christian, Ranking Member; Orwall and Warnick.

Referred to Committee on Rules for second reading.

February 12, 2025

SGA 9195 ALINE FLOWER, appointed on January 8, 2025, for the term ending September 25, 2028, as Member of the Clemency and Pardons Board. Reported by Committee on Human Services

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Wilson, C., Chair; Frame, Vice Chair; Christian, Ranking Member; Orwall and Warnick.

Referred to Committee on Rules for second reading.

February 12, 2025

SGA 9216 TIMOTHY LANG, appointed on January 15, 2025, for the term ending at the governors pleasure, as Secretary of the Department of Corrections - Agency Head. Reported by Committee on Human Services

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Wilson, C., Chair; Frame, Vice Chair; Christian, Ranking Member; Orwall and Warnick.

Referred to Committee on Rules for second reading.

February 12, 2025

SGA 9222 TANA SENN, appointed on January 16, 2025, for the term ending at the governors pleasure, as Secretary of the Agency Head- Department of Children, Youth, and Families. Reported by Committee on Human Services

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Wilson, C., Chair; Frame, Vice Chair; Christian, Ranking Member; Orwall and Warnick.

Referred to Committee on Rules for second reading.

#### MOTIONS

On motion of Senator Riccelli, all measures listed on the Standing Committee report were referred to the committees as designated.

On motion of Senator Riccelli, the Senate advanced to the fourth order of business.

#### MESSAGE FROM THE HOUSE

February 12, 2025

MR. PRESIDENT:  
The House has passed:

THIRTY FIRST DAY, FEBRUARY 12, 2025

2025 REGULAR SESSION

HOUSE BILL NO. 1054,  
SUBSTITUTE HOUSE BILL NO. 1066,  
SUBSTITUTE HOUSE BILL NO. 1371,

RCW 41.32.570, 41.32.802, 41.32.862, 41.35.060, and  
41.40.037; and declaring an emergency.

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

Referred to Committee on Ways & Means.

MOTION

On motion of Senator Riccelli, the Senate advanced to the fifth order of business.

SB 5739 by Senators Wilson, J., and McCune  
AN ACT Relating to public facilities districts; and amending  
RCW 82.14.390, 82.14.485, and 36.100.130.

Referred to Committee on Ways & Means.

INTRODUCTION AND FIRST READING

MOTIONS

SB 5732 by Senator Braun

AN ACT Relating to creating greater accountability for increasing the supply of housing consistent with growth management; amending RCW 36.70A.011, 36.70A.020, 36.70A.115, 36.70A.210, and 36.70A.345; and creating a new section.

On motion of Senator Riccelli, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

On motion of Senator Riccelli, the Senate advanced to the eighth order of business.

Senator Torres moved adoption of the following resolution:

Referred to Committee on Housing.

SENATE RESOLUTION  
8613

SB 5733 by Senator Braun

AN ACT Relating to updating comprehensive plans; amending RCW 36.70A.130; and creating a new section.

By Senator Torres

Referred to Committee on Housing.

WHEREAS, Dr. Michael Lawler faithfully served as the longest-tenured President of Pacific Northwest University of Health Sciences (PNWU), providing exemplary leadership that transformed the institution from a single-program entity into a thriving health sciences university encompassing five mission-focused programs; and

SB 5734 by Senators Lias, Harris, Cleveland, Cortes, and King

AN ACT Relating to the interstate bridge replacement toll bond authority; amending RCW 47.10.905, 47.10.906, and 47.10.907; and adding new sections to chapter 47.10 RCW.

WHEREAS, Dr. Lawler dedicated his career to advancing health care education, with a particular focus on addressing the needs of rural and medically underserved communities, embodying the highest ideals of service, compassion, and professional excellence; and

Referred to Committee on Transportation.

SB 5735 by Senators Salomon, and Valdez

AN ACT Relating to establishing state standards for the labeling of imitation firearms sold inside Washington state; reenacting and amending RCW 9.41.010; adding a new section to chapter 9.41 RCW; and prescribing penalties.

WHEREAS, Dr. Lawler's professional career spanned over 35 years, during which he held esteemed positions such as Dean and Professor at the University of South Dakota's School of Health Sciences and as a leader at the University of California, Davis, while authoring over 80 scholarly publications and contributing significantly to global child well-being through the Children's Worlds survey; and

Referred to Committee on Law & Justice.

SB 5736 by Senator Braun

AN ACT Relating to improving responses and outcomes in child neglect cases; amending RCW 26.44.020 and 26.44.030; and adding a new section to chapter 26.44 RCW.

WHEREAS, Dr. Lawler's tenure at PNWU was marked by the cultivation of meaningful partnerships, including his work with the 14 confederated tribes and bands of the Yakama Nation and his efforts to establish a formal land acknowledgment recognizing the shared reverence for the land and its significance to the university; and

Referred to Committee on Human Services.

SB 5737 by Senator Robinson

AN ACT Relating to suspending the national board for professional standards certification bonuses for certificated instructional staff; and amending RCW 28A.405.415.

WHEREAS, Dr. Lawler's leadership created an enduring legacy of innovation, inclusivity, and excellence, profoundly shaping the culture, mission, and future of PNWU; and

Referred to Committee on Ways & Means.

WHEREAS, His tireless commitment to health and human services extended beyond his professional responsibilities, inspiring students, faculty, staff, and the broader community with his passion, vision, and unwavering dedication to improving lives;

SB 5738 by Senators Wellman, Short, Cortes, Warnick, Cleveland, and Lias

AN ACT Relating to permitting individuals retired from the public employees' retirement system, the teachers' retirement system, and the school employees' retirement system additional opportunities to work for up to 1,040 hours per year while in receipt of pension benefits; amending

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate formally recognize and honor the life and legacy of Dr. Michael Lawler, whose leadership and contributions have left an indelible mark on Pacific Northwest University of Health Sciences, the Pacific Northwest region, and the field of health sciences; and

BE IT FURTHER RESOLVED, That the Washington State Senate extend its deepest condolences to Dr. Lawler's wife,

Kimberly Lawler, his son, Sebastian, and the entire Lawler family during this time of profound loss; and

BE IT FURTHER RESOLVED, That a copy of this resolution be transmitted to the family of Dr. Michael Lawler and to the leadership of Pacific Northwest University of Health Sciences as a symbol of the Washington State Senate respect and recognition of his extraordinary life and work.

Senators Torres and Riccelli spoke in favor of adoption of the resolution.

The President Pro Tempore declared the question before the Senate to be the adoption of Senate Resolution No. 8613.

The motion by Senator Torres carried and the resolution was adopted by voice vote.

#### INTRODUCTION OF SPECIAL GUESTS

The President Pro Tempore welcomed and introduced Interim President of PNWU, Dr. Robbyn Wacker, Dr. Tom Scandalis, Mr. Adam Story, Ms. Karen Hyatt and Mr. John Vornbrock who were seated in the gallery.

#### MOTION

On motion of Senator Riccelli, the Senate reverted to the seventh order of business.

#### THIRD READING CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

#### MOTION

Senator Alvarado moved that Rogelio Riojas, Senate Gubernatorial Appointment No. 9002, be confirmed as a member of the University of Washington Board of Regents.

#### APPOINTMENT OF ROGELIO RIOJAS

The President Pro Tempore declared the question before the Senate to be the confirmation of Rogelio Riojas, Senate Gubernatorial Appointment No. 9002, as a member of the University of Washington Board of Regents.

The Secretary called the roll on the confirmation of Rogelio Riojas, Senate Gubernatorial Appointment No. 9002, as a member of the University of Washington Board of Regents and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 1; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Boehnke, Braun, Chapman, Christian, Cleveland, Conway, Cortes, Dhingra, Dozier, Fortunato, Frame, Gildon, Goehner, Hansen, Harris, Hasegawa, Holy, Kauffman, King, Krishnadasan, Liias, Lovelett, Lovick, MacEwen, McCune, Muzzall, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Schoesler, Shewmake, Short, Slatter, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, J.

Absent: Senator Salomon

Rogelio Riojas, Senate Gubernatorial Appointment No. 9002, having received the constitutional majority was declared confirmed as a member of the University of Washington Board of Regents.

#### THIRD READING CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

#### MOTION

Senator King moved that James A. Restucci, Senate Gubernatorial Appointment No. 9127, be confirmed as a member of the Transportation Commission.

Senator King spoke in favor of the motion.

#### APPOINTMENT OF JAMES A. RESTUCCI

The President Pro Tempore declared the question before the Senate to be the confirmation of James A. Restucci, Senate Gubernatorial Appointment No. 9127, as a member of the Transportation Commission.

#### MOTION

On motion of Senator Nobles, Senator Salomon was excused.

The Secretary called the roll on the confirmation of James A. Restucci, Senate Gubernatorial Appointment No. 9127, as a member of the Transportation Commission and the appointment was confirmed by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Boehnke, Braun, Chapman, Christian, Cleveland, Conway, Cortes, Dhingra, Dozier, Fortunato, Frame, Gildon, Goehner, Hansen, Harris, Hasegawa, Holy, Kauffman, King, Krishnadasan, Liias, Lovelett, Lovick, MacEwen, McCune, Muzzall, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Slatter, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, J.

James A. Restucci, Senate Gubernatorial Appointment No. 9127, having received the constitutional majority was declared confirmed as a member of the Transportation Commission.

#### THIRD READING CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

#### MOTION

Senator Lovick moved that Michael Anthony, Senate Gubernatorial Appointment No. 9194, be confirmed as a member of the Board of Pilotage Commissioners.

Senator Lovick spoke in favor of the motion.

#### APPOINTMENT OF MICHAEL ANTHONY

The President Pro Tempore declared the question before the Senate to be the confirmation of Michael Anthony, Senate Gubernatorial Appointment No. 9194, as a member of the Board of Pilotage Commissioners.

The Secretary called the roll on the confirmation of Michael Anthony, Senate Gubernatorial Appointment No. 9194, as a member of the Board of Pilotage Commissioners and the appointment was confirmed by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Boehnke, Braun, Chapman, Christian, Cleveland, Conway, Cortes, Dhingra, Dozier, Fortunato, Frame, Gildon, Goehner, Hansen, Harris, Hasegawa, Holy, Kauffman, King, Krishnadasan, Liias, Lovelett, Lovick, MacEwen, McCune, Muzzall, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Slatter, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, J.

THIRTY FIRST DAY, FEBRUARY 12, 2025

2025 REGULAR SESSION

Michael Anthony, Senate Gubernatorial Appointment No. 9194, having received the constitutional majority was declared confirmed as a member of the Board of Pilotage Commissioners.

MOTION

At 12:59 p.m., on motion of Senator Riccelli, the Senate was declared to be at ease for the purpose of caucuses.

Senator Hasegawa announced a meeting of the Democratic Caucus.

Senator Warnick announced a meeting of the Republican Caucus.

----

The Senate was called to order at 1:43 p.m. by Vice President Pro Tempore, Senator Lovick presiding.

MOTION

On motion of Senator Riccelli, the Senate reverted to the sixth order of business.

SECOND READING

SENATE BILL NO. 5084, by Senators Robinson, Muzzall, Dhingra, Hasegawa, Krishnadasan, Nobles, and Salomon

Concerning health carrier reporting.

The measure was read the second time.

MOTION

On motion of Senator Robinson, the rules were suspended, Senate Bill No. 5084 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Robinson spoke in favor of passage of the bill.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5084.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5084 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Boehnke, Braun, Chapman, Christian, Cleveland, Conway, Cortes, Dhingra, Dozier, Fortunato, Frame, Gildon, Goehner, Hansen, Harris, Hasegawa, Holy, Kauffman, King, Krishnadasan, Liias, Lovelett, Lovick, MacEwen, McCune, Muzzall, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Slatter, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, J.

SENATE BILL NO. 5084, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5138, by Senators Saldaña, Dhingra, Hasegawa, and Nobles

Concerning public facilities districts.

The measure was read the second time.

MOTION

On motion of Senator Saldaña, the rules were suspended, Senate Bill No. 5138 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Saldaña spoke in favor of passage of the bill.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5138.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5138 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Boehnke, Braun, Chapman, Christian, Cleveland, Conway, Cortes, Dhingra, Dozier, Fortunato, Frame, Gildon, Goehner, Hansen, Harris, Hasegawa, Holy, Kauffman, King, Krishnadasan, Liias, Lovelett, Lovick, McCune, Muzzall, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Slatter, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, J.

Voting nay: Senator MacEwen

SENATE BILL NO. 5138, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5170, by Senators Short, Chapman, and Dozier

Concerning boundary line adjustments on public lands owned or managed by the department of natural resources.

MOTIONS

On motion of Senator Short, Substitute Senate Bill No. 5170 was substituted for Senate Bill No. 5170 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5170, by Senate Committee on Agriculture & Natural Resources (originally sponsored by Short, Chapman, and Dozier)

Revised for 1st Substitute: Concerning boundary line surveys on public lands owned or managed by the department of natural resources.

The measure was read the second time.

MOTION

On motion of Senator Short, the rules were suspended, Substitute Senate Bill No. 5170 was advanced to third reading,

the second reading considered the third and the bill was placed on final passage.

Senators Short and Chapman spoke in favor of passage of the bill.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5170.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5170 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Boehnke, Braun, Chapman, Christian, Cleveland, Conway, Cortes, Dhingra, Dozier, Fortunato, Frame, Gildon, Goehner, Hansen, Harris, Hasegawa, Holy, Kauffman, King, Krishnadasan, Liias, Lovelett, Lovick, MacEwen, McCune, Muzzall, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Slatter, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, J.

SUBSTITUTE SENATE BILL NO. 5170, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 5286, by Senators Holy, Dhingra, King, Liias, Wilson, J., Salomon, and Valdez

Concerning policing costs driven by proximity to state hospitals.

The measure was read the second time.

#### MOTION

On motion of Senator Holy, the rules were suspended, Senate Bill No. 5286 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Holy and Dhingra spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5286.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5286 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Boehnke, Braun, Chapman, Christian, Cleveland, Conway, Cortes, Dhingra, Dozier, Fortunato, Frame, Gildon, Goehner, Hansen, Harris, Hasegawa, Holy, Kauffman, King, Krishnadasan, Liias, Lovelett, Lovick, MacEwen, McCune, Muzzall, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Slatter, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, J.

SENATE BILL NO. 5286, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 5212, by Senators Shewmake, Short, Chapman, and Nobles

Concerning filing of adjudication claims for precode uses of groundwater and surface water in the water resource inventory area 1 water rights adjudication.

#### MOTION

On motion of Senator Shewmake, Substitute Senate Bill No. 5212 was substituted for Senate Bill No. 5212 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5212, by Senate Committee on Agriculture & Natural Resources (originally sponsored by Shewmake, Short, Chapman, and Nobles)

Concerning filing of adjudication claims for precode uses of groundwater and surface water in the water resource inventory area 1 water rights adjudication.

The measure was read the second time.

#### MOTION

On motion of Senator Shewmake, the rules were suspended, Substitute Senate Bill No. 5212 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Shewmake spoke in favor of passage of the bill.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5212.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5212 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Boehnke, Braun, Chapman, Christian, Cleveland, Conway, Cortes, Dhingra, Dozier, Fortunato, Frame, Gildon, Goehner, Hansen, Harris, Hasegawa, Holy, Kauffman, King, Krishnadasan, Liias, Lovelett, Lovick, MacEwen, McCune, Muzzall, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Slatter, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, J.

SUBSTITUTE SENATE BILL NO. 5212, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 5221, by Senators Bateman, Nobles, and Wagoner

Simplifying processes and timelines related to personal property distraint.

#### MOTION

THIRTY FIRST DAY, FEBRUARY 12, 2025

2025 REGULAR SESSION

## ROLL CALL

On motion of Senator Bateman, Substitute Senate Bill No. 5221 was substituted for Senate Bill No. 5221 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5221, by Senate Committee on Local Government (originally sponsored by Bateman, Nobles, and Wagoner)

Simplifying processes and timelines related to personal property distraint.

The measure was read the second time.

## MOTION

On motion of Senator Bateman, the rules were suspended, Substitute Senate Bill No. 5221 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Bateman spoke in favor of passage of the bill.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5221.

## ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5221 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Boehnke, Braun, Chapman, Christian, Cleveland, Conway, Cortes, Dhingra, Dozier, Fortunato, Frame, Gildon, Goehner, Hansen, Harris, Hasegawa, Holy, Kauffman, King, Krishnadasan, Liias, Lovelett, Lovick, MacEwen, McCune, Muzzall, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Slatter, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, J.

SUBSTITUTE SENATE BILL NO. 5221, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SECOND READING

SENATE BILL NO. 5288, by Senators Schoesler, Boehnke, Dozier, Holy, Wilson, J., Salomon, Warnick, and Wagoner

Concerning vacancies on boards of county commissioners.

The measure was read the second time.

## MOTION

On motion of Senator Schoesler, the rules were suspended, Senate Bill No. 5288 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Schoesler spoke in favor of passage of the bill.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5288.

The Secretary called the roll on the final passage of Senate Bill No. 5288 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Boehnke, Braun, Chapman, Christian, Cleveland, Conway, Cortes, Dhingra, Dozier, Fortunato, Frame, Gildon, Goehner, Hansen, Harris, Hasegawa, Holy, Kauffman, King, Krishnadasan, Liias, Lovelett, Lovick, MacEwen, McCune, Muzzall, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Slatter, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, J.

SENATE BILL NO. 5288, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SECOND READING

SENATE BILL NO. 5315, by Senators Gildon, Salomon, and Nobles

Standardizing notification provisions relating to local tax rate changes and shared taxes administered by the department.

The measure was read the second time.

## MOTION

On motion of Senator Gildon, the rules were suspended, Senate Bill No. 5315 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Gildon and Frame spoke in favor of passage of the bill.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5315.

## ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5315 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Boehnke, Braun, Chapman, Christian, Cleveland, Conway, Cortes, Dhingra, Dozier, Fortunato, Frame, Gildon, Goehner, Hansen, Harris, Hasegawa, Holy, Kauffman, King, Krishnadasan, Liias, Lovelett, Lovick, MacEwen, McCune, Muzzall, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Slatter, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, J.

SENATE BILL NO. 5315, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SECOND READING

SENATE BILL NO. 5017, by Senators Nobles, Dhingra, Liias, Pedersen, Saldaña, Trudeau, and Wellman

Adopting national standards for uniformed and overseas civilian voting, including conforming amendments to existing statute.

## MOTION

On motion of Senator Nobles, Substitute Senate Bill No. 5017 was substituted for Senate Bill No. 5017 and the substitute bill was placed on the second reading and read the second time.

## SECOND READING

SUBSTITUTE SENATE BILL NO. 5017, by Senate Committee on State Government, Tribal Affairs & Elections (originally sponsored by Nobles, Dhingra, Liias, Pedersen, Saldaña, Trudeau, and Wellman)

Adopting national standards for uniformed and overseas civilian voting, including conforming amendments to existing statute.

The measure was read the second time.

## MOTION

Senator Wagoner moved that the following floor amendment no. 0023 by Senator Wagoner be adopted:

On page 2, line 13, after "requirements;" insert "or"

On page 2, beginning on line 18, after "requirements" strike all material through "another state" on line 28

On page 5, beginning on line 7, after "state" strike all material through "voter" on line 10

Senators Wagoner and Wilson, J. spoke in favor of adoption of the amendment.

Senator Valdez spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 0023 by Senator Wagoner on page 2, line 13 to Substitute Senate Bill No. 5017.

The motion by Senator Wagoner did not carry and floor amendment no. 0023 was not adopted by voice vote.

## MOTION

On motion of Senator Nobles, the rules were suspended, Substitute Senate Bill No. 5017 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Nobles spoke in favor of passage of the bill.

Senator Wilson, J. spoke against passage of the bill.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5017.

## ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5017 and the bill passed the Senate by the following vote: Yeas, 39; Nays, 10; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Braun, Chapman, Christian, Cleveland, Conway, Cortes, Dhingra, Frame, Gildon, Hansen, Harris, Hasegawa, Holy, Kauffman, King, Krishnadasan, Liias, Lovelett, Lovick, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Shewmake, Short, Slatter, Stanford, Torres, Trudeau, Valdez, Warnick, Wellman and

Wilson, C.

Voting nay: Senators Boehnke, Dozier, Fortunato, Goehner, MacEwen, McCune, Muzzall, Schoesler, Wagoner and Wilson, J.

SUBSTITUTE SENATE BILL NO. 5017, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SECOND READING

SENATE BILL NO. 5077, by Senators Valdez, Riccelli, Bateman, Frame, Hasegawa, Liias, Nobles, and Salomon

Concerning expansion of voter registration services by government agencies.

The measure was read the second time.

## MOTION

Senator Wilson, J. moved that the following floor amendment no. 0022 by Senator Wilson, J. be adopted:

Beginning on page 2, line 32, strike all of section 2

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

On page 1, line 2 of the title, after "29A.08.365," strike "29A.08.362,"

Senators Wilson, J. and Muzzall spoke in favor of adoption of the amendment.

Senator Valdez spoke against adoption of the amendment.

The Vice President Pro Tempore declared the question before the Senate to be the adoption of floor amendment no. 0022 by Senator Wilson, J. on page 2, line 32 to Senate Bill No. 5077.

The motion by Senator Wilson, J. did not carry and floor amendment no. 0022 was not adopted by rising vote.

## MOTION

On motion of Senator Wilson, J., the rules were suspended, Senate Bill No. 5077 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Nobles spoke in favor of passage of the bill.

Senators Wilson, J. and Boehnke spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5077.

## ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5077 and the bill passed the Senate by the following vote: Yeas, 30; Nays, 19; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Chapman, Cleveland, Conway, Cortes, Dhingra, Frame, Hansen, Hasegawa, Kauffman, Krishnadasan, Liias, Lovelett, Lovick, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Shewmake, Slatter, Stanford, Trudeau, Valdez, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Braun, Christian, Dozier, Fortunato, Gildon, Goehner, Harris, Holy, King, MacEwen,



THIRTY FIRST DAY, FEBRUARY 12, 2025

2025 REGULAR SESSION

McCune, Muzzall, Schoesler, Short, Torres, Wagoner, Warnick and Wilson, J.

Concerning Universal Health Care.

The measure was read the second time.

SENATE BILL NO. 5077, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTION

## SECOND READING

SENATE BILL NO. 5238, by Senators Muzzall, Lovick, Saldaña, Shewmake, Trudeau, Wagoner, and Wilson, C.

On motion of Senator Hasegawa, the rules were suspended, Senate Joint Memorial No. 8004 was advanced to third reading, the second reading considered the third and the memorial was placed on final passage.

Addressing reckless driving in cases involving excessive speed.

Senator Hasegawa spoke in favor of passage of the memorial. Senators Muzzall and Fortunato spoke against passage of the memorial.

## MOTIONS

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Senate Joint Memorial No. 8004.

On motion of Senator Muzzall, Substitute Senate Bill No. 5238 was substituted for Senate Bill No. 5238 and the substitute bill was placed on the second reading and read the second time.

## ROLL CALL

On motion of Senator Muzzall, the rules were suspended, Substitute Senate Bill No. 5238 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

The Secretary called the roll on the final passage of Senate Joint Memorial No. 8004 and the memorial passed the Senate by the following vote: Yeas, 30; Nays, 19; Absent, 0; Excused, 0.

Senators Muzzall and Dhingra spoke in favor of passage of the bill.

Voting yea: Senators Alvarado, Bateman, Chapman, Cleveland, Conway, Cortes, Dhingra, Frame, Hansen, Hasegawa, Kauffman, Krishnadasan, Liias, Lovelett, Lovick, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Shewmake, Slatter, Stanford, Trudeau, Valdez, Wellman and Wilson, C.

## POINT OF INQUIRY

Voting nay: Senators Boehnke, Braun, Christian, Dozier, Fortunato, Gildon, Goehner, Harris, Holy, King, MacEwen, McCune, Muzzall, Schoesler, Short, Torres, Wagoner, Warnick and Wilson, J.

Senator Muzzall: "10:06 AM Text to be added.

Senator Dhingra: "Text to be added.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5238.

SENATE JOINT MEMORIAL NO. 8004, having received the constitutional majority, was declared passed. There being no objection, the title of the memorial was ordered to stand as the title of the act.

## ROLL CALL

## SECOND READING

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5238 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 2; Absent, 0; Excused, 0.

SENATE BILL NO. 5323, by Senators Warnick, Lovick, Fortunato, Holy, Boehnke, Wilson, J., Schoesler, Muzzall, Dozier, Christian, Torres, Wagoner, Goehner, King, Braun, Chapman, and Hasegawa

Voting yea: Senators Alvarado, Bateman, Boehnke, Braun, Chapman, Christian, Cleveland, Conway, Cortes, Dhingra, Dozier, Fortunato, Frame, Gildon, Goehner, Hansen, Harris, Holy, Kauffman, King, Krishnadasan, Liias, Lovelett, Lovick, McCune, Muzzall, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Slatter, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, J.

Concerning the penalties for theft and possession of stolen property from first responders.

Voting nay: Senators Hasegawa and MacEwen

## MOTION

SUBSTITUTE SENATE BILL NO. 5238, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Warnick, Substitute Senate Bill No. 5323 was substituted for Senate Bill No. 5323 and the substitute bill was placed on the second reading and read the second time.

## SECOND READING

SUBSTITUTE SENATE BILL NO. 5323, by Senate Committee on Law & Justice (originally sponsored by Warnick, Lovick, Fortunato, Holy, Boehnke, Wilson, J., Schoesler, Muzzall, Dozier, Christian, Torres, Wagoner, Goehner, King, Braun, Chapman, and Hasegawa)

SENATE JOINT MEMORIAL NO. 8004, by Senators Hasegawa, Bateman, Lovelett, Nobles, Stanford, Trudeau, Valdez, and Wellman

Concerning the penalties for theft and possession of stolen property from first responders.

The measure was read the second time.

## MOTION

On motion of Senator Warnick, the rules were suspended, Substitute Senate Bill No. 5323 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Warnick and Dhingra spoke in favor of passage of the bill.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5323.

## ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5323 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 2; Absent, 0; Excused, 0.

Voting yea: Senators Bateman, Boehnke, Braun, Chapman, Christian, Cleveland, Conway, Cortes, Dhingra, Dozier, Fortunato, Frame, Gildon, Goehner, Hansen, Harris, Hasegawa, Holy, Kauffman, King, Krishnadasan, Lias, Lovelett, Lovick, MacEwen, McCune, Muzzall, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Salomon, Schoesler, Shewmake, Short, Slatter, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, J.

Voting nay: Senators Alvarado and Saldaña

SUBSTITUTE SENATE BILL NO. 5323, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SECOND READING

SENATE BILL NO. 5202, by Senators Salomon, Cortes, Dhingra, and Hasegawa

Ensuring the efficacy of judicial orders as harm reduction tools that increase the safety of survivors of abuse and support law enforcement in their efforts to enforce the law.

## MOTION

On motion of Senator Salomon, Substitute Senate Bill No. 5202 was substituted for Senate Bill No. 5202 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5202, by Senate Committee on Law & Justice (originally sponsored by Salomon, Cortes, Dhingra, and Hasegawa)

Ensuring the efficacy of judicial orders as harm reduction tools that increase the safety of survivors of abuse and support law enforcement in their efforts to enforce the law.

The measure was read the second time.

## MOTION

Senator Torres moved that the following floor amendment no. 0026 by Senator Torres be adopted:

On page 2, line 12, after "Notification" insert "from the court or clerk"

On page 2, line 20, after "clerk;" strike "and" and insert "~~(and)~~"

On page 2, line 22, after "firearms" insert "; and (vii) 90 days before the expiration of the order"

On page 21, after line 11, insert the following:

"NEW SECTION. Sec. 7. Section 1 of this act takes effect March 31, 2026."

On page 1, line 5 of the title, after "7.105.310;" strike "and"

On page 1, line 6 of the title, after "RCW" insert "; and providing an effective date"

Senators Torres and Dhingra spoke in favor of adoption of the amendment.

The Vice President Pro Tempore declared the question before the Senate to be the adoption of floor amendment no. 0026 by Senator Torres on page 2, line 12 to Substitute Senate Bill No. 5202.

The motion by Senator Torres carried and floor amendment no. 0026 was adopted by voice vote.

## MOTION

Senator Wagoner moved that the following floor amendment no. 0024 by Senator Wagoner be adopted:

Beginning on page 17, line 1, strike all of section 5

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

On page 1, line 4 of the title, after "7.105.405," strike "7.105.500, and 9.41.040" and insert "and 7.105.500"

Senator Wagoner spoke in favor of adoption of the amendment.

Senator Dhingra spoke against adoption of the amendment.

The Vice President Pro Tempore declared the question before the Senate to be the adoption of floor amendment no. 0024 by Senator Wagoner on page 17, line 1 to Substitute Senate Bill No. 5202.

The motion by Senator Wagoner did not carry and floor amendment no. 0024 was not adopted by voice vote.

## MOTION

On motion of Senator Salomon, the rules were suspended, Engrossed Substitute Senate Bill No. 5202 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Salomon spoke in favor of passage of the bill.

Senators Holy and Fortunato spoke against passage of the bill.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5202.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5202 and the bill passed the Senate by the following vote: Yeas, 36; Nays, 13; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Braun, Chapman, Cleveland, Conway, Cortes, Dhingra, Frame, Gildon, Goehner, Hansen, Harris, Hasegawa, Kauffman, Krishnadasan, Lias, Lovelett, Lovick, Muzzall, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Shewmake, Slatter, Stanford, Torres, Trudeau, Valdez, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Christian, Dozier, Fortunato, Holy, King, MacEwen, McCune, Schoesler, Short, Wagoner,

Warnick and Wilson, J.

ROLL CALL

ENGROSSED SUBSTITUTE SENATE BILL NO. 5202, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5004, by Senators Torres, Christian, Dozier, Harris, Krishnadasan, McCune, Salomon, Schoesler, and Wilson, J.

Updating emergency response systems in public schools including panic or alert buttons.

MOTION

On motion of Senator Torres, Substitute Senate Bill No. 5004 was substituted for Senate Bill No. 5004 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5004, by Senate Committee on Early Learning & K-12 Education (originally sponsored by Torres, Christian, Dozier, Harris, Krishnadasan, McCune, Salomon, Schoesler, and Wilson, J.)

Updating emergency response systems in public schools including panic or alert buttons.

The measure was read the second time.

MOTION

Senator Torres moved that the following floor amendment no. 0014 by Senator Torres be adopted:

On page 2, after line 16, insert the following:

"NEW SECTION. **Sec. 2.** This act may be known and cited as Alyssa's law."

On page 1, line 2 of the title, after "buttons;" strike the remainder of the title and insert "amending RCW 28A.320.126; and creating a new section."

Senators Torres and Wellman spoke in favor of adoption of the amendment.

The Vice President Pro Tempore declared the question before the Senate to be the adoption of floor amendment no. 0014 by Senator Torres on page 2, after line 16 to Engrossed Substitute Senate Bill No. 5004.

The motion by Senator Torres carried and floor amendment no. 0014 was adopted by voice vote.

MOTION

On motion of Senator Torres, the rules were suspended, Engrossed Substitute Senate Bill No. 5004 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Torres and Wellman spoke in favor of passage of the bill.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5004.

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5004 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Boehnke, Braun, Chapman, Christian, Cleveland, Conway, Cortes, Dhingra, Dozier, Fortunato, Frame, Gildon, Goehner, Hansen, Harris, Hasegawa, Holy, Kauffman, King, Krishnadasan, Liias, Lovelett, Lovick, MacEwen, McCune, Muzzall, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Slatter, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, J.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5004, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5104, by Senators Hasegawa, Bateman, Conway, Nobles, Saldaña, Stanford, Valdez, Wellman, and Wilson, C.

Protecting employees from coercion in the workplace based on immigration status.

MOTION

On motion of Senator Hasegawa, Substitute Senate Bill No. 5104 was substituted for Senate Bill No. 5104 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5104, by Senate Committee on Labor & Commerce (originally sponsored by Hasegawa, Bateman, Conway, Nobles, Saldaña, Stanford, Valdez, Wellman, and Wilson, C.)

Protecting employees from coercion in the workplace based on immigration status.

The measure was read the second time.

MOTION

On motion of Senator Hasegawa, the rules were suspended, Substitute Senate Bill No. 5104 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Hasegawa spoke in favor of passage of the bill.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5104.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5104 and the bill passed the Senate by the following vote: Yeas, 40; Nays, 9; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Braun, Chapman, Cleveland, Conway, Cortes, Dhingra, Frame, Gildon, Goehner, Hansen, Harris, Hasegawa, Holy, Kauffman, King, Krishnadasan,

Liias, Lovelett, Lovick, Muzzall, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Shewmake, Slatter, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman and Wilson, C.

Voting nay: Senators Boehnke, Christian, Dozier, Fortunato, MacEwen, McCune, Schoesler, Short and Wilson, J.

SUBSTITUTE SENATE BILL NO. 5104, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 5081, by Senators Fortunato, Christian, McCune, and Wilson, J.

Revising the provisions around unattended motor vehicles.

The measure was read the second time.

#### MOTION

Senator Liias moved that the following floor amendment no. 0025 by Senator Liias be adopted:

On page 1, line 14, after "vehicle." strike all material through "vehicle." on line 17

Correct any internal references accordingly.

Senators Fortunato and Liias spoke in favor of adoption of the amendment.

The Vice President Pro Tempore declared the question before the Senate to be the adoption of floor amendment no. 0025 by Senator Liias on page 1, line 14 to Senate Bill No. 5081.

The motion by Senator Liias carried and floor amendment no. 0025 was adopted by voice vote.

#### MOTION

On motion of Senator Fortunato, the rules were suspended, Engrossed Senate Bill No. 5081 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Fortunato and Liias spoke in favor of passage of the bill.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5081.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5081 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Boehnke, Braun, Chapman, Christian, Cleveland, Conway, Cortes, Dhingra, Dozier, Fortunato, Frame, Gildon, Goehner, Hansen, Harris, Hasegawa, Holy, Kauffman, King, Krishnadasan, Liias, Lovelett, Lovick, MacEwen, McCune, Muzzall, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Slatter, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, J.

ENGROSSED SENATE BILL NO. 5081, having received the

constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 5129, by Senators Pedersen, Harris, and Nobles

Concerning common interest communities.

#### MOTION

On motion of Senator Liias, Substitute Senate Bill No. 5129 was substituted for Senate Bill No. 5129 and the substitute bill was placed on the second reading and read the second time.

#### SECOND READING

SUBSTITUTE SENATE BILL NO. 5129, by Senate Committee on Housing (originally sponsored by Pedersen, Harris, and Nobles)

Concerning common interest communities.

The measure was read the second time.

#### MOTION

Senator Harris moved that the following floor amendment no. 0019 by Senator Harris be adopted:

On page 3, line 14, strike "(1)" and insert "((1))"

On page 3, line 16, strike "(a)" and insert "((a)) (1)"

On page 3, line 17, strike "(b)" and insert "((b)) (2)"

On page 3, beginning on line 20, strike all material through "64.90.580." on line 32 and insert "((2) Pursuant to RCW 64.90.365, the following provisions of chapter 64.90 RCW apply, and any inconsistent provisions of this chapter do not apply, to a common interest community created before July 1, 2018:

(a) RCW 64.90.370;

(b) RCW 64.90.405(1) (b) and (c);

(c) RCW 64.90.525; and

(d) RCW 64.90.545.)"

On page 3, line 36, after "24.06," insert "64.90,"

On page 80, after line 12, insert the following:

"NEW SECTION. Sec. 32. 2024 c 321 s 503 (uncodified) is repealed."

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

On page 1, line 9 of the title, after "2024 c 337 s 4;" insert "repealing 2024 c 321 s 503 (uncodified);"

#### WITHDRAWAL OF AMENDMENT

On motion of Senator Harris and without objection, floor amendment no. 0019 by Senator Harris on page 3, line 14 to Engrossed Substitute Senate Bill No. 5129 was withdrawn.

#### WITHDRAWAL OF AMENDMENT

On motion of Senator Harris and without objection, floor amendment no. 0020 by Senator Harris on page 80, line 12 to Engrossed Substitute Senate Bill No. 5129 was withdrawn.

WITHDRAWAL OF AMENDMENT

On motion of Senator Harris and without objection, floor amendment no. 0021 by Senator Harris on page 80, line 12 to Engrossed Substitute Senate Bill No. 5129 was withdrawn.

MOTION

Senator Pedersen moved that the following striking floor amendment no. 0013 by Senator Pedersen be adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 64.32.250 and 1963 c 156 s 25 are each amended to read as follows:

(1) All apartment owners, tenants of such owners, employees of such owners and tenants, and any other person that may in any manner use the property or any part thereof submitted to the provisions of this chapter, shall be subject to this chapter and to the declaration and bylaws of the association of apartment owners adopted pursuant to the provisions of this chapter.

(2) All agreements, decisions and determinations made by the association of apartment owners under the provisions of this chapter, the declaration, or the bylaws and in accordance with the voting percentages established in this chapter, the declaration, or the bylaws, shall be deemed to be binding on all apartment owners.

(3) In case of any conflict between Title 23B RCW or chapter 23.86, 24.03A, 24.06, or 25.15 RCW and this chapter, this chapter controls.

**Sec. 2.** RCW 64.32.260 and 2024 c 321 s 433 are each amended to read as follows:

(1) This chapter does not apply to common interest communities as defined in RCW 64.90.010:

- (a) Created on or after July 1, 2018; or
- (b) That have amended their governing documents to provide that chapter 64.90 RCW will apply to the common interest community pursuant to RCW 64.90.370.

(2) Pursuant to RCW 64.90.365, the following provisions of chapter 64.90 RCW apply, and any inconsistent provisions of this chapter do not apply, to a common interest community created before July 1, 2018:

- (a) RCW 64.90.370;
- (b) RCW 64.90.405(1) (b) and (c);
- (c) RCW 64.90.445;
- (d) RCW 64.90.480(10);
- (e) RCW 64.90.502;
- (f) RCW 64.90.513;
- (g) RCW 64.90.525; (~~and~~
- (~~d~~)) (h) RCW 64.90.545; and
- (i) RCW 64.90.580.

**Sec. 3.** RCW 64.34.076 and 2024 c 321 s 434 are each amended to read as follows:

(1) This chapter does not apply to common interest communities as defined in RCW 64.90.010:

- (a) Created on or after July 1, 2018; or
- (b) That have amended their governing documents to provide that chapter 64.90 RCW will apply to the common interest community pursuant to RCW 64.90.370.

(2) Pursuant to RCW 64.90.365, the following provisions of chapter 64.90 RCW apply, and any inconsistent provisions of this chapter do not apply, to a common interest community created before July 1, 2018:

- (a) RCW 64.90.370;

- (b) RCW 64.90.405(1) (b) and (c);
- (c) RCW 64.90.445;
- (d) RCW 64.90.480(10);
- (e) RCW 64.90.502;
- (f) RCW 64.90.513;
- (g) RCW 64.90.525; (~~and~~
- (~~d~~)) (h) RCW 64.90.545; and
- (i) RCW 64.90.580.

**Sec. 4.** RCW 64.38.095 and 2024 c 321 s 435 are each amended to read as follows:

(1) This chapter does not apply to common interest communities as defined in RCW 64.90.010:

- (a) Created on or after July 1, 2018; or
- (b) That have amended their governing documents to provide that chapter 64.90 RCW will apply to the common interest community pursuant to RCW 64.90.370.

(2) Pursuant to RCW 64.90.365, the following provisions of chapter 64.90 RCW apply, and any inconsistent provisions of this chapter do not apply, to a common interest community created before July 1, 2018:

- (a) RCW 64.90.370;
- (b) RCW 64.90.405(1) (b) and (c);
- (c) RCW 64.90.445;
- (d) RCW 64.90.480(10);
- (e) RCW 64.90.502;
- (f) RCW 64.90.513;
- (g) RCW 64.90.525; (~~and~~
- (~~d~~)) (h) RCW 64.90.545; and
- (i) RCW 64.90.580.

**NEW SECTION.** **Sec. 5.** A new section is added to chapter 64.38 RCW to read as follows:

In case of any conflict between Title 23B RCW or chapter 23.86, 24.03A, 24.06, or 25.15 RCW and this chapter, this chapter controls.

**Sec. 6.** RCW 64.90.010 and 2024 c 321 s 301 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 a declarant" means any person who controls, is controlled by, or is under common control with a declarant. For purposes of this subsection:

- (a) A person controls a declarant if the person:
  - (i) Is a general partner, managing member, officer, director, or employer of the declarant;
  - (ii) Directly or indirectly or acting in concert with one or more other persons, or through one or more subsidiaries, owns, controls, holds with power to vote, or holds proxies representing more than 20 percent of the voting interest in the declarant;
  - (iii) Controls in any manner the election or appointment of a majority of the directors, managing members, or general partners of the declarant; or
  - (iv) Has contributed more than 20 percent of the capital of the declarant.

- (b) A person is controlled by a declarant if the declarant:
  - (i) Is a general partner, managing member, officer, director, or employer of the person;
  - (ii) Directly or indirectly or acting in concert with one or more other persons, or through one or more subsidiaries, owns, controls, holds with power to vote, or holds proxies representing more than 20 percent of the voting interest in the person;
  - (iii) Controls in any manner the election or appointment of a majority of the directors, managing members, or general partners of the person; or
  - (iv) Has contributed more than 20 percent of the capital of the person.

(c) Control does not exist if the powers described in this subsection (1) are held solely as security for an obligation and are not exercised.

(2) "Allocated interests" means the following interests allocated to each unit:

(a) In a condominium, the undivided interest in the common elements, the common expense liability, and votes in the association;

(b) In a cooperative, the common expense liability, the ownership interest, and votes in the association; and

(c) In a plat community and miscellaneous community, the common expense liability and the votes in the association, and also the undivided interest in the common elements if owned in common by the unit owners rather than an association.

(3) "Assessment" means all sums chargeable by the association against a unit, including any assessments levied pursuant to RCW 64.90.480, fines or fees levied or imposed by the association pursuant to this chapter 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.

(4) "Association" or "unit owners association" means the unit owners association organized under RCW 64.90.400 and, to the extent necessary to construe sections of this chapter made applicable to common interest communities pursuant to RCW 64.90.365, 64.90.090, or 64.90.370, the association organized or created to administer such common interest communities.

(5) "Ballot" means a record designed to cast or register a vote or consent in a form provided or accepted by the association.

(6) "Board" means the body, regardless of name, designated in the declaration, map, or organizational documents, with primary authority to manage the affairs of the association.

(7) "Common elements" means:

(a) In a condominium or cooperative, all portions of the common interest community other than the units;

(b) In a plat community or miscellaneous community, any real estate other than a unit within a plat community or miscellaneous community that is owned or leased either by the association or in common by the unit owners rather than an association; and

(c) In all common interest communities, any other interests in real estate for the benefit of any unit owners that are subject to the declaration.

(8) "Common expense" means ~~((any expense of the association, including allocations to reserves, allocated to all of the unit owners in accordance with common expense liability))~~ expenditures made by, or financial liabilities of, the association, together with any allocations to reserves.

(9) "Common expense liability" means the liability for common expenses allocated to each unit pursuant to RCW 64.90.235.

(10) "Common interest community" means real estate described in a declaration with respect to which a person, by virtue of the person's ownership of a unit, is obligated to pay for a share of real estate taxes, insurance premiums, maintenance, or improvement of, or services or other expenses related to, common elements, other units, or other real estate described in the declaration. "Common interest community" does not include an arrangement described in RCW 64.90.110 or 64.90.115. A common interest community may be a part of another common interest community.

(11) "Condominium" means a common interest community in which portions of the real estate are designated for separate ownership and the remainder of the real estate is designated for common ownership solely by the owners of those portions. A common interest community is not a condominium unless the undivided interests in the common elements are vested in the unit

owners.

(12) "Condominium notice" means the notice given to tenants pursuant to subsection (13)(c) of this section.

(13)(a) "Conversion building" means a building:

(i) That at any time before creation of the common interest community was lawfully occupied wholly or partially by a tenant or subtenant for residential purposes pursuant to a rental agreement, oral or written, express or implied, who did not receive a ~~((condominium))~~ notice pursuant to (c) of this subsection prior to entering into the rental agreement or lawfully taking occupancy, whichever event occurred first; or

(ii) That at any time within the 12 months preceding the first acceptance of an agreement with the declarant to convey, or the first conveyance of, any unit in the building, whichever event occurred first, to any person who was not a declarant or dealer, or affiliate of a declarant or dealer, was lawfully occupied wholly or partially by a tenant or subtenant for residential purposes pursuant to a rental agreement, oral or written, express or implied, who did not receive a condominium notice prior to entering into the rental agreement or lawfully taking occupancy, whichever event occurred first.

(b) A building in a common interest community is a conversion building only if:

(i) The building contains more than two attached dwelling units as defined in RCW 64.55.010(1); and

(ii) Acceptance of an agreement to convey, or conveyance of, any unit in the building to any person who was not a declarant or dealer, or affiliate of a declarant or dealer, did not occur prior to July 1, 2018.

(c) The notice referred to in (a)(i) and (ii) of this subsection must be in writing and must state: "The unit you will be occupying is, or may become, part of a common interest community and subject to sale."

(14) "Convey" or "conveyance" means, with respect to a unit, any transfer of ownership of the unit, including a transfer by deed or by real estate contract and, with respect to a unit in a leasehold common interest community or a proprietary lease in a cooperative, a transfer by lease or assignment of the unit, but does not include the creation, transfer, or release of a security interest.

(15) "Cooperative" means a common interest community in which the real estate is owned by an association, each member of which is entitled by virtue of the member's ownership interest in the association and by a proprietary lease to exclusive possession of a unit.

(16) "Dealer" means a person who, together with such person's affiliates, owns or has a right to acquire either six or more units in a common interest community or 50 percent or more of the units in a common interest community containing more than two units.

(17) "Declarant" means:

(a) Any person who executes as declarant a declaration;

(b) Any person who reserves or succeeds to any special declarant right in a declaration;

(c) Any person who exercises special declarant rights or to whom special declarant rights are transferred of record. The holding or exercise of rights to maintain sales offices, signs advertising the common interest community, and models, and related right of access, does not confer the status of being a declarant; or

(d) Any person who is the owner of a fee interest in the real estate that is subjected to the declaration at the time of the recording of an instrument pursuant to RCW 64.90.425 and who directly or through one or more affiliates is materially involved in the construction, marketing, or sale of units in the common interest community created by the recording of the instrument.

(18) "Declarant control" means the right of the declarant or

THIRTY FIRST DAY, FEBRUARY 12, 2025

2025 REGULAR SESSION

persons designated by the declarant to appoint or remove any officer or board member of the association or to veto or approve a proposed action of any board or association, pursuant to RCW 64.90.415(1)(a).

(19) "Declaration" means the instrument, however denominated, that creates a common interest community, including any amendments to the instrument.

(20) "Development rights" means any right or combination of rights reserved by a declarant in the declaration to:

(a) Add real estate or improvements to a common interest community;

(b) Create units, common elements, or limited common elements within a common interest community;

(c) Subdivide or combine units or convert units into common elements;

(d) Withdraw real estate from a common interest community; or

(e) Reallocate limited common elements with respect to units that have not been conveyed by the declarant.

(21) "Effective age" means the difference between the useful life and remaining useful life.

(22) "Electronic" means relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities.

(23) "Electronic transmission" or "electronically transmitted" means any electronic communication (a) not directly involving the physical transfer of a record in a tangible medium and (b) that may be retained, retrieved, and reviewed by the sender and the recipient of the communication, and that may be directly reproduced in a tangible medium by a sender and recipient.

(24) "Eligible mortgagee" means the holder of a security interest on a unit that has filed with the secretary of the association a written request that it be given copies of notices of any action by the association that requires the consent of mortgagees.

(25) "Foreclosure" means a statutory forfeiture or a judicial or nonjudicial foreclosure of a security interest or a deed or other conveyance in lieu of a security interest.

(26) "Full funding plan" means a reserve funding goal of achieving 100 percent fully funded reserves by the end of the 30-year study period described under RCW 64.90.550, in which the reserve account balance equals the sum of the estimated costs required to maintain, repair, or replace the deteriorated portions of all reserve components.

(27) "Fully funded balance" means the current value of the deteriorated portion, not the total replacement value, of all the reserve components. The fully funded balance for each reserve component is calculated by multiplying the current replacement cost of that reserve component by its effective age, then dividing the result by that reserve component's useful life. The sum total of all reserve components' fully funded balances is the association's fully funded balance.

(28) "Governing documents" means the organizational documents, map, declaration, rules, or other written instrument by which the association has the authority to exercise any of the powers provided for in this chapter or to manage, maintain, or otherwise affect the property under its jurisdiction.

(29) "Identifying number" means a symbol or address that identifies only one unit or limited common element in a common interest community.

(30) "Leasehold common interest community" means a common interest community in which all or a portion of the real estate is subject to a lease the expiration or termination of which will terminate the common interest community or reduce its size.

(31) "Limited common element" means a portion of the common elements allocated by the declaration or by operation of

RCW 64.90.210 (1)(b) or (3) for the exclusive use of one or more, but fewer than all, of the unit owners.

(32) "Map" means: (a) With respect to a plat community, the plat as defined in RCW 58.17.020 and complying with the requirements of Title 58 RCW, and (b) with respect to a condominium, cooperative, or miscellaneous community, a map prepared in accordance with the requirements of RCW 64.90.245.

(33) "Master association" means:

(a) A unit owners association that serves more than one common interest community; or

(b) An organization that holds a power delegated under RCW 64.90.300(1)(a).

(34) "Miscellaneous community" means a common interest community in which units are lawfully created in a manner not inconsistent with chapter 58.17 RCW and that is not a condominium, cooperative, or plat community.

(35) "Nominal reserve costs" means that the current estimated total replacement costs of the reserve components are less than 50 percent of the annual budgeted expenses of the association, excluding contributions to the reserve fund, for a condominium or cooperative containing horizontal unit boundaries, and less than 75 percent of the annual budgeted expenses of the association, excluding contributions to the reserve fund, for all other common interest communities.

(36) "Organizational documents" means the instruments filed with the secretary of state to create an entity and the instruments governing the internal affairs of the entity including, but not limited to, any articles of incorporation, certificate of formation, bylaws, and limited liability company or partnership agreement.

(37) "Person" means an individual, corporation, business trust, estate, the trustee or beneficiary of a trust that is not a business trust, partnership, limited liability company, association, joint venture, public corporation, government, or governmental subdivision, agency, or instrumentality, or any other legal entity.

(38) "Plat community" means a common interest community in which units have been created by subdivision or short subdivision as both are defined in RCW 58.17.020 and in which the boundaries of units are established pursuant to chapter 58.17 RCW.

(39) "Proprietary lease" means a written and recordable lease that is executed and acknowledged by the association as lessor and that otherwise complies with requirements applicable to a residential lease of more than one year and pursuant to which a member is entitled to exclusive possession of a unit in a cooperative. A proprietary lease governed under this chapter is not subject to chapter 59.18 RCW except as provided in the declaration.

(40) "Purchaser" means a person, other than a declarant or a dealer, which by means of a voluntary transfer acquires a legal or equitable interest in a unit other than as security for an obligation.

(41) "Qualified financial institution" means a bank, savings association, or credit union whose deposits are insured by the federal government.

(42) "Real estate" means any leasehold or other estate or interest in, over, or under land, including structures, fixtures, and other improvements and interests that by custom, usage, or law pass with a conveyance of land though not described in the contract of sale or instrument of conveyance. "Real estate" includes parcels with or without upper or lower boundaries and spaces that may be filled with air or water.

(43) "Real estate contract" has the same meaning as defined in RCW 61.30.010.

(44) "Record," when used as a noun, means information inscribed on a tangible medium or contained in an electronic transmission.

(45) "Remaining useful life" means the estimated time, in years, before a reserve component will require major maintenance, repair, or replacement to perform its intended function.

(46) "Replacement cost" means the estimated total cost to maintain, repair, or replace a reserve component to its original functional condition.

(47) "Reserve component" means a physical component of the common interest community which the association is obligated to maintain, repair, or replace, which has an estimated useful life of less than 30 years, and for which the cost of such maintenance, repair, or replacement is infrequent, significant, and impractical to include in an annual budget.

(48) "Reserve study professional" means an independent person who is suitably qualified by knowledge, skill, experience, training, or education to prepare a reserve study in accordance with RCW 64.90.545 and 64.90.550. For the purposes of this subsection, "independent" means a person who is not an employee, officer, or director, and has no pecuniary interest in the declarant, association, or any other party for whom the reserve study is prepared.

(49) "Residential purposes" means use for dwelling or recreational purposes, or both.

(50) "Rule" means a policy, guideline, restriction, procedure, or regulation of an association, however denominated, that is not set forth in the declaration or organizational documents.

(51) "Security interest" means an interest in real estate or personal property, created by contract or conveyance that secures payment or performance of an obligation. "Security interest" includes a lien created by a mortgage, deed of trust, real estate contract, lease intended as security, assignment of lease or rents intended as security, pledge of an ownership interest in an association, and any other consensual lien or title retention contract intended as security for an obligation.

(52) "Special declarant rights" means rights reserved for the benefit of a declarant to:

(a) Complete any improvements the declarant is not obligated to make that are indicated on the map or described in the declaration or the public offering statement;

(b) Exercise any development right, pursuant to RCW 64.90.250;

(c) Maintain sales offices, management offices, signs advertising the common interest community, and models, pursuant to RCW 64.90.275;

(d) Use easements through the common elements for the purpose of making improvements within the common interest community or within real estate that may be added to the common interest community, pursuant to RCW 64.90.280;

(e) Make the common interest community subject to a master association, pursuant to RCW 64.90.300;

(f) Merge or consolidate a common interest community with another common interest community, pursuant to RCW 64.90.310;

(g) Appoint or remove any officer or board member of the association or any master association or to veto or approve a proposed action of any board or association, pursuant to RCW 64.90.415(1);

(h) Control any construction, design review, or aesthetic standards committee or process, pursuant to RCW 64.90.505(3);

(i) Attend meetings of the unit owners and, except during an executive session, the board, pursuant to RCW 64.90.445;

(j) Have access to the records of the association to the same extent as a unit owner, pursuant to RCW 64.90.495.

(53) "Specially allocated expense" means any common expense of the association, including allocations to reserves, allocated on a basis other than the common expense liability

pursuant to RCW 64.90.480.

(54) "Survey" has the same meaning as defined in RCW 58.09.020.

(55) "Tangible medium" means a writing, copy of a writing, facsimile, or a physical reproduction, each on paper or on other tangible material.

(56) "Timeshare" has the same meaning as defined in RCW 64.36.010.

(57) "Transition meeting" means the meeting held pursuant to RCW 64.90.415(4).

(58)(a) "Unit" means a physical portion of the common interest community designated for separate ownership or occupancy, the boundaries of which are described pursuant to RCW 64.90.225(1)(d).

(b) If a unit in a cooperative is owned by a unit owner or is sold, conveyed, voluntarily or involuntarily encumbered, or otherwise transferred by a unit owner, the interest in that unit that is owned, sold, conveyed, encumbered, or otherwise transferred is the right to possession of that unit under a proprietary lease, coupled with the allocated interests of that unit, and the association's interest in that unit is not affected.

(c) Except as provided in the declaration, a mobile home or manufactured home for which title has been eliminated pursuant to chapter 65.20 RCW is part of the unit described in the title elimination documents.

(59)(a) "Unit owner" means (i) a declarant or other person that owns a unit or (ii) a lessee of a unit in a leasehold common interest community whose lease expires simultaneously with any lease the expiration or termination of which will remove the unit from the common interest community, but does not include a person having an interest in a unit solely as security for an obligation.

(b) "Unit owner" also means the vendee, not the vendor, of a unit under a recorded real estate contract.

(c) In a condominium, plat community, or miscellaneous community, the declarant is the unit owner of any unit created by the declaration. In a cooperative, the declarant is treated as the unit owner of any unit to which allocated interests have been allocated until that unit has been conveyed to another person.

(60) "Useful life" means the estimated time during which a reserve component is expected to perform its intended function without major maintenance, repair, or replacement.

(61) "Writing" does not include an electronic transmission.

(62) "Written" means embodied in a tangible medium.

**Sec. 7.** RCW 64.90.015 and 2018 c 277 s 103 are each amended to read as follows:

(1) Except as expressly provided in this chapter, the effect of the provisions of this chapter may not be varied by agreement, and rights conferred by this chapter may not be waived. Except as provided otherwise in RCW 64.90.110, a declarant may not act under a power of attorney, or use any other device, to evade the limitations or prohibitions of this chapter or the declaration.

(2) Except as provided in subsection (3) of this section, the governing documents may not vary a provision of this chapter that gives a right to or imposes an obligation or liability on a unit owner, declarant, association, or board.

(3) The governing documents may vary the following provisions as provided in the provision:

(a) RCW 64.90.020(1), concerning classification of a cooperative unit as real estate or personal property;

(b) RCW 64.90.030 (2) and (3), concerning reallocation of allocated interests and allocation of proceeds after a taking by eminent domain;

(c) RCW 64.90.360(4), 64.90.370, and 64.90.100, concerning elections regarding applicability of this chapter;

(d) RCW 64.90.100 (1), (2), and (3), concerning communities restricted to nonresidential uses;



THIRTY FIRST DAY, FEBRUARY 12, 2025

2025 REGULAR SESSION

(e) RCW 64.90.200(3) (a) and (b), concerning the timing of the conveyance of common elements to the association, and the vesting of real estate owned by the association on termination;

(f) RCW 64.90.210, concerning boundaries between units and common elements;

(g) RCW 64.90.240 (2) and (3), concerning reallocation of limited common elements;

(h) RCW 64.90.245(11), concerning horizontal boundaries of units;

(i) RCW 64.90.255, concerning alterations of units and common elements made by unit owners;

(j) RCW 64.90.260 (1) and (2), concerning relocation of boundaries between units;

(k) RCW 64.90.265 (1) and (2), concerning subdivision and combination of units;

(l) RCW 64.90.275, concerning sales offices, management offices, models, and signs maintained by a declarant;

(m) RCW 64.90.280 (1) and (3), concerning easements through, and rights to use, common elements;

(n) RCW 64.90.285 (1) and (8), concerning the percentage of votes and consents required to amend the declaration;

(o) RCW 64.90.290 (1) and (8), concerning the percentage of votes required to terminate a common interest community and priority of creditors of a cooperative;

(p) RCW 64.90.360(4)(a), concerning small communities;

(q) RCW 64.90.405 (4)(c) and (5)(c), concerning an association's assignment of rights to future income, the number of votes required to reject a proposal to borrow funds, and the right to terminate a lease or evict a tenant;

(r) RCW 64.90.410 (1) and (2), concerning the board acting on behalf of the association and the election of officers by the board;

(s) RCW 64.90.420(2), concerning costs of audits;

(t) RCW 64.90.435(1)(b), concerning election of officers by unit owners;

(u) RCW 64.90.440 (1) and (4), concerning responsibility for maintenance, repair, and replacement of units and common elements and treatment of income or proceeds from real estate subject to development rights;

(v) RCW 64.90.445 (1)(b) and (2)(i), concerning meetings;

(w) RCW 64.90.450, concerning quorum requirements for meetings;

(x) RCW 64.90.455 (3), (4), (5), and (8), concerning unit owner voting;

(y) RCW 64.90.465 (1), (2), and (7), concerning the percentage of votes required to convey or encumber common elements and the effect of conveyance or encumbrance of common elements;

(z) RCW 64.90.470 (2) and (11), concerning insurance where the units are attached, and insurance for a nonresidential common interest community;

(aa) RCW 64.90.475(2), concerning payment of surplus funds of the association;

(bb) RCW 64.90.485 (7) and (20), concerning priority and foreclosure of liens held by two or more associations;

(cc) RCW 64.90.505 (1) and (3), concerning the adoption of rules;

(dd) RCW 64.90.513(8), concerning responsibility for electric vehicle charging stations;

(ee) RCW 64.90.520(4), concerning the board's ability to remove an officer elected by the board;

(ff) RCW 64.90.525(1), concerning the percentage of votes required to reject a budget;

(gg) RCW 64.90.545(2), concerning applicability of reserve study requirements to certain types of common interest communities; and

(hh) RCW 64.90.580(7), concerning responsibility for heat

pumps.

**Sec. 8.** RCW 64.90.210 and 2018 c 277 s 203 are each amended to read as follows:

~~((4))~~ Except as provided by the declaration or, in the case of a plat community or miscellaneous community, by the map:

(1)(a) If walls, floors, or ceilings are designated as boundaries of a unit, all lath, furring, wallboard, plasterboard, plaster, paneling, tiles, wallpaper, paint, finished flooring, and any other materials constituting any part of the finished surfaces thereof are a part of the unit, and all other portions of the walls, floors, or ceilings are a part of the common elements.

(b) If any chute, flue, duct, wire, conduit, bearing wall, bearing column, or any other fixture lies partially within and partially outside the designated boundaries of a unit, any portion thereof serving only that unit is a limited common element allocated solely to that unit, and any portion thereof serving more than one unit or any portion of the common elements is a part of the common elements.

(2) Subject to subsection (1)(b) of this section, all spaces, interior partitions, and other fixtures and improvements within the boundaries of a unit are a part of the unit.

(3) Any fireplaces, shutters, awnings, window boxes, doorsteps, stoops, porches, balconies, decks, patios, and all exterior doors and windows or other fixtures designed to serve a single unit, but located outside the unit's boundaries, are limited common elements allocated exclusively to that unit.

**Sec. 9.** RCW 64.90.300 and 2024 c 321 s 203 are each amended to read as follows:

(1) A declaration may:

(a) Delegate a power under RCW 64.90.405(~~((4))~~) from the unit owners association to a master association;

(b) Provide for exercise of the powers under RCW 64.90.405(~~((4))~~) by a master association that also serves as the unit owners association for the common interest community; and

(c) Reserve a special declarant right to make the common interest community subject to a master association.

(2) All provisions of this chapter applicable to unit owners associations apply to the master association, except as modified by this section.

(3) A unit owners association may delegate a power under RCW 64.90.405(~~((4))~~) to a master association without amending the declaration. The board of the unit owners association shall give notice to the unit owners of a proposed delegation and include a statement that unit owners may object in a record to the delegation not later than 30 days after delivery of the notice. The delegation becomes effective if the board does not receive a timely objection from unit owners of units to which at least 10 percent of the votes in the association are allocated. If the board receives a timely objection by at least 10 percent of the votes, the delegation becomes effective only if the unit owners vote under RCW 64.90.455 to approve the delegation by a majority vote. The delegation is not effective until the master association accepts the delegation.

(4) A delegation under subsection (1)(a) of this section may be revoked only by an amendment to the declaration.

(5) At a meeting of the unit owners which lists in the notice of the meeting the subject of delegation of powers from the board to a master association, the unit owners may revoke the delegation by a majority of the votes cast at the meeting. The effect of revocation on the rights and obligations of parties under a contract between a unit owners association and a master association is determined by law of this state other than this chapter.

(6) Unless it is acting in the capacity of a unit owners association, a master association may exercise the powers set forth in RCW 64.90.405(1)(b) only to the extent expressly

permitted in the declarations of common interest communities that are part of the master association or expressly described in the delegations of power from those common interest communities to the master association.

(7) After a unit owners association delegates a power to a master association, the unit owners association, its board members, and its officers are not liable for an act or omission of the master association with respect to the delegated power.

(8) The rights and responsibilities of unit owners with respect to the unit owners association set forth in RCW 64.90.410, 64.90.445, 64.90.450, 64.90.455, 64.90.465, and 64.90.505 apply in the conduct of the affairs of a master association only to persons who elect the board of a master association, whether or not those persons are otherwise unit owners within the meaning of this chapter.

(9) Not later than 90 days after termination of a period of declarant control of the master association, the board of the master association must be elected in one of the following ways:

(a) The unit owners of all common interest communities subject to the master association may elect all members of the master association's board; or

(b) The unit owners in, or the board of, each common interest community subject to the master association elect one or more members of the master association's board if the instruments governing the master association apportion the seats on the board to each common interest community in a manner roughly proportional to the number of units in each common interest community.

(10) A period of declarant control of the master association under subsection (9) of this section terminates not later than the earlier of:

(a) The termination under RCW 64.90.415 of all periods of declarant control of all common interest communities subject to the master association under RCW 64.90.415; or

(b) 60 days after conveyance to unit owners other than a declarant of 75 percent of the units that may be created in all common interest communities subject to the master association.

**Sec. 10.** RCW 64.90.360 and 2024 c 321 s 506 are each amended to read as follows:

(1) Except as provided otherwise in this section, RCW 64.90.365 and 64.90.375, this chapter applies to all common interest communities.

(2) Before January 1, 2028, this chapter applies only to:

(a) A common interest community created on or after July 1, 2018; and

(b) A common interest community created before July 1, 2018, that amends its declaration to elect to be subject to this chapter.

(3) Chapters 58.19, 64.32, 64.34, and 64.38 RCW:

(a) Do not apply to common interest communities subject to this chapter; and

(b) Apply to a common interest community created before July 1, 2018, only until the community becomes subject to this chapter.

(4)(a) Unless the declaration provides that this entire chapter is applicable, a plat community or miscellaneous community that is not subject to any development right is subject only to RCW 64.90.010, 64.90.015, 64.90.020, 64.90.025, ~~(and)~~ 64.90.030, 64.90.035, 64.90.040, 64.90.045, 64.90.050, 64.90.055, 64.90.060, 64.90.065, 64.90.070, 64.90.085, 64.90.090, 64.90.100, 64.90.105, 64.90.110, 64.90.115, 64.90.210, 64.90.225, 64.90.230, 64.90.235, 64.90.240, 64.90.245, 64.90.255, 64.90.260, 64.90.265, 64.90.280, 64.90.285, 64.90.290, 64.90.300, 64.90.340, 64.90.350, 64.90.360, 64.90.400, 64.90.405, 64.90.410, 64.90.415, 64.90.420, 64.90.435, 64.90.445, 64.90.450, 64.90.455, 64.90.465, 64.90.480, 64.90.485, 64.90.490, 64.90.495, 64.90.502,

64.90.505, 64.90.510, 64.90.511, 64.90.5111, 64.90.512, 64.90.513, 64.90.515, 64.90.518, 64.90.520, 64.90.525, 64.90.530, 64.90.535, 64.90.540, 64.90.545, 64.90.550, 64.90.555, 64.90.560, 64.90.565, 64.90.570, 64.90.575, 64.90.580, 64.90.585, 64.90.640, and 64.90.685, if the community: (i) Contains no more than ~~((42))~~ 50 units; and (ii) provides in its declaration that the annual average assessment of all units (restricted to residential purposes, exclusive of optional user fees ~~((and any insurance premiums paid by the association))~~), may not exceed ~~((300))~~ \$1,000, as adjusted pursuant to RCW 64.90.065.

(b) The exemption provided in this subsection applies only if:

(i) The declarant reasonably believes in good faith that the maximum stated assessment will be sufficient to pay the expenses of the association for the community; and

(ii) The declaration provides that the assessment may not be increased above the limitation in (a)(ii) of this subsection prior to the transition meeting without the consent of unit owners, other than the declarant, holding 90 percent of the votes in the association.

(5) Before January 1, 2028, except as otherwise provided in RCW ~~((64.90.080))~~ 64.90.365, this chapter does not apply to any common interest community created within this state on or after July 1, 2018, if:

(a) That common interest community is made part of a common interest community created in this state prior to July 1, 2018, pursuant to a right expressly set forth in the declaration of the preexisting common interest community; and

(b) The declaration creating that common interest community expressly subjects that common interest community to the declaration of the preexisting common interest community pursuant to such right described in (a) of this subsection.

**Sec. 11.** RCW 64.90.365 and 2024 c 321 s 508 are each amended to read as follows:

(1) Except for a plat community or miscellaneous community described in RCW 64.90.360(4) and a nonresidential or mixed-use common interest community described in RCW 64.90.100, the following sections apply to a common interest community created before July 1, 2018, and any inconsistent provisions of chapter 58.19, 64.32, 64.34, or 64.38 RCW do not apply:

(a) RCW 64.90.370;

(b) RCW 64.90.405(1) (b) and (c);

(c) RCW 64.90.445;

(d) RCW 64.90.480(10);

(e) RCW 64.90.502;

(f) RCW 64.90.513;

(g) RCW 64.90.525;

~~((d))~~ (h) RCW 64.90.545; ~~(and~~

~~e))~~ (i) RCW 64.90.580; and

(j) RCW 64.90.010, to the extent necessary to construe this subsection.

(2) Except to the extent provided in this subsection, the sections listed in subsection (1) of this section apply only to events and circumstances occurring on or after July 1, 2018, and do not invalidate existing provisions of the governing documents of those common interest communities existing on July 1, 2018. To protect the public interest, RCW ~~((64.90.095))~~ 64.90.370 and 64.90.525 supersede existing provisions of the governing documents of all plat communities and miscellaneous communities previously subject to chapter 64.38 RCW.

(3) This section does not apply to a common interest community that becomes subject to this chapter under RCW 64.90.360(1) or by election under RCW 64.90.360(4), 64.90.370(1)(b), or 64.90.100.

**Sec. 12.** RCW 64.90.405 and 2024 c 321 s 311 are each amended to read as follows:

THIRTY FIRST DAY, FEBRUARY 12, 2025

2025 REGULAR SESSION

- (1) An association must:
- (a) Adopt organizational documents;
  - (b) Adopt budgets as provided in RCW 64.90.525;
  - (c) Impose assessments for common expenses (~~and specially allocated expenses~~) on the unit owners as provided in RCW 64.90.480(1) and 64.90.525;
  - (d) Prepare financial statements as provided in RCW 64.90.530; and
  - (e) Deposit and maintain the funds of the association in accounts as provided in RCW 64.90.530.
- (2) Except as provided otherwise in subsection (4) of this section and subject to the provisions of the declaration, the association may:
- (a) Amend organizational documents and adopt and amend rules;
  - (b) Amend budgets under RCW 64.90.525;
  - (c) Hire and discharge managing agents and other employees, agents, and independent contractors;
  - (d) Institute, defend, or intervene in litigation or in arbitration, mediation, or administrative proceedings or any other legal proceeding in its own name on behalf of itself or two or more unit owners on matters affecting the common interest community;
  - (e) Make contracts and incur liabilities subject to subsection (4) of this section;
  - (f) Regulate the use, maintenance, repair, replacement, and modification of common elements;
  - (g) Cause additional improvements to be made as a part of the common elements;
  - (h) Acquire, hold, encumber, and convey in its own name any right, title, or interest to real estate or personal property, but:
    - (i) Common elements in a condominium, plat community, or miscellaneous community may be conveyed or subjected to a security interest pursuant to RCW 64.90.465 only; and
    - (ii) Part of a cooperative may be conveyed, or all or part of a cooperative may be subjected to a security interest pursuant to RCW 64.90.465 only;
  - (i) Grant easements, leases, and licenses through or over the common elements, but a grant to a unit owner that benefits the unit owner's unit is allowed only by reallocation under RCW 64.90.240(3) of the common elements to a limited common element, and petition for or consent to the vacation of streets and alleys. Notwithstanding the foregoing, a reallocation shall not be required in regard to the installation of an electric vehicle charging station on the common elements;
  - (j) Impose and collect any reasonable payments, fees, or charges for:
    - (i) The use, rental, or operation of the common elements, other than limited common elements described in RCW 64.90.210 (1)(b) and (3);
    - (ii) Services provided to unit owners; and
    - (iii) Moving in, moving out, or transferring title to units to the extent provided for in the declaration;
  - (k) Collect assessments and impose and collect reasonable charges for late payment of assessments;
  - (l) Enforce the governing documents and, after notice and opportunity to be heard, impose and collect reasonable fines for violations of the governing documents in accordance with a previously established schedule of fines adopted by the board of directors and furnished to the owners pursuant to the requirements for notice in RCW 64.90.505;
  - (m) Impose and collect reasonable charges for the preparation and recordation of amendments to the declaration, resale certificates required under RCW 64.90.640, lender questionnaires, or statements of unpaid assessments;
  - (n) Provide for the indemnification of its officers and board

- members, to the extent provided in RCW 23B.17.030;
  - (o) Maintain directors' and officers' liability insurance;
  - (p) Subject to subsection (4) of this section, assign its right to future income, including the right to receive assessments;
  - (q) Join in a petition for the establishment of a parking and business improvement area, participate in the ratepayers' board or other advisory body set up by the legislative authority for operation of a parking and business improvement area, and pay special assessments levied by the legislative authority on a parking and business improvement area encompassing the condominium property for activities and projects that benefit the condominium directly or indirectly;
  - (r) Establish and administer a reserve account as described in RCW 64.90.535;
  - (s) Prepare a reserve study as described in RCW 64.90.545;
  - (t) Exercise any other powers conferred by the declaration or organizational documents;
  - (u) Exercise all other powers that may be exercised in this state by the same type of entity as the association;
  - (v) Exercise any other powers necessary and proper for the governance and operation of the association;
  - (w) Require that disputes between the association and unit owners or between two or more unit owners regarding the common interest community, other than those governed by chapter 64.50 RCW, be submitted to nonbinding alternative dispute resolution as a prerequisite to commencement of a judicial proceeding; and
  - (x) Suspend any right or privilege of a unit owner who fails to pay an assessment which suspension may be imposed for a reasonable amount of time not to exceed one business day after the association receives full payment of the delinquent assessment and the board has received confirmation of payment and cleared funds, but may not:
    - (i) Deny a unit owner or other occupant access to the owner's unit, or any limited common elements allocated only to that unit, or any common elements necessary to access the unit;
    - (ii) Suspend a unit owner's right to vote; or
    - (iii) Withhold services provided to a unit or a unit owner by the association if the effect of withholding the service would be to endanger the health, safety, or property of any person.
- (3) The declaration may not limit the power of the association beyond the limit authorized in subsection (2)(w) of this section to:
- (a) Deal with the declarant if the limit is more restrictive than the limit imposed on the power of the association to deal with other persons; or
  - (b) Institute litigation or an arbitration, mediation, or administrative proceeding against any person, subject to the following:
    - (i) The association must comply with chapter 64.50 RCW, if applicable, before instituting any proceeding described in chapter 64.50 RCW in connection with construction defects; and
    - (ii) The board must promptly provide notice to the unit owners of any legal proceeding in which the association is a party other than proceedings involving enforcement of rules or to recover unpaid assessments or other sums due the association.
- (4) Any borrowing by an association that is to be secured by an assignment of the association's right to receive future income pursuant to subsection (2)(e) and (p) of this section requires ratification by the unit owners as provided in this subsection.
- (a) The board must provide notice of the intent to borrow to all unit owners. The notice must include the purpose and maximum amount of the loan, the estimated amount and term of any assessments required to repay the loan, a reasonably detailed projection of how the money will be expended, and the interest

rate and term of the loan.

(b) In the notice, the board must set a date for a meeting of the unit owners, which must not be less than 14 and no more than 50 days after mailing of the notice, to consider ratification of the borrowing.

(c) Unless at that meeting, whether or not a quorum is present, unit owners holding a majority of the votes in the association or any larger percentage specified in the declaration reject the proposal to borrow funds, the association may proceed to borrow the funds in substantial accordance with the terms contained in the notice.

(5) If a tenant of a unit owner violates the governing documents, in addition to exercising any of its powers against the unit owner, the association may:

(a) Exercise directly against the tenant the powers described in subsection (2)(l) of this section;

(b) After giving notice to the tenant and the unit owner and an opportunity to be heard, levy reasonable fines against the tenant and unit owner for the violation; and

(c) Enforce any other rights against the tenant for the violation that the unit owner as the landlord could lawfully have exercised under the lease or that the association could lawfully have exercised directly against the unit owner, or both; but the association does not have the right to terminate a lease or evict a tenant unless permitted by the declaration. The rights referred to in this subsection (5)(c) may be exercised only if the tenant or unit owner fails to cure the violation within 10 days after the association notifies the tenant and unit owner of that violation.

(6) Unless a lease otherwise provides, this section does not:

(a) Affect rights that the unit owner has to enforce the lease or that the association has under other law; or

(b) Permit the association to enforce a lease to which it is not a party in the absence of a violation of the governing documents.

(7) The board may determine whether to take enforcement action by exercising the association's power to impose sanctions or commencing an action for a violation of the governing documents, including whether to compromise any claim for unpaid assessments or other claim made by or against it.

(8) The board does not have a duty to take enforcement action if it determines that, under the facts and circumstances presented:

(a) The association's legal position does not justify taking any or further enforcement action;

(b) The covenant, restriction, or rule being enforced is, or is likely to be construed as, inconsistent with law;

(c) Although a violation may exist or may have occurred, it is not so material as to be objectionable to a reasonable person or to justify expending the association's resources; or

(d) It is not in the association's best interests to pursue an enforcement action.

(9) The board's decision under subsections (7) and (8) of this section to not pursue enforcement under one set of circumstances does not prevent the board from taking enforcement action under another set of circumstances, but the board may not be arbitrary or capricious in taking enforcement action.

**Sec. 13.** RCW 64.90.410 and 2024 c 321 s 312 are each amended to read as follows:

(1)(a) Except as provided otherwise in the governing documents, subsection (4) of this section, or other provisions of this chapter, the board may act on behalf of the association.

(b) In the performance of their duties, officers and board members must exercise the degree of care and loyalty to the association required of an officer or director of a corporation organized, are subject to the conflict of interest rules governing directors and officers, and are entitled to the immunities from liability available to officers and directors under chapter 24.06 RCW. The standards of care and loyalty, and conflict of interest

rules and immunities described in this section apply regardless of the form in which the association is organized.

(2)(a) Except as provided otherwise in RCW 64.90.300(9), effective as of the transition meeting held in accordance with RCW 64.90.415(4), the board must be comprised of at least three members, at least a majority of whom must be unit owners. However, the number of board members need not exceed the number of units then in the common interest community.

(b) Unless the declaration or organizational documents provide for the election of officers by the unit owners, the board must elect the officers.

(c) Unless provided otherwise in the declaration or organizational documents, board members and officers must take office upon adjournment of the meeting at which they were elected or appointed or, if not elected or appointed at a meeting, at the time of such election or appointment, and must serve until their successor takes office.

(d) In determining the qualifications of any officer or board member of the association, "unit owner" includes, unless the declaration or organizational documents provide otherwise, any board member, officer, member, partner, or trustee of any person, who is, either alone or in conjunction with another person or persons, a unit owner.

(e) Any officer or board member of the association who would not be eligible to serve as such if he or she were not a board member, officer, partner in, or trustee of such a person is disqualified from continuing in office if he or she ceases to have any such affiliation with that person or that person would have been disqualified from continuing in such office as a natural person.

(3) Except when voting as a unit owner, the declarant may not appoint or elect any person or to serve itself as a voting, ex officio or nonvoting board member following the transition meeting.

(4) The board may not, without vote or agreement of the unit owners:

(a) Amend the declaration, except as provided in RCW 64.90.285;

(b) Amend the organizational documents of the association;

(c) Terminate the common interest community;

(d) Elect members of the board, but may fill vacancies in its membership not resulting from removal for the unexpired portion of any term or, if earlier, until the next regularly scheduled election of board members; or

(e) Determine the qualifications, powers, duties, or terms of office of board members.

(5) The board must adopt budgets as provided in RCW 64.90.525.

(6) Except for committees appointed by the declarant pursuant to special declarant rights, all committees of the association must be appointed by the board. Committees authorized to exercise any power reserved to the board must include at least two board members who have exclusive voting power for that committee. Committees that are not so composed may not exercise the authority of the board and are advisory only.

(7) A declaration may provide for the appointment of specified positions on the board by persons other than the unit owners or the declarant or an affiliate of the declarant during or after the period of declarant control. It also may provide a method for filling vacancies in those positions, other than by election by the unit owners. However, after the period of declarant control, appointed members:

(a) May not comprise more than one-third of the board; and

(b) Have no greater authority than any other board member.

**Sec. 14.** RCW 64.90.420 and 2024 c 321 s 314 are each amended to read as follows:

(1) No later than 30 days following the date of the transition

THIRTY FIRST DAY, FEBRUARY 12, 2025

meeting held pursuant to RCW 64.90.415(4), the declarant must deliver or cause to be delivered to the board elected at the transition meeting all property of the unit owners and association as required by the declaration or this chapter including, but not limited to:

(a) The original or a copy of the recorded declaration and each amendment to the declaration;

(b) The organizational documents of the association;

(c) The minute books, including all minutes, and other books and records of the association;

(d) Current rules and regulations that have been adopted;

(e) Resignations of officers and members of the board who are required to resign because the declarant is required to relinquish control of the association;

(f) The financial records, including canceled checks, bank statements, and financial statements of the association, and source documents from the time of formation of the association through the date of transfer of control to the unit owners;

(g) Association funds or the control of the funds of the association;

(h) Originals or copies of any recorded instruments of conveyance for any common elements included within the common interest community but not appurtenant to the units;

(i) All tangible personal property of the association;

(j) Except for alterations to a unit done by a unit owner other than the declarant, a copy of the most recent plans and specifications used in the construction or remodeling of the common interest community, except for buildings containing fewer than three units;

(k) Originals or copies of insurance policies for the common interest community and association;

(l) Originals or copies of any certificates of occupancy that may have been issued for the common interest community;

(m) Originals or copies of any other permits obtained by or on behalf of the declarant and issued by governmental bodies applicable to the common interest community;

(n) Originals or copies of all written warranties that are still in effect for the common elements, or any other areas or facilities that the association has the responsibility to maintain and repair, from the contractor, subcontractors, suppliers, and manufacturers and all owners' manuals or instructions furnished to the declarant with respect to installed equipment or building systems;

(o) A roster of unit owners and eligible mortgagees and their addresses and telephone numbers, if known, as shown on the declarant's records and the date of closing of the first sale of each unit sold by the declarant;

(p) Originals or copies of any leases of the common elements and other leases to which the association is a party;

(q) Originals or photocopies of any employment contracts or service contracts in which the association is one of the contracting parties or service contracts in which the association or the unit owners have an obligation or a responsibility, directly or indirectly, to pay some or all of the fee or charge of the person performing the service;

(r) Originals or copies of any qualified warranty issued to the association as provided for in RCW 64.35.505;

(s) Originals or copies of all other contracts to which the association is a party; and

(t) Originals or copies of the most recent reserve study prepared pursuant to RCW 64.90.545, if one exists.

(2) (~~Within~~) No later than 60 days (~~of~~) following the transition meeting, the board must retain the services of a certified public accountant to audit the records of the association as of the date of the transition meeting in accordance with generally accepted auditing standards unless the unit owners, other than the

2025 REGULAR SESSION

declarant, to which a majority of the votes are allocated elect to waive the audit. The cost of the audit must be a common expense unless otherwise provided in the declaration. The accountant performing the audit must examine supporting documents and records, including the cash disbursements and related paid invoices, to determine if expenditures were for association purposes and the billings, cash receipts, and related records to determine if the declarant was charged for and paid the proper amount of assessments.

**Sec. 15.** RCW 64.90.435 and 2018 c 277 s 308 are each amended to read as follows:

(1) Unless provided for in the declaration, the organizational documents of the association must:

(a) Provide the number of board members and the titles of the officers of the association;

(b) Provide for election by the board or, if the declaration requires, by the unit owners of a president, treasurer, secretary, and any other officers of the association the organizational documents specify;

(c) Specify the qualifications, powers and duties, terms of office, and manner of electing and removing board members and officers and filling vacancies in accordance with RCW 64.90.410;

(d) (~~Specify~~) If applicable, specify the powers the board or officers may delegate to other persons or to a managing agent;

(e) Specify a method for the unit owners to amend the organizational documents;

(f) Describe the budget ratification process required under RCW 64.90.525, if not provided in the declaration;

(g) Contain any provision necessary to satisfy requirements in this chapter or the declaration concerning meetings, voting, quorums, and other activities of the association; and

(h) Provide for any matter required by law of this state other than this chapter to appear in the organizational documents of organizations of the same type as the association.

(2) Subject to the declaration and this chapter, the organizational documents may provide for any other necessary or appropriate matters.

**Sec. 16.** RCW 64.90.445 and 2024 c 321 s 316 are each amended to read as follows:

(1) The following requirements apply to unit owner meetings:

(a) A meeting of the association must be held at least once each year. Failure to hold an annual meeting does not cause a forfeiture or give cause for dissolution of the association and does not affect otherwise valid association acts.

(b)(i) An association must hold a special meeting of unit owners to address any matter affecting the common interest community or the association if its president, a majority of the board, or unit owners having at least 20 percent, or any lower percentage specified in the organizational documents, of the votes in the association request that the secretary call the meeting.

(ii) If the association does not provide notice to unit owners of a special meeting within 30 days after the requisite number or percentage of unit owners request the secretary to do so, the requesting members may directly provide notice to all the unit owners of the meeting. The unit owners may discuss at a special meeting a matter not described in the notice under (c) of this subsection but may not take action on the matter without the consent of all unit owners.

(c) An association must provide notice to unit owners of the time, date, and place of each annual and special unit owners meeting not less than 14 days and not more than 50 days before the meeting date. Notice may be by any means described in RCW 64.90.515. The notice of any meeting must state the time, date, and place of the meeting and the items on the agenda, including:

(i) The text of any proposed amendment to the declaration or

organizational documents; and

(ii) ~~((Any changes in the previously approved budget that result in a change in the assessment obligations; and~~

~~((iii))) Any proposal to remove a board member or, if the declaration or organizational documents provide for the election of officers by the unit owners, any proposal to remove an officer.~~

(d) Unit owners must be given a reasonable opportunity at any meeting to comment regarding any matter affecting the common interest community or the association.

(e) A meeting of unit owners is not required to be held at a physical location if(~~(~~

~~(i) The)) the meeting is conducted ~~((by a means of communication that enables owners in different locations to communicate in real time to the same extent as if they were physically present in the same location, provided that such means of communication must have an option for owners to communicate by telephone; and~~~~

~~((ii) The declaration or organizational documents do not require that the owners meet at a physical location)) in accordance with subsection (3) of this section.~~

(f) In the notice for a meeting held at a physical location, the board may notify all unit owners that they may participate remotely in the meeting by a means of communication described in ~~((e) of this))~~ subsection (3) of this section.

(2) The following requirements apply to meetings of the board and committees authorized to act for the board:

(a) Meetings must be open to the unit owners except during executive sessions, but the board may expel or prohibit attendance by any person who, after warning by the chair of the meeting, disrupts the meeting. The board and those committees may hold an executive session only during a regular or special meeting of the board or a committee. A final vote or action may not be taken during an executive session.

(b) An executive session may be held only to:

(i) Consult with the association's attorney concerning legal matters;

(ii) Discuss existing or potential litigation or mediation, arbitration, or administrative proceedings;

(iii) Discuss labor or personnel matters;

(iv) Discuss contracts, leases, and other commercial transactions to purchase or provide goods or services currently being negotiated, including the review of bids or proposals, if premature general knowledge of those matters would place the association at a disadvantage; or

(v) Prevent public knowledge of the matter to be discussed if the board or committee determines that public knowledge would violate the privacy of any person.

(c) For purposes of this subsection, a gathering of members of the board or committees at which the board or committee members do not conduct association business is not a meeting of the board or committee. Board members and committee members may not use incidental or social gatherings to evade the open meeting requirements of this subsection.

(d) During the period of declarant control, the board must meet at least four times a year. At least one of those meetings must be held at the common interest community or at a place convenient to the community. After the transition meeting, unless the organizational documents provide otherwise, and except as otherwise provided in subsection (3) of this section, all board meetings must be at the common interest community or at a place convenient to the common interest community ~~((unless the unit owners amend the bylaws to vary the location of those meetings))~~.

(e) At each board meeting, the board must provide a reasonable opportunity for unit owners to comment regarding matters affecting the common interest community and the association. The board must provide at least 15 minutes at the beginning of

each meeting for unit owners to comment about agenda items before the board votes. The board may place reasonable time restrictions of not less than 90 seconds per owner per unit, except that the time per owner per unit may be reduced and allocated equally if more than 10 unit owners wish to comment.

(f) Unless the meeting is included in a schedule given to the unit owners, the secretary or other officer specified in the organizational documents must provide notice of each board meeting to each board member and to the unit owners. The notice must be given at least 14 days before the meeting and must state the time, date, place, and agenda of the meeting. Notwithstanding the foregoing, notice of a meeting to address an event or condition that could not have been reasonably foreseen and for which it is impracticable to provide notice as otherwise required by this chapter must be given at least seven days before the meeting and by means of electronic communication to unit owners whose electronic address or phone number is known to the association.

(g) If any materials are distributed to the board before the meeting, the board must make copies of those materials reasonably available to the unit owners, except that the board need not make available copies of unapproved minutes or materials that are to be considered in executive session.

(h) ~~((Unless the organizational))~~ Notwithstanding the governing documents ((provide otherwise)), fewer than all board members may participate in a regular or special meeting by or conduct a meeting through the use of any means of communication by which all board members participating can hear each other during the meeting. A board member participating in a meeting by these means is deemed to be present in person at the meeting.

~~((i) Unless the organizational documents provide otherwise, the board may meet by participation of all board members by telephonic, video, or other conferencing process if:~~

~~(i) The meeting notice states the conferencing process to be used and provides information explaining how unit owners may participate in the conference directly or by meeting at a central location or conference connection; and~~

~~(ii) The process provides all unit owners the opportunity to hear or perceive the discussion and to comment as provided in (e) of this subsection.~~

~~(j) After the transition meeting, unit owners may amend the organizational documents to vary the procedures for meetings described in (i) of this subsection.~~

~~((k))~~ (i) Prior to the transition meeting, without a meeting, the board may act by unanimous consent as documented in a record by all its members. Actions taken by unanimous consent must be kept as a record of the association with the meeting minutes. After the transition meeting, the board may act by unanimous consent only to undertake ministerial actions, actions subject to ratification by the unit owners, or to implement actions previously taken at a meeting of the board.

~~((l))~~ (j) A board member who is present at a board meeting at which any action is taken is presumed to have assented to the action taken unless the board member's dissent or abstention to such action is lodged with the person acting as the secretary of the meeting before adjournment of the meeting or provided in a record to the secretary of the association immediately after adjournment of the meeting. The right to dissent or abstain does not apply to a board member who voted in favor of such action at the meeting.

~~((m))~~ (k) A board member may not vote by proxy or absentee ballot.

~~((n))~~ (l) Even if an action by the board is not in compliance with this section, it is valid unless set aside by a court. An action seeking relief for failure of the board to comply with this section may not be brought more than 90 days after the minutes of the

THIRTY FIRST DAY, FEBRUARY 12, 2025

2025 REGULAR SESSION

board of the meeting at which the action was taken are approved or the record of that action is distributed to unit owners, whichever is later.

(3) Notwithstanding the governing documents, any meeting may be held by telephonic, video, or other conferencing process if:

(a) The meeting notice states the conferencing process to be used and provides information explaining how to participate in the conference;

(b) The process provides all participants the opportunity to hear or perceive the discussion and to comment as provided in subsection (2)(e) of this section;

(c) Any votes of the board members are conducted by roll call or other verbal vote; and

(d) Any person entitled to participate in the meeting is given the option of participating by telephone.

(4) Minutes of all unit owner meetings and board meetings, excluding executive sessions, must be maintained in a record. The decision on each matter voted upon at a board meeting or unit owner meeting must be recorded in the minutes.

**Sec. 17.** RCW 64.90.455 and 2024 c 321 s 317 are each amended to read as follows:

(1) Unit owners may vote at a meeting under subsection (2) or (3) of this section or, when a vote is conducted without a meeting, by ballot in the manner provided in subsection (4) of this section.

(2) At a meeting of unit owners the following requirements apply:

(a) Unless the declaration or bylaws otherwise provide, and except as provided in subsection (9) of this section, unit owners or their proxy holders may vote by voice vote, show of hands, standing, written ballot, or any other method authorized at the meeting.

(b) If unit owners attend the meeting by a means of communication under RCW 64.90.445(1) (e) or (f), the association shall implement reasonable measures to verify the identity of each unit owner attending remotely.

(c) Whenever proposals or board members are to be voted upon at a meeting, a unit owner may vote by duly executed absentee ballot if:

(i) The name of each candidate and the text of each proposal to be voted upon are set forth in a writing accompanying or contained in the notice of meeting; and

(ii) A ballot is provided by the association for such purpose. Any ballot provided by the association for election of board members by the unit owners must designate a blank space for unit owners to cast a vote for one or more candidates.

(d) When a unit owner votes by absentee ballot under (c) of this subsection, the association must be able to verify that the ballot is cast by the unit owner having the right to do so.

(3) Unless the declaration or organizational documents otherwise provide, unit owners may vote by proxy subject to the following requirements:

(a) Votes allocated to a unit may be cast pursuant to a directed or undirected proxy duly executed by a unit owner in the same manner as provided in RCW 24.06.110.

(b) When a unit owner votes by proxy, the association shall implement reasonable measures to verify the identity of the unit owner and the proxy holder.

(c) A unit owner may revoke a proxy given pursuant to this section only by actual notice of revocation to the secretary or the person presiding over a meeting of the association or by delivery of a subsequent proxy. The death or disability of a unit owner does not revoke a proxy given by the unit owner unless the person presiding over the meeting has actual notice of the death or disability.

(d) A proxy is void if it is not dated or purports to be revocable without notice.

(e) Unless stated otherwise in the proxy, a proxy terminates 11 months after its date of issuance.

(4) Unless the declaration or organizational documents otherwise provide, an association may conduct a vote without a meeting. The following requirements apply:

(a) The association must notify the unit owners that the vote will be taken by ballot without a meeting.

(b) The notice under (a) of this subsection must state:

(i) The time and date by which a ballot must be delivered to the association to be counted, which may not be fewer than 14 days after the date of the notice, and which deadline may be extended in accordance with (g) of this subsection;

(ii) The percent of votes necessary to approve each matter other than election of board members; and

(iii) The time, date, and manner by which unit owners wishing to deliver information to all unit owners regarding the subject of the vote may do so.

(c) The association must deliver with the notice under (a) of this subsection:

(i) Instructions for casting a ballot;

(ii) A ballot in a tangible medium to every unit owner except a unit owner that has consented in a record to electronic voting; and

(iii) If the association allows electronic voting, instructions for electronic voting.

(d) The ballot must set forth each proposed action and provide an opportunity to vote for or against the action. Any ballot provided by the association for election of board members by the unit owners must designate a blank space for unit owners to cast a vote for one or more candidates.

(e) A unit owner may revoke a ballot cast pursuant to this section before the date and time under (b) of this subsection by which the ballot must be delivered to the association only by actual notice to the association of revocation. The death or disability of a unit owner does not revoke a ballot unless the association has actual notice of the death or disability prior to the date set forth in (b)(i) of this subsection.

(f) Approval by ballot pursuant to this subsection is valid only if the number of votes cast by ballot equals or exceeds the quorum required to be present at a meeting authorizing the action.

(g) If the association does not receive a sufficient number of votes to constitute a quorum or to approve the proposal by the date and time established for return of ballots, the board may extend the deadline for a reasonable period not to exceed 11 months upon further notice to all members in accordance with (b) of this subsection. In that event, all votes previously cast on the proposal must be counted unless subsequently revoked as provided in this section.

(h) A ballot or revocation is not effective until received by the association.

(i) The association must give notice to unit owners of any action taken pursuant to this subsection within a reasonable time after the action is taken.

(j) When an action is taken pursuant to this subsection, a record of the action, including the ballots or a report of the persons appointed to tabulate such ballots, must be kept with the minutes of meetings of the association.

(k) The association shall implement reasonable measures to verify that each ballot in a tangible medium and electronic ballot is cast by the unit owner having a right to do so.

(l) A unit owner consents to electronic voting by delivering to the association a record indicating such consent or by casting an electronic ballot.

(m) An association that allows electronic ballots shall create a

record of electronic votes capable of retention, retrieval, and review.

(5) If the governing documents require that votes on specified matters affecting the common interest community be cast by lessees rather than unit owners of leased units:

- (a) This section applies to lessees as if they were unit owners;
- (b) Unit owners that have leased their units to other persons may not cast votes on those specified matters; and
- (c) Lessees are entitled to notice of meetings, access to records, and other rights respecting those matters as if they were unit owners.

(6) Unit owners must also be given notice of all meetings at which lessees may be entitled to vote.

(7) In any vote of the unit owners, votes allocated to a unit owned by the association must be cast in the same proportion as the votes cast on the matter by unit owners other than the association.

(8)(a) Unless a different number or fraction of the votes in an association is required by this chapter or the declaration, a majority of the votes cast determines the outcome of a vote taken at a meeting or without a meeting.

(b) If a unit is owned by more than one person and:

- (i) Only one owner casts a vote, that vote must be counted as casting all votes allocated to the unit by the declaration; and
- (ii) More than one owner casts a vote for the unit, no vote from any owner of the unit may be counted unless the declaration provides a manner for allocating votes cast by multiple owners of a unit.

(9)(a) Notwithstanding any other law or provision of the governing documents, the following votes of unit owners shall be conducted by secret ballot:

~~((a))~~ (i) Election of board members; ~~((b) removal)~~

(ii) Removal of board members or, if the declaration or organizational documents provide for the election of officers by the unit owners, the removal of officers; ~~((c) amendments)~~ or  
(iii) Amendments to the ~~((declaration or))~~ governing documents ~~((; or (d) unit owner approval of an amendment to the declaration for the reallocation of a common element as a limited common element for the exclusive use of an owner's unit pursuant to RCW 64.90.240)).~~

(b) At a meeting of unit owners held pursuant to this section, the secret ballots physically received by the association must be opened and counted and the results of the secret ballots received by the association by electronic means must be reviewed, announced, and recorded in the meeting minutes. A quorum is not required to be present when the secret ballots physically received by the association are opened and counted or the results of the secret ballots received by the association by electronic means are reviewed, announced, and recorded in the meeting minutes.

(c) The incumbent members of the board and each person whose name is placed on the ballot as a candidate for membership on the board may not possess, be given access to, or participate in the opening or counting of the secret ballots that the association physically receives, or the collection of data regarding the secret ballots that the association receives by electronic means, before those secret ballots have been opened and counted or reviewed, announced, and recorded in the meeting minutes, as applicable, at a meeting of the association.

**Sec. 18.** RCW 64.90.475 and 2018 c 277 s 316 are each amended to read as follows:

(1) The association must establish and maintain its accounts and records in a manner that will enable it to credit assessments for common expenses ~~((and specially allocated expenses))~~, including allocations to reserves, and other income to the association, and to charge expenditures, to the account of the appropriate units in accordance with the provisions of the

declaration.

(2) To assure that the unit owners are correctly assessed for the actual expenses of the association, the accounts of the association must be reconciled at least annually unless the board determines that a reconciliation would not result in a material savings to any unit owner. Unless provided otherwise in the declaration, any surplus funds of the association remaining after the payment of or provision for common expenses and any prepayment of reserves must be paid annually to the unit owners in proportion to their common expense liabilities or credited to them to reduce their future common expense assessments.

**Sec. 19.** RCW 64.90.480 and 2024 c 321 s 207 are each amended to read as follows:

(1)(a) Assessments for common expenses ~~((and those specially allocated expenses that are subject to inclusion in a budget))~~ must be made at least annually based on a budget adopted at least annually by the association in the manner provided in RCW 64.90.525.

(b) Assessments for common expenses ~~((and specially allocated expenses))~~ must commence on all units that have been created upon the conveyance of the first unit in the common interest community; however, the declarant may delay commencement of assessments for some or all common expenses ~~((or specially allocated expenses))~~, in which event the declarant must pay all of the common expenses ~~((or specially allocated expenses))~~ that have been delayed. In a common interest community in which units may be added pursuant to reserved development rights, the declarant may delay commencement of assessments for such units in the same manner.

(2) The declaration may provide that, upon closing of the first conveyance of each unit to a purchaser or first occupancy of a unit, whichever occurs first, the association may assess and collect a working capital contribution for such unit. The working capital contribution may be collected prior to the commencement of common assessments under subsection (1) of this section. A working capital contribution may not be used to defray expenses that are the obligation of the declarant.

(3) Except as provided otherwise in this section, all common expenses must be assessed against all the units in accordance with their common expense liabilities, subject to the right of the declarant to delay commencement of certain common expenses under subsections (1) and (2) of this section. Any past due assessment or installment of past due assessment bears interest at the rate established by the association pursuant to RCW 64.90.485.

(4) The declaration may provide that any of the following common expenses of the association must be assessed against the units on some basis other than common expense liability. If and to the extent the declaration so provides, the association must assess:

(a) Expenses associated with the operation, maintenance, repair, or replacement of any specified limited common element against the units to which that limited common element is assigned, equally or in any other proportion that the declaration provides;

(b) Expenses specified in the declaration as benefiting fewer than all of the units or their unit owners exclusively against the units benefited in proportion to their common expense liability or in any other proportion that the declaration provides, but if the common expense is for the maintenance, repair, or replacement of a common element other than a limited common element, the expense may be assessed exclusively against them only if the declaration reasonably identifies the common expense by specific listing or category;

(c) The costs of insurance in proportion to risk; and

(d) The costs of one or more specified services or utilities in



THIRTY FIRST DAY, FEBRUARY 12, 2025

2025 REGULAR SESSION

proportion to respective usage, whether metered, billed in bulk based on unit count, or reasonably estimated, or upon the same basis as such (~~utility~~) charges are made by the service or utility provider.

(5) Assessments to pay a judgment against the association may be made only against the units in the common interest community at the time the judgment was entered, in proportion to their common expense liabilities.

(6) The association may assess exclusively against a unit owner's unit common expenses, including expenses relating to damage to or loss of property, caused by the:

(a) Willful misconduct or gross negligence of the unit owner or the unit owner's tenant, guest, invitee, or occupant;

(b) Failure of the unit owner to comply with a maintenance standard prescribed by the declaration or a rule, if the standard contains a statement that an owner may be liable for damage or loss caused by failure to comply with the standard; or

(c) Negligence of the unit owner or the unit owner's tenant, guest, invitee, or occupant, if the declaration contains a statement that an owner may be liable for damage or loss caused by such negligence.

(7) Before an association makes an assessment under subsection (6) of this section, the association must give notice to the unit owner and provide an opportunity for a hearing. The assessment is limited to the expense the association incurred under subsection (6) of this section less any insured proceeds received by the association, whether the difference results from the application of a deductible or otherwise.

(8) In the event of a loss or damage to a unit that would be covered by the association's property insurance policy, excluding policies for earthquake, flood, or similar losses that have higher than standard deductibles, but that is within the deductible under that policy and if the declaration so provides, the association may assess the amount of the loss up to the deductible against that unit. This subsection does not prevent a unit owner from asserting a claim against another person for the amount assessed if that other person would be liable for the damages under general legal principles.

(9) If common expense liabilities are reallocated, assessments and any installment of assessments not yet due must be recalculated in accordance with the reallocated common expense liabilities.

(10) An association must provide at least one method of accepting payment of assessments from unit owners at no charge or as a common expense.

**Sec. 20.** 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~~) common interest community, 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

THIRTY FIRST DAY, FEBRUARY 12, 2025

2025 REGULAR SESSION

the person signing the conveyance as grantor and a recital of the facts of nonpayment of the assessment and of the giving of the notices required under this subsection are sufficient proof of the facts recited and of the authority to sign. Further proof of authority is not required even though the association is named as grantee in the conveyance.

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

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

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

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

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

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

(20) To the extent not inconsistent with this section, the

declaration may provide for such additional remedies for collection of assessments as may be permitted by law.

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

**THIS IS A NOTICE OF DELINQUENCY FOR PAST DUE ASSESSMENTS**

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

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

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

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

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

**SEEKING ASSISTANCE**

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

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

Telephone: . . . . . Website: . . . . .

The United States Department of Housing and Urban Development

Telephone: . . . . . Website: . . . . .

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

Telephone: . . . . . Website: . . . . .

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

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

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

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

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

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

(ii) \$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) 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. 21.** RCW 64.90.513 and 2022 c 27 s 4 are each amended to read as follows:

(1)(a) A unit owners association may not adopt or enforce a restriction, covenant, condition, bylaw, rule, regulation, provision of a governing document, or master deed provision that:

(i) Effectively prohibits or unreasonably restricts the installation or use of an electric vehicle charging station in compliance with the requirements of this section and for the personal noncommercial use of a unit owner, within the boundaries of a unit or in a designated parking space; or

(ii) Is in conflict with the provisions of this section.

(b) Nothing in this section prohibits an association from imposing reasonable restrictions on electric vehicle charging stations. However, it is the policy of the state to promote, encourage, and remove obstacles to the use of electric vehicle charging stations.

(c) Notwithstanding (a) or (b) of this subsection, an association of single-family homes, site condominiums, or a planned use development where the units are not immediately adjacent may not require approval of the installation of an electric vehicle charging station unless the electric vehicle charging station:

(i) Is installed within or upon a common element; or

(ii) Is connected to a common electrical power supply.

(2) A unit owners association may require a unit owner to submit an application for approval for the installation of an electric vehicle charging station before installing the charging station unless such installation is exempt from restrictions pursuant to subsection (1)(c) of this section.

(3)(a) If approval is required for the installation or use of an electric vehicle charging station subject to subsection (2) of this section, the application for approval must be processed and approved in the same manner as an application for approval of an architectural modification.

(b) The approval or denial of an application must be in writing and must not be willfully avoided or delayed.

(c) If an application is not denied in writing within 60 days from the date of receipt of the application, the application is deemed approved, unless that delay is the result of a reasonable request for additional information.

(d) An association may not assess or charge a unit owner a fee for the placement of an electric vehicle charging station. An association may charge a reasonable fee for processing the application to approve the installation of an electric vehicle charging station, but only if such a fee exists for all applications for approval of architectural modifications.

(4) If approval is required for the installation or use of an electric vehicle charging station subject to subsection (2) of this section, a unit owners association must approve the installation within the boundaries of a unit or in a designated parking space if

the installation is reasonably possible and the unit owner agrees in writing to:

(a) Comply with the association's reasonable architectural standards applicable to the installation of the electric vehicle charging station;

(b) Engage an electrical contractor familiar with the standards for the installation of electric vehicle infrastructure to assess the existing infrastructure necessary to support the proposed electric vehicle charging station, identify additional infrastructure needs, and install the electric vehicle charging station;

(c)(i) Provide, within the time specified in (c)(ii) of this subsection, a certificate of insurance naming the association as an additional insured on the unit owner's insurance policy for any claim related to the installation, inspection, maintenance, or use of the electric vehicle charging station in a common interest community other than an association of single-family homes, site condominiums, or a planned use development where the units are not immediately adjacent;

(ii) A certificate of insurance required under (c)(i) of this subsection must be provided within 14 days after the association approves the installation of the electric vehicle charging station. Reimbursement for an increased insurance premium amount under (c)(i) of this subsection must be provided within 14 days after the unit owner receives the association's invoice for the amount attributable to the charging station;

(d) Register the electric vehicle charging station with the association within 30 days after installation;

(e) Pay for the electricity usage associated with the electric vehicle charging station and the required means to facilitate payment for the electricity; and

(f) Comply with the requirements of this section.

(5)(A) A unit owner must obtain any permit or approval for an electric vehicle charging station as required by the local government in which the common interest community is located and comply with all relevant building codes and safety standards.

(b) An electric vehicle charging station must meet all applicable health and safety standards and requirements imposed by national, state, or local authorities, and all other applicable zoning, land use or other ordinances, building codes, or land use permits.

(6)(a) Unless otherwise agreed to by written contract with the unit owners association, a unit owner is responsible for the costs of installing an electric vehicle charging station.

(b) Electric vehicle charging station equipment that is installed at the unit owner's cost and is removable without damage to the property owned by others may be removed at the unit owner's cost. Nothing in this subsection requires the association to purchase the electric vehicle charging station.

(7) ~~((A))~~ When an installed electric vehicle charging station is not exempt from restrictions pursuant to subsection (1)(c) of this section, a unit owner must disclose to any prospective buyers of the unit:

(a) The existence of an electric vehicle charging station and the related responsibilities of the owner under this section; and

(b) Whether the electric vehicle charging station is removable and whether the owner intends to remove the charging station.

(8) ~~((The))~~ Except as set forth in the governing documents and without regard for when an electric vehicle charging station was first put into service and the location of any components thereof, the owner and each successive owner of an electric vehicle charging station exclusively serving the owner's unit is responsible for:

(a) Costs for the inspection, maintenance, repair, and replacement of the electric vehicle charging station up until the station is removed;

(b) Costs for damage to the electric vehicle charging station,

THIRTY FIRST DAY, FEBRUARY 12, 2025

2025 REGULAR SESSION

any unit, common element, or limited common element resulting from the installation, use, inspection, maintenance, repair, removal, or replacement of the electric vehicle charging station;

(c) The cost of electricity associated with the electric vehicle charging station;

(d) Obtaining and maintaining an insurance policy that meets the requirements in subsection (4)(c) of this section;

(e) If the owner decides to remove the electric vehicle charging station, costs for the removal and the restoration of the common element or limited common element after the removal; and

(f) Removing the electric vehicle charging station if reasonably necessary for the inspection, repair, maintenance, or replacement of the common element or limited common element.

(9) A unit owners association may install an electric vehicle charging station in the common elements for the use of all unit owners and, in that case, the association must develop appropriate terms of use for the charging station.

(10)(a) A unit owners association that willfully violates this section is liable to the unit owner for actual damages, and shall pay a civil penalty to the unit owner in an amount not to exceed \$1,000.

(b) In any action by a unit owner requesting to have an electric vehicle charging station installed and seeking to enforce compliance with this section, the court shall award reasonable attorneys' fees and costs to any prevailing unit owner.

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

(a) "Designated parking space" means a parking space that is specifically designated for use by a particular unit owner, including a garage, a deeded parking space, and a parking space in a limited common element that is restricted for use by one or more unit owners.

(b) "Electric vehicle charging station" means a station that delivers electricity from a source outside an electric vehicle into one or more electric vehicles. An electric vehicle charging station may include several charge points simultaneously connecting several electric vehicles to the station and any related equipment needed to facilitate charging plug-in electric vehicles.

(c) "Reasonable restriction" means a restriction that does not significantly increase the cost of an electric vehicle charging station or significantly decrease its efficiency or specified performance.

**Sec. 22.** RCW 64.90.525 and 2018 c 277 s 326 are each amended to read as follows:

(1)(a) Within thirty days after adoption of any proposed budget for the common interest community, the board must provide a copy of the budget to all the unit owners and set a date for a meeting of the unit owners to consider ratification of the budget not less than fourteen nor more than fifty days after providing the budget. Unless at that meeting the unit owners of units to which a majority of the votes in the association are allocated or any larger percentage specified in the declaration reject the budget, the budget and the assessments against the units included in the budget are ratified, whether or not a quorum is present.

(b) If the proposed budget is rejected or the required notice is not given, the periodic budget last ratified by the unit owners continues until the unit owners ratify a subsequent budget proposed by the board.

(2) The budget must include:

(a) The projected income to the association by category;

(b) The projected common expenses (~~and those specially allocated expenses that are subject to being budgeted, both~~) by category;

(c) The amount of the assessments per unit and the date the assessments are due;

(d) The current amount of regular assessments budgeted for contribution to the reserve account;

(e) A statement of whether the association has a reserve study that meets the requirements of RCW 64.90.550 and, if so, the extent to which the budget meets or deviates from the recommendations of that reserve study; and

(f) The current deficiency or surplus in reserve funding expressed on a per unit basis.

(3) The board, at any time, may propose a special assessment. The assessment is effective only if the board follows the procedures for ratification of a budget described in subsection (1) of this section and the unit owners do not reject the proposed assessment. The board may provide that the special assessment may be due and payable in installments over any period it determines and may provide a discount for early payment.

**Sec. 23.** RCW 64.90.530 and 2018 c 277 s 327 are each amended to read as follows:

(1) The association must prepare, or cause to be prepared, at least annually, a financial statement of the association in accordance with accrual based accounting practices.

(2) The financial statements of associations with annual assessments of ~~((fifty thousand dollars))~~ \$50,000 or more must be audited at least annually by a certified public accountant. In the case of an association with annual assessments of less than ~~((fifty thousand dollars))~~ \$50,000, an annual audit is also required but may be waived annually by unit owners other than the declarant of units to which a majority of the votes in the association are allocated, excluding the votes allocated to units owned by the declarant.

(3) The association must keep all funds of the association in the name of the association with a qualified financial institution, except as provided in RCW 64.90.535. The funds must not be commingled with the funds of any other association or with the funds of any managing agent of the association or any other person, or be kept in any trust account or custodial account in the name of any trustee or custodian.

(4) A managing agent who accepts or receives funds belonging to the association must promptly deposit all such funds into an account maintained by the association as provided in subsection (3) of this section or RCW 64.90.535, as appropriate.

**Sec. 24.** RCW 64.90.535 and 2018 c 277 s 328 are each amended to read as follows:

(1) An association required to obtain a reserve study pursuant to RCW 64.90.545 must establish one or more accounts for the deposit of funds, if any, for the replacement costs of reserve components. ~~((Any reserve account must be an income earning account maintained under the direct control of the board, and the board is responsible for administering the reserve account.))~~ Reserve accounts must be maintained such that reserve funds are not commingled with other funds of the association.

(2)(a) Except as otherwise provided in this subsection, reserve funds must be held in an interest-bearing account at a financial institution domiciled in the United States that is regulated by FINRA or by the office of the comptroller of the currency. The reserve account must be maintained by the board and titled solely in the name of the association, with authorized signatories for the account added or removed only at the direction of the board. The board is responsible for administering the reserve account.

(b)(i) Notwithstanding any contrary requirements of this section and the governing documents, reserve funds may be held in cash or invested in money market funds, certificates of deposit, or United States treasury bills, notes, or bonds. Any decision by the board to hold funds in certificates of deposit or United States treasury bills, notes, or bonds must consider all factors enumerated by RCW 11.100.020(3).

(ii) Decisions related to reserve funds held pursuant to this subsection (2)(b) must be made by the board, except the board may delegate decisions for maintaining funds in timed deposit durations less than or equal to 100 days. Such decisions must adhere to a duly adopted policy or resolution approved by the board that:

(A) Incorporates the factors enumerated by RCW 11.100.020(3);

(B) Complies with this chapter; and

(C) Complies with any greater requirements imposed by the governing documents.

(c) Unless provided otherwise by the governing documents, reserve funds may be invested in securities, provided that:

(i)(A) Except as provided in (c)(i)(B) of this subsection, new investments in securities, including reinvestments: (I) May only be made when the total value of reserve funds is equal to or greater than \$250,000; and (II) may not be made if the total value of reserve funds held in accounts described in (b) of this subsection would be less than 50 percent upon making the new investment.

(B) The owners of units to which at least 75 percent of the votes in the association are allocated may vote to invest, including reinvestments, up to 100 percent of any available reserve funds subject to the additional requirements of this section;

(ii) The investments are approved as part of the budget ratification process under RCW 64.90.525;

(iii) The investments are administered according to the standards established by RCW 11.100.020; and

(iv) The investments are administered by a qualified third-party fiduciary or directly by the board in consultation with an independent, qualified investment adviser as defined in RCW 21.20.005.

(d) For purposes of this subsection:

(i) "FINRA" has the same meaning as defined in RCW 48.23.015;

(ii) "Independent" means a person who:

(A) Is not an employee, officer, or director of the association;

(B) Is not an immediate family member or affiliate, as these terms are defined in RCW 64.90.485, of an employee, officer, or director of the association; and

(C) Has no pecuniary interest in the association.

(iii) "Securities" has the same meaning as "security" as defined in RCW 21.20.005, but does not include accounts described in (a) or (b)(i) of this subsection.

(3) Except for investments and transfers between separate reserve accounts held by the same association, every disbursement of reserve funds requires:

(a) The signature of at least two persons who are officers or directors of the association; and

(b) Documentation of the expenses with supporting invoices including:

(i) Assigned components of the reserve study relating to the disbursement and their classification such as, but not limited to, common elements, residential common elements, or commercial common elements;

(ii) A statement that the disbursement is related to one or more reserve components not currently included in the reserve study and their classification such as, but not limited to, common elements, residential common elements, commercial common elements; or

(iii) A statement indicating a disbursement to borrow from the reserve that includes the repayment plan required by RCW 64.90.540(1).

**Sec. 25.** RCW 64.90.580 and 2024 c 128 s 4 are each amended to read as follows:

(1)(a) A unit owners association may not adopt or enforce a

restriction, covenant, condition, bylaw, rule, regulation, provision of a governing document, or master deed provision that:

(i) Effectively prohibits or unreasonably restricts the installation or use of a heat pump in compliance with the requirements of this section and for the personal use of a unit owner within the boundaries of a unit; or

(ii) Is in conflict with the provisions of this section.

(b) Nothing in this section prohibits an association from imposing reasonable restrictions on heat pumps.

(c) This section must not be construed to permit installation by a unit owner of heat pump equipment on or in common elements without approval of the board which shall not be unreasonably withheld.

(2) A unit owners association may require a unit owner to submit an application for approval for the installation of a heat pump before installing the heat pump.

(3)(a) If approval is required for the installation of a heat pump, the application for approval must be processed and approved in the same manner as an application for approval of an architectural modification.

(b) The approval or denial of an application must be in writing and must not be willfully avoided or delayed.

(c) If an application is not denied in writing within 60 days from the date of receipt of the application, the application is deemed approved, unless that delay is the result of a reasonable request for additional information.

(d) An association may not assess or charge a unit owner a fee for the installation of a heat pump. An association may charge a reasonable fee for processing the application to approve the installation of a heat pump, but only if such a fee exists for all applications for approval of architectural modifications.

(4) If approval is required for the installation of a heat pump, a unit owners association must approve the installation if the installation is reasonably possible and the unit owner agrees in writing to:

(a) Comply with the association's reasonable architectural standards applicable to the installation of the heat pump;

(b) Engage a heating, ventilation, and air conditioning (HVAC) contractor familiar with the standards for the installation of heat pumps to assess the existing infrastructure necessary to support the proposed heat pump, identify additional infrastructure needs, and install the heat pump; and

(c) Comply with the requirements of this section.

(5)(a) A unit owner must obtain any permit or approval for a heat pump as required by the local government in which the common interest community is located and comply with all relevant building codes and safety standards.

(b) A heat pump must meet all applicable health and safety standards and requirements imposed by national, state, or local authorities, and all other applicable zoning, land use or other ordinances, building codes, or land use permits.

(6)(a) Unless otherwise agreed to by written contract with the unit owners association, a unit owner is responsible for the costs of installing a heat pump.

(b) Heat pump equipment that is installed at the unit owner's cost and is removable without damage to the property owned by others may be removed at the unit owner's cost.

(7) ~~((The))~~ Except as set forth in the governing documents and without regard for when a heat pump was first put into service and the location of any components thereof, the unit owner and each successive owner of ((the)) a heat pump exclusively serving the owner's unit is responsible for:

(a) Costs for the inspection, maintenance, repair, and replacement of the heat pump up until the heat pump is removed;

(b) Costs for damage to the heat pump, any unit, common element, or limited common element resulting from the

THIRTY FIRST DAY, FEBRUARY 12, 2025

2025 REGULAR SESSION

installation, inspection, use, maintenance, repair, removal, or replacement of the heat pump;

(c) If the unit owner decides to remove the heat pump, costs for the removal and the restoration of the common elements or limited common elements after the removal; and

(d) Removing heat pump equipment if reasonably necessary for the inspection, repair, maintenance, or replacement of the common element or limited common element.

(8)(a) A unit owners association that willfully violates this section is liable to the unit owner for actual damages, and shall pay a civil penalty to the unit owner in an amount not to exceed \$1,000.

(b) In any action by a unit owner requesting to have a heat pump installed and seeking to enforce compliance with this section, the court shall award reasonable attorneys' fees and costs to any prevailing unit owner.

(9) For the purposes of this section:

(a) "Heat pump" means a heating or refrigerating system used to transfer heat. The heat pump condenser and evaporator may change roles to transfer heat in either direction. By receiving the flow of air or other fluid, a heat pump is used to cool or heat.

(b) "Reasonable restriction" means a restriction that does not significantly increase the cost of a heat pump or significantly decrease its efficiency or specified performance.

**Sec. 26.** RCW 64.90.600 and 2018 c 277 s 401 are each amended to read as follows:

(1) RCW 64.90.605 through 64.90.695 apply to all units subject to this chapter, except as provided in subsections (2) and (3) of this section.

(2) RCW 64.90.605 through 64.90.695 do not apply in the case of:

- (a) A conveyance by gift, devise, or descent;
- (b) A conveyance pursuant to court order;
- (c) A conveyance by a government or governmental agency;
- (d) A conveyance by foreclosure;
- (e) A conveyance of all of the units in a common interest community in a single transaction;
- (f) A conveyance to other than a purchaser;
- (g) An agreement to convey that may be canceled at any time and for any reason by the purchaser without penalty;
- (h) A conveyance of a unit restricted to nonresidential uses, except and to the extent otherwise agreed to in writing by the seller and purchaser of that unit.

(3) RCW 64.90.665, 64.90.670, 64.90.675, 64.90.680, 64.90.690, and 64.90.695 apply only to condominiums created under this chapter, and do not apply to other common interest communities.

(4) RCW 64.90.640 applies to all units subject to this chapter unless the buyer of a unit within a common interest community has expressly waived the receipt of a resale certificate because it is unavailable. For purposes of this subsection and RCW 64.90.640(1), a resale certificate is unavailable if:

(a) The seller attests that the association failed to provide the resale certificate within 10 days of request and delivery of payment pursuant to the requirements of RCW 64.90.640(2);

(b) The seller indicates in the seller disclosure statement required by chapter 64.06 RCW that there is no homeowners association and no regular periodic assessments;

(c) The seller attests that they have owned the property for at least 365 days and, to the best of the seller's knowledge, the association has not sent notice of an annual meeting, budget ratification, or assessments, or attempted to enforce the covenants in the last five years or since the seller purchased the property, whichever is less; or

(d) The seller attests that they have made three good faith

attempts to request the resale certificate and remit payment to the association or its authorized agent and has not received a response within three business days.

**Sec. 27.** RCW 64.90.610 and 2024 c 321 s 327 are each amended to read as follows:

(1) A public offering statement must contain the following information:

- (a) The name and address of the declarant;
- (b) The name and address or location of the management company, if any;
- (c) The relationship of the management company to the declarant, if any;
- (d) The name and address of the common interest community;
- (e) A statement whether the common interest community is a condominium, cooperative, plat community, or miscellaneous community;
- (f) A list, current as of the date the public offering statement is prepared, of up to the five most recent common interest communities in which at least one unit was sold by the declarant or an affiliate of the declarant within the past five years, including the names of the common interest communities and their addresses;
- (g) The nature of the interest being offered for sale;
- (h) A general description of the common interest community, including to the extent known to the declarant, the types and number of buildings that the declarant anticipates including in the common interest community and the declarant's schedule of commencement and completion of such buildings and principal common amenities;
- (i) The status of construction of the units and common elements, including estimated dates of completion if not completed;
- (j) The number of existing units in the common interest community;
- (k) Brief descriptions of (i) the existing principal common amenities, (ii) those amenities that will be added to the common interest community, and (iii) those amenities that may be added to the common interest community;
- (l) A brief description of the limited common elements, other than those described in RCW 64.90.210 (1)(b) and (3), that may be allocated to the units being offered for sale;
- (m) The identification of any rights of persons other than unit owners to use any of the common elements, and a description of the terms of such use;
- (n) The identification of any real property not in the common interest community that unit owners have a right to use and a description of the terms of such use;
- (o) Any services the declarant provides or expenses that the declarant pays that are not reflected in the budget, but that the declarant expects may become at any subsequent time a common expense of the association, and the projected common expense attributable to each of those services or expenses;
- (p) An estimate of any assessment or payment required by the declaration to be paid by the purchaser of a unit at closing;
- (q) A brief description of any liens or monetary encumbrances on the title to the common elements that will not be discharged at closing;
- (r) A brief description or a copy of any express construction warranties to be provided to the purchaser;
- (s) A statement, as required under RCW 64.35.210, as to whether the units or common elements of the common interest community are covered by a qualified warranty;
- (t) If applicable to the common interest community, a statement whether the common interest community contains any multiunit residential building subject to chapter 64.55 RCW and, if so,

whether:

(i) The building enclosure has been designed and inspected to the extent required under RCW 64.55.010 through 64.55.090; and

(ii) Any repairs required under RCW 64.55.090 have been made;

(u) A statement of any unsatisfied judgments or pending suits against the association and the status of any pending suits material to the common interest community of which the declarant has actual knowledge;

(v) A statement of any litigation brought by an owners association, unit owner, or governmental entity in which the declarant or any affiliate of the declarant has been a defendant arising out of the construction, sale, or administration of any common interest community within the previous five years, together with the results of the litigation, if known;

(w) A brief description of:

(i) Any restrictions on use or occupancy of the units contained in the governing documents;

(ii) Any restrictions on the renting or leasing of units by the declarant or other unit owners contained in the governing documents;

(iii) Any rights of first refusal to lease or purchase any unit or any of the common elements contained in the governing documents; and

(iv) Any restriction on the amount for which a unit may be sold or on the amount that may be received by a unit owner on sale;

(x) A description of the insurance coverage provided for the benefit of unit owners;

(y) Any current or expected fees or charges not included in the common expenses to be paid by unit owners for the use of the common elements and other facilities related to the common interest community, together with any fees or charges not included in the common expenses to be paid by unit owners to any master or other association;

(z) The extent, if any, to which bonds or other assurances from third parties have been provided for completion of all improvements that the declarant is obligated to build pursuant to RCW 64.90.695;

(aa) In a cooperative, a statement whether the unit owners are entitled, for federal, state, and local income tax purposes, to a pass-through of any deductions for payments made by the association for real estate taxes and interest paid to the holder of a security interest encumbering the cooperative;

(bb) In a cooperative, a statement as to the effect on every unit owner's interest in the cooperative if the association fails to pay real estate taxes or payments due to the holder of a security interest encumbering the cooperative;

(cc) In a leasehold common interest community, a statement whether the expiration or termination of any lease may terminate the common interest community or reduce its size, the recording number of any such lease or a statement of where the complete lease may be inspected, the date on which such lease is scheduled to expire, a description of the real estate subject to such lease, a statement whether the unit owners have a right to redeem the reversion, a statement whether the unit owners have a right to remove any improvements at the expiration or termination of such lease, a statement of any rights of the unit owners to renew such lease, and a reference to the sections of the declaration where such information may be found;

(dd) A summary of, and information on how to obtain a full copy of, any reserve study and a statement as to whether or not it was prepared in accordance with RCW 64.90.545 and 64.90.550 or the governing documents;

(ee) A brief description of any arrangement described in RCW 64.90.110 binding the association;

(ff) The estimated current common expense liability for the

units being offered;

(gg) Except for real property taxes, real property assessments and utility liens, any assessments, fees, or other charges known to the declarant and which, if not paid, may constitute a lien against any unit or common elements in favor of any governmental agency;

(hh) A brief description of any parts of the common interest community, other than the owner's unit, which any owner must maintain;

(ii) Whether timesharing is permitted or prohibited, and, if permitted, a statement that the purchaser of a timeshare unit is entitled to receive the disclosure document required under chapter 64.36 RCW;

(jj) If the common interest community is subject to any special declarant rights, the information required under RCW 64.90.615;

(kk) Any liens on real estate to be conveyed to the association required to be disclosed pursuant to RCW 64.90.650(3)(b);

(ll) A list of any physical hazards known to the declarant that particularly affect the common interest community or the immediate vicinity in which the common interest community is located and which are not readily ascertainable by the purchaser;

(mm) Any building code violation of which the declarant has actual knowledge and which has not been corrected;

(nn) If the common interest community contains one or more conversion buildings, the information required under RCW 64.90.620 and 64.90.655(6)(a);

(oo) If the public offering statement is related to conveyance of a unit in a multiunit residential building as defined in RCW 64.55.010, for which the final certificate of occupancy was issued more than 60 calendar months prior to the preparation of the public offering statement either: A copy of a report prepared by an independent, licensed architect or engineer or a statement by the declarant based on such report that describes, to the extent reasonably ascertainable, the present condition of all structural components and mechanical and electrical installations of the conversion buildings material to the use and enjoyment of the conversion buildings;

(pp) Any other information and cross-references that the declarant believes will be helpful in describing the common interest community to the recipients of the public offering statement, all of which may be included or not included at the option of the declarant;

(qq) A description of any age-related occupancy restrictions affecting the common interest community; and

(rr) ~~((In a condominium, plat community, or miscellaneous community containing a unit not having horizontal boundaries described in the declaration, a))~~ A statement whether the unit may be sold without consent of all the unit owners after termination of the common interest community under RCW 64.90.290.

(2) The public offering statement must begin with notices substantially in the following forms and in conspicuous type:

(a) "RIGHT TO CANCEL. (1) You are entitled to receive a copy of this public offering statement and all material amendments to this public offering statement before conveyance of your unit. Under RCW 64.90.635, you have the right to cancel your contract for the purchase of your unit within seven days after first receiving this public offering statement. If this public offering statement is first provided to you more than seven days before you sign your contract for the purchase of your unit, you have no right to cancel your contract. If this public offering statement is first provided to you seven days or less before you sign your contract for the purchase of your unit, you have the right to cancel, before conveyance of the unit, the executed contract by delivering, no later than the seventh day after first receiving this public offering statement, a notice of cancellation pursuant to section (3) of this notice. If this public offering statement is first



THIRTY FIRST DAY, FEBRUARY 12, 2025

2025 REGULAR SESSION

provided to you less than seven days before the closing date for the conveyance of your unit, you may, before conveyance of your unit to you, extend the closing date to a date not more than seven days after you first received this public offering statement, so that you may have seven days to cancel your contract for the purchase of your unit.

(2) You have no right to cancel your contract upon receipt of an amendment to this public offering statement; however, this does not eliminate any right to rescind your contract, due to the disclosure of the information in the amendment, that is otherwise available to you under generally applicable contract law.

(3) If you elect to cancel your contract pursuant to this notice, you may do so by hand-delivering notice of cancellation, or by mailing notice of cancellation by prepaid United States mail, to the seller at the address set forth in this public offering statement or at the address of the seller's registered agent for service of process. The date of such notice is the date of receipt, if hand-delivered, or the date of deposit in the United States mail, if mailed. Cancellation is without penalty, and all payments made to the seller by you before cancellation must be refunded promptly."

(b) "OTHER DOCUMENTS CREATING BINDING LEGAL OBLIGATIONS. This public offering statement is a summary of some of the significant aspects of purchasing a unit in this common interest community. The governing documents and the purchase agreement are complex, contain other important information, and create binding legal obligations. You should consider seeking the assistance of legal counsel."

(c) "OTHER REPRESENTATIONS. You may not rely on any statement, promise, model, depiction, or description unless it is (1) contained in the public offering statement delivered to you or (2) made in writing signed by the declarant or dealer or the declarant's or dealer's agent identified in the public offering statement. A statement of opinion, or a commendation of the real estate, its quality, or its value, does not create a warranty, and a statement, affirmation, promise, model, depiction, or description does not create a warranty if it discloses that it is only proposed, is not representative, or is subject to change."

(d) "MODEL UNITS. Model units are intended to provide you with a general idea of what a finished unit might look like. Units being offered for sale may vary from the model unit in terms of floor plan, fixtures, finishes, and equipment. You are advised to obtain specific information about the unit you are considering purchasing."

(e) "RESERVE STUDY. The association [does][does not] have a current reserve study. Any reserve study should be reviewed carefully. It may not include all reserve components that will require major maintenance, repair, or replacement in future years, and may not include regular contributions to a reserve account for the cost of such maintenance, repair, or replacement. You may encounter certain risks, including being required to pay as a special assessment your share of expenses for the cost of major maintenance, repair, or replacement of a reserve component, as a result of the failure to: (1) Have a current reserve study or fully funded reserves, (2) include a component in a reserve study, or (3) provide any or sufficient contributions to a reserve account for a component."

(f) "DEPOSITS AND PAYMENTS. Only earnest money and reservation deposits are required to be placed in an escrow or trust account. Any other payments you make to the seller of a unit are at risk and may be lost if the seller defaults."

(g) "CONSTRUCTION DEFECT CLAIMS. Chapter 64.50 RCW contains important requirements you must follow before you may file a lawsuit for defective construction against the seller or builder of your home. Forty-five days before you file your

lawsuit, you must deliver to the seller or builder a written notice of any construction conditions you allege are defective and provide your seller or builder the opportunity to make an offer to repair or pay for the defects. You are not obligated to accept any offer made by the builder or seller. There are strict deadlines and procedures under state law, and failure to follow them may affect your ability to file a lawsuit."

(h) "ASSOCIATION INSURANCE. The extent to which association insurance provides coverage for the benefit of unit owners (including furnishings, fixtures, and equipment in a unit) is determined by the provisions of the declaration and the association's insurance policy, which may be modified from time to time. You and your personal insurance agent should read the declaration and the association's policy prior to closing to determine what insurance is required of the association and unit owners, unit owners' rights and duties, what is and is not covered by the association's policy, and what additional insurance you should obtain."

(i) "QUALIFIED WARRANTY. Your unit F:\Journal\2025 Journal\Journal2025\LegDay031\is.doc [is not] covered by a qualified warranty under chapter 64.35 RCW."

(j) "THIS UNIT IS LOCATED WITHIN A COMMON INTEREST COMMUNITY AND IS SUBJECT TO THE DECLARATION, BYLAWS, RULES, AND OTHER WRITTEN INSTRUMENTS GRANTING AUTHORITY TO THE ASSOCIATION AS ADOPTED (THE "GOVERNING DOCUMENTS")."

THE PURCHASER OF THIS UNIT WILL BE REQUIRED TO BE A MEMBER OF THE ASSOCIATION AND WILL BE SUBJECT TO THE GOVERNING DOCUMENTS.

THE GOVERNING DOCUMENTS WILL IMPOSE FINANCIAL OBLIGATIONS UPON THE OWNER OF THE UNIT, INCLUDING AN OBLIGATION TO PAY ASSESSMENTS TO THE ASSOCIATION WHICH MAY INCLUDE REGULAR AND SPECIAL ASSESSMENTS, FINES, FEES, INTEREST, LATE CHARGES, AND COSTS OF COLLECTION, INCLUDING REASONABLE ATTORNEYS' FEES.

THE ASSOCIATION HAS A STATUTORY LIEN ON EACH INDIVIDUAL UNIT FOR ANY UNPAID ASSESSMENT FROM THE TIME IT IS DUE. FAILURE TO PAY ASSESSMENTS COULD RESULT IN THE FILING OF A LIEN ON THE UNIT AND LOSS OF THE UNIT THROUGH FORECLOSURE.

THE GOVERNING DOCUMENTS MAY PROHIBIT OWNERS FROM MAKING CHANGES TO THE UNIT WITHOUT REVIEW AND THE APPROVAL OF THE ASSOCIATION, AND MAY ALSO IMPOSE RESTRICTIONS ON THE USE OF ~~((THE))~~ THE UNIT, DISPLAY OF SIGNS, CERTAIN BEHAVIORS, AND OTHER ITEMS.

PURCHASERS OF THIS UNIT SHOULD CAREFULLY REVIEW THE FINANCIAL OBLIGATIONS OF MEMBERS OF THE ASSOCIATION, THE CURRENT STATE OF THE ASSOCIATION'S FINANCES, THE CURRENT RESERVE STUDY, IF ANY, THE GOVERNING DOCUMENTS, AND THE OTHER INFORMATION AVAILABLE IN THE RESALE CERTIFICATE. THE GOVERNING DOCUMENTS CONTAIN IMPORTANT INFORMATION AND CREATE BINDING LEGAL OBLIGATIONS. YOU SHOULD CONSIDER SEEKING THE ASSISTANCE OF LEGAL COUNSEL."

(3) The public offering statement must include copies of each of the following documents: The declaration; the map; the organizational documents; the rules, if any; the current or proposed budget for the association; a dated balance sheet of the association; any inspection and repair report or reports prepared

in accordance with the requirements of RCW 64.55.090; and any qualified warranty provided to a purchaser by a declarant together with a history of claims under the qualified warranty. If any of these documents are not in final form, the documents must be marked "draft" and, before closing the sale of a unit, the purchaser must be given notice of any material changes to the draft documents.

(4) A declarant must promptly amend the public offering statement to reflect any material change in the information required under this section.

**Sec. 28.** RCW 64.90.635 and 2024 c 321 s 328 are each amended to read as follows:

(1) A person required to deliver a public offering statement pursuant to RCW 64.90.605(3)(a) shall provide a purchaser with a copy of the public offering statement and all amendments thereto before conveyance of the unit (~~and not later than the date of any contract of sale~~). The purchaser may cancel a contract for the purchase of the unit within seven days after first receiving the public offering statement. If the public offering statement is first provided to a purchaser more than seven days before execution of a contract for the purchase of a unit, the purchaser does not have the right under this section to cancel the executed contract. If the public offering statement is first provided to a purchaser seven days or less before the purchaser signs a contract for the purchase of a unit, the purchaser, before conveyance of the unit to the purchaser, may cancel the contract by delivering, no later than the seventh day after first receiving the public offering statement, a notice of cancellation, delivered pursuant to subsection (3) of this section. If the public offering statement is first provided to a purchaser less than seven days before the closing date for the conveyance of that unit, the purchaser may, before conveyance of the unit to the purchaser, extend the closing date to a date not more than seven days after the purchaser first received the public offering statement.

(2) A purchaser does not have the right under this section to cancel a contract upon receipt of an amendment to a public offering statement. This subsection does not eliminate any right that is otherwise available to the purchaser under generally applicable contract law to rescind the contract due to a material change in the information disclosed in the amendment.

(3) If a purchaser elects to cancel a contract under subsection (1) of this section, the purchaser may do so by hand-delivering notice of cancellation, or by mailing notice of cancellation by prepaid United States mail, to the declarant at the address set forth in the public offering statement or at the address of the declarant's registered agent for service of process. The date of such notice is the date of receipt of delivery, if hand-delivered, or the date of deposit in the United States mail, if mailed. Cancellation is without penalty, and all payments made to the seller by the purchaser before cancellation must be refunded promptly. There is no liability for failure to deliver any amendment unless such failure would have entitled the purchaser under generally applicable legal principles to cancel the contract for the purchase of the unit had the undisclosed information been evident to the purchaser before the closing of the purchase.

(4) The language of the notice required under RCW 64.90.610(2)(a) must not be construed to modify the rights set forth in this section.

**Sec. 29.** RCW 64.90.640 and 2024 c 321 s 329 are each amended to read as follows:

(1) Except in the case of a sale when delivery of a public offering statement is required, or unless exempt under RCW 64.90.600(2) or unless the buyer of a unit within a common interest community has expressly waived the right to receive a resale certificate because it is unavailable as provided in RCW 64.90.600(4), a unit owner must furnish to a purchaser before

execution of any contract for sale of a unit, or otherwise before conveyance, a resale certificate, signed by an officer or authorized agent of the association and based on the books and records of the association and the actual knowledge of the person signing the certificate, containing:

(a) A statement disclosing any right of first refusal or other restraint on the free alienability of the unit contained in the declaration;

(b) With respect to the selling unit owner's unit, a statement setting forth the amount of any assessment currently due, any delinquent assessments, and a statement of any special assessments that have been levied and have not been paid even though not yet due;

(c) A statement, which must be current to within 45 days, of any assessments against any unit in the condominium that are past due over 30 days;

(d) A statement, which must be current to within 45 days, of any monetary obligation of the association that is past due over 30 days;

(e) A statement of any other fees payable to the association by unit owners;

(f) A statement of any expenditure or anticipated repair or replacement cost reasonably anticipated to be in excess of five percent of the board-approved annual budget of the association, regardless of whether the unit owners are entitled to approve such cost;

(g) A statement whether the association does or does not have a reserve study prepared in accordance with RCW 64.90.545 and 64.90.550;

(h) The annual financial statement of the association, including the audit report if it has been prepared, for the year immediately preceding the current year;

(i) The most recent balance sheet and revenue and expense statement, if any, of the association;

(j) The current operating budget of the association;

(k) A statement of any unsatisfied judgments against the association and the status of any legal actions in which the association is a party or a claimant as defined in RCW 64.50.010;

(l) A statement describing any insurance coverage carried by the association and contact information for the association's insurance broker or agent;

(m) A statement as to whether the board has given or received notice in a record that any existing uses, occupancies, alterations, or improvements in or to the seller's unit or to the limited common elements allocated to the unit violate any provision of the governing documents;

(n) A statement of the number of units, if any, still owned by the declarant, whether the declarant has transferred control of the association to the unit owners, and the date of such transfer;

(o) A statement as to whether the board has received notice in a record from a governmental agency of any violation of environmental, health, or building codes with respect to the seller's unit, the limited common elements allocated to that unit, or any other portion of the common interest community that has not been cured;

(p) A statement of the remaining term of any leasehold estate affecting the common interest community and the provisions governing any extension or renewal of the leasehold estate;

(q) A statement of any restrictions in the declaration affecting the amount that may be received by a unit owner upon sale;

(r) In a cooperative, an accountant's statement, if any was prepared, as to the deductibility for federal income tax purposes by the unit owner of real estate taxes and interest paid by the association;

(s) A statement describing any pending sale or encumbrance of common elements;

THIRTY FIRST DAY, FEBRUARY 12, 2025

2025 REGULAR SESSION

(t) A statement disclosing the effect on the unit to be conveyed of any restriction on the right to use or occupy the unit, including a restriction on a lease or other rental of the unit;

(u) A copy of the declaration, the organizational documents, the rules or regulations of the association, the minutes of board meetings and association meetings, except for any information exempt from disclosure under RCW 64.90.495(3), for the last 12 months, a summary of the current reserve study for the association, and any other information reasonably requested by mortgagees of prospective purchasers of units. Information requested generally by the federal national mortgage association, the federal home loan bank board, the government national mortgage association, the veterans administration, or the department of housing and urban development is deemed reasonable if the information is reasonably available to the association;

(v) A statement whether the units or common elements of the common interest community are covered by a qualified warranty under chapter 64.35 RCW and, if so, a history of claims known to the association as having been made under any such warranty;

(w) A description of any age-related occupancy restrictions affecting the common interest community;

(x) A statement describing any requirements related to electric vehicle charging stations located in the unit or the limited common elements allocated to the unit, including application status, insurance information, maintenance responsibilities, and any associated costs;

(y) If the association does not have a reserve study that has been prepared in accordance with RCW 64.90.545 and 64.90.550 or its governing documents, the following disclosure:

"This association does not have a current reserve study. The lack of a current reserve study poses certain risks to you, the purchaser. Insufficient reserves may, under some circumstances, require you to pay on demand as a special assessment your share of common expenses for the cost of major maintenance, repair, or replacement of a common element."; and

(z) The resale certificate must include a notice in substantially the following form and in conspicuous type:

"THIS UNIT IS LOCATED WITHIN A COMMON INTEREST COMMUNITY AND IS SUBJECT TO THE DECLARATION, BYLAWS, RULES, AND OTHER WRITTEN INSTRUMENTS GRANTING AUTHORITY TO THE ASSOCIATION AS ADOPTED (THE "GOVERNING DOCUMENTS").

THE PURCHASER OF THIS UNIT WILL BE REQUIRED TO BE A MEMBER OF THE ASSOCIATION AND WILL BE SUBJECT TO THE GOVERNING DOCUMENTS.

THE GOVERNING DOCUMENTS WILL IMPOSE FINANCIAL OBLIGATIONS UPON THE OWNER OF THE UNIT, INCLUDING AN OBLIGATION TO PAY ASSESSMENTS TO THE ASSOCIATION WHICH MAY INCLUDE REGULAR AND SPECIAL ASSESSMENTS, FINES, FEES, INTEREST, LATE CHARGES, AND COSTS OF COLLECTION, INCLUDING REASONABLE ATTORNEYS' FEES.

THE ASSOCIATION HAS A STATUTORY LIEN ON EACH INDIVIDUAL UNIT FOR ANY UNPAID ASSESSMENT FROM THE TIME IT IS DUE. FAILURE TO PAY ASSESSMENTS COULD RESULT IN THE FILING OF A LIEN ON THE UNIT AND LOSS OF THE UNIT THROUGH FORECLOSURE.

THE GOVERNING DOCUMENTS MAY PROHIBIT OWNERS FROM MAKING CHANGES TO THE UNIT WITHOUT REVIEW AND THE APPROVAL OF THE ASSOCIATION, AND MAY ALSO IMPOSE RESTRICTIONS ON THE USE OF ~~((THE))~~ THE UNIT, DISPLAY OF SIGNS, CERTAIN BEHAVIORS, AND OTHER ITEMS.

PURCHASERS OF THIS UNIT SHOULD CAREFULLY REVIEW THE FINANCIAL OBLIGATIONS OF MEMBERS OF THE ASSOCIATION, THE CURRENT STATE OF THE ASSOCIATION'S FINANCES, THE CURRENT RESERVE STUDY, IF ANY, THE GOVERNING DOCUMENTS, AND THE OTHER INFORMATION AVAILABLE IN THE RESALE CERTIFICATE. THE GOVERNING DOCUMENTS CONTAIN IMPORTANT INFORMATION AND CREATE BINDING LEGAL OBLIGATIONS. YOU SHOULD CONSIDER SEEKING THE ASSISTANCE OF LEGAL COUNSEL."

(2) The association, within 10 days after a request by a unit owner, and subject to the payment of any fees imposed pursuant to RCW 64.90.405(2)(m), must furnish a resale certificate signed by an officer or authorized agent of the association and containing the information necessary to enable the unit owner to comply with this section. For the purposes of this chapter, a reasonable charge for the preparation of a resale certificate may not exceed \$275. The association may charge a unit owner a nominal fee not to exceed \$100 for updating a resale certificate within six months of the unit owner's request. A unit owner is not liable to the purchaser for any erroneous information provided by the association and included in the certificate.

(3)(a) A purchaser is not liable for any unpaid assessment or fee greater than the amount set forth in the certificate prepared by the association.

(b) ~~((A unit owner is not liable to a purchaser for the failure or delay of the association to provide the certificate in a timely manner, but the purchase contract is voidable by the purchaser until the certificate has been provided and for five days thereafter or until conveyance, whichever occurs first.))~~ The purchaser may cancel a contract for the purchase of the unit within five days after first receiving the resale certificate. If the resale certificate is first provided to a purchaser more than five days before execution of a contract for the purchase of a unit, the purchaser does not have the right under this section to cancel the executed contract. If the resale certificate is first provided to a purchaser five days or less before the purchaser signs a contract for the purchase of a unit, the purchaser, before conveyance of the unit to the purchaser, may

cancel the contract by delivering, no later than the fifth day after first receiving the resale certificate, a notice of cancellation to the seller. If the resale certificate is first provided to a purchaser less than five days before the closing date for the conveyance of that unit, the purchaser may, before conveyance of the unit to the purchaser, extend the closing date to a date not more than five days after the purchaser first received the resale certificate.

**Sec. 30.** RCW 64.90.665 and 2018 c 277 s 414 are each amended to read as follows:

(1) Subject to subsections (2) and (3) of this section, express warranties made by any declarant or dealer to a purchaser of a unit in a condominium, if relied upon by the purchaser in purchasing the unit, are created as follows:

(a) Any written affirmation of fact or written promise that relates to the unit, its use, or rights appurtenant to the unit or its use, improvements to the condominium that would directly benefit the unit, or the right to use or have the benefit of facilities not located in the condominium creates an express warranty that the unit and related rights and uses will not materially deviate from the affirmation or promise.

(b) Any written description of the physical characteristics of the condominium at the time the purchase agreement is executed, including plans and specifications of or for improvements, creates an express warranty that the condominium will conform to the written description in all material respects.

(c) Any written description of the quantity or extent of the real estate comprising the condominium, including plats or surveys, creates an express warranty that the condominium will conform to the description, subject to customary tolerances.

(d) A written statement that a purchaser may put a unit only to a specified use is an express warranty that the specified use is lawful.

(2) Subject to subsection (3) of this section, neither formal words, such as "warranty" or "guarantee," nor a specific intention to make a warranty are necessary to create an express warranty, but a statement of opinion or a commendation of the real estate, its quality, or its value does not create a warranty, and a statement, affirmation, promise, model, depiction, or description does not create a warranty if it discloses that it is only proposed, is not representative, or is subject to change.

(3) A purchaser may not rely on any statement, affirmation, promise, model, depiction, or description unless it is contained in the public offering statement delivered to the purchaser or made in a record signed by the declarant or dealer, or the declarant's or dealer's agent identified in the public offering statement.

(4) Any conveyance of a unit transfers to the purchaser all express warranties of quality made by the declarant or dealer.

**Sec. 31.** RCW 61.24.030 and 2023 c 206 s 2 are each amended to read as follows:

It shall be requisite to a trustee's sale:

(1) That the deed of trust contains a power of sale;

(2) That the deed of trust contains a statement that the real property conveyed is not used principally for agricultural purposes; provided, if the statement is false on the date the deed of trust was granted or amended to include that statement, and false on the date of the trustee's sale, then the deed of trust must be foreclosed judicially. Real property is used for agricultural purposes if it is used in an operation that produces crops, livestock, or aquatic goods;

(3) That a default has occurred in the obligation secured or a covenant of the grantor, which by the terms of the deed of trust makes operative the power to sell;

(4) That no action commenced by the beneficiary of the deed of trust is now pending to seek satisfaction of an obligation secured by the deed of trust in any court by reason of the grantor's default on the obligation secured: PROVIDED, That (a) the

seeking of the appointment of a receiver, or the filing of a civil case to obtain court approval to access, secure, maintain, and preserve property from waste or nuisance, shall not constitute an action for purposes of this chapter; and (b) if a receiver is appointed, the grantor shall be entitled to any rents or profits derived from property subject to a homestead as defined in RCW 6.13.010. If the deed of trust was granted to secure a commercial loan, this subsection shall not apply to actions brought to enforce any other lien or security interest granted to secure the obligation secured by the deed of trust being foreclosed;

(5) That the deed of trust has been recorded in each county in which the land or some part thereof is situated;

(6) That prior to the date of the notice of trustee's sale and continuing thereafter through the date of the trustee's sale, the trustee must maintain a street address in this state where personal service of process may be made, and the trustee must maintain a physical presence and have telephone service at such address;

(7)(a) That, for residential real property of up to four units, before the notice of trustee's sale is recorded, transmitted, or served, the trustee shall have proof that the beneficiary is the holder of any promissory note or other obligation secured by the deed of trust. A declaration by the beneficiary made under the penalty of perjury stating that the beneficiary is the holder of any promissory note or other obligation secured by the deed of trust shall be sufficient proof as required under this subsection.

(b) Unless the trustee has violated his or her duty under RCW 61.24.010(4), the trustee is entitled to rely on the beneficiary's declaration as evidence of proof required under this subsection.

(c) This subsection (7) does not apply to association beneficiaries subject to chapter 64.32, 64.34, or 64.38 RCW;

(8) That at least 30 days before notice of sale shall be recorded, transmitted or served, written notice of default and, for residential real property of up to four units, the beneficiary declaration specified in subsection (7)(a) of this section shall be transmitted by the beneficiary or trustee to the borrower and grantor at their last known addresses by both first-class and either registered or certified mail, return receipt requested, and the beneficiary or trustee shall cause to be posted in a conspicuous place on the premises, a copy of the notice, or personally served on the borrower and grantor. This notice shall contain the following information:

(a) A description of the property which is then subject to the deed of trust;

(b) A statement identifying each county in which the deed of trust is recorded and the document number given to the deed of trust upon recording by each county auditor or recording officer;

(c) A statement that the beneficiary has declared the borrower or grantor to be in default, and a concise statement of the default alleged;

(d) An itemized account of the amount or amounts in arrears if the default alleged is failure to make payments;

(e) An itemized account of all other specific charges, costs, or fees that the borrower, grantor, or any guarantor is or may be obliged to pay to reinstate the deed of trust before the recording of the notice of sale;

(f) A statement showing the total of (d) and (e) of this subsection, designated clearly and conspicuously as the amount necessary to reinstate the note and deed of trust before the recording of the notice of sale;

(g) A statement that failure to cure the alleged default within 30 days of the date of mailing of the notice, or if personally served, within 30 days of the date of personal service thereof, may lead to recordation, transmittal, and publication of a notice of sale, and that the property described in (a) of this subsection may be sold at public auction at a date no less than 120 days in the future, or no less than 150 days in the future if the borrower received a

THIRTY FIRST DAY, FEBRUARY 12, 2025

2025 REGULAR SESSION

letter under RCW 61.24.031;

(h) A statement that the effect of the recordation, transmittal, and publication of a notice of sale will be to (i) increase the costs and fees and (ii) publicize the default and advertise the grantor's property for sale;

(i) A statement that the effect of the sale of the grantor's property by the trustee will be to deprive the grantor of all their interest in the property described in (a) of this subsection;

(j) A statement that the borrower, grantor, and any guarantor has recourse to the courts pursuant to RCW 61.24.130 to contest the alleged default on any proper ground;

(k) In the event the property secured by the deed of trust is residential real property of up to four units, a statement, prominently set out at the beginning of the notice, which shall state as follows:

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

You may be eligible for mediation in front of a neutral third party to help save 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. Mediation **MUST** be requested between the time you receive the Notice of Default and no later than **90 calendar days BEFORE the date of sale** listed in the Notice of Trustee Sale. If an amended Notice of Trustee Sale is recorded providing a 45-day notice of the sale, mediation must be requested no later than **25 calendar days BEFORE the date of sale** listed in the amended Notice of Trustee Sale.

**DO NOT DELAY.** If you do nothing, a notice of sale may be issued as soon as 30 days from the date of this notice of default. The notice of sale will provide a minimum of 120 days' notice of the date of the actual foreclosure sale.

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

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

**SEEKING ASSISTANCE**

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

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

Telephone: . . . . . Website: . . . . .

The United States Department of Housing and Urban Development

Telephone: . . . . . Website: . . . . .

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

Telephone: . . . . . Website: . . . . ."

The beneficiary or trustee shall obtain the toll-free numbers and website information from the department for inclusion in the notice;

(l) In the event the property secured by the deed of trust is residential real property of up to four units, the name and address of the holder of any promissory note or other obligation secured by the deed of trust and the name, address, and telephone number of a party acting as a servicer of the obligations secured by the deed of trust;

(m) For notices issued after June 30, 2018, on the top of the first page of the notice:

- (i) The current beneficiary of the deed of trust;
- (ii) The current mortgage servicer for the deed of trust; and
- (iii) The current trustee for the deed of trust;

(9) That, for residential real property of up to four units, before the notice of the trustee's sale is recorded, transmitted, or served, the beneficiary has complied with RCW 61.24.031 and, if applicable, RCW 61.24.163;

(10) That, in the case where the borrower or grantor is known to the mortgage servicer or trustee to be deceased, the notice required under subsection (8) of this section must be sent to any spouse, child, or parent of the borrower or grantor known to the trustee or mortgage servicer, and to any owner of record of the property, at any address provided to the trustee or mortgage servicer, and to the property addressed to the heirs and devisees of the borrower.

(a) If the name or address of any spouse, child, or parent of such deceased borrower or grantor cannot be ascertained with use of reasonable diligence, the trustee must execute and record with the notice of sale a declaration attesting to the same.

(b) Reasonable diligence for the purposes of this subsection (10) means the trustee shall search in the county where the property is located, the public records and information for any obituary, will, death certificate, or case in probate within the county for the borrower and grantor;

(11) Upon written notice identifying the property address and the name of the borrower to the servicer or trustee by someone claiming to be a successor in interest to the borrower's or grantor's property rights, but who is not a party to the loan or promissory note or other obligation secured by the deed of trust, a trustee shall not record a notice of sale pursuant to RCW 61.24.040 until the trustee or mortgage servicer completes the following:

(a) Acknowledges the notice in writing and requests reasonable documentation of the death of the borrower or grantor from the claimant including, but not limited to, a death certificate or other written evidence of the death of the borrower or grantor. Other written evidence of the death of the borrower or grantor may include an obituary, a published death notice, or documentation of an open probate action for the estate of the borrower or grantor. The claimant must be allowed 30 days from the date of this request to present this documentation. If the trustee or mortgage servicer has already obtained sufficient proof of the borrower's death, it may proceed by acknowledging the claimant's notice in writing and issuing a request under (b) of this subsection.

(b) If the mortgage servicer or trustee obtains or receives written documentation of the death of the borrower or grantor from the claimant, or otherwise independently confirms the death of the borrower or grantor, then the servicer or trustee must request in writing documentation from the claimant demonstrating the ownership interest of the claimant in the real property. A claimant has 60 days from the date of the request to present this documentation. Documentation demonstrating the ownership interest of the claimant in the real property includes, but is not limited to, one of the following:

- (i) Excerpts of a trust document noting the claimant as a beneficiary of a trust with title to the real property;
- (ii) A will of the borrower or grantor listing the claimant as an heir or devisee with respect to the real property;
- (iii) A probate order or finding of heirship issued by any court documenting the claimant as an heir or devisee or awarding the real property to the claimant;
- (iv) A recorded lack of probate affidavit signed by any heir listing the claimant as an heir of the borrower or grantor pursuant to the laws of intestacy;
- (v) A deed, such as a personal representative's deed, trustee's deed issued on behalf of a trust, statutory warranty deed, transfer

on death deed, or other deed, giving any ownership interest to the claimant resulting from the death of the borrower or grantor or executed by the borrower or grantor for estate planning purposes; and

(vi) Other proof documenting the claimant as an heir of the borrower or grantor pursuant to state rules of intestacy set forth in chapter 11.04 RCW.

(c) If the mortgage servicer or trustee receives written documentation demonstrating the ownership interest of the claimant prior to the expiration of the 60 days provided in (b) of this subsection, then the servicer or trustee must, within 20 days of receipt of proof of ownership interest, provide the claimant with, at a minimum, the loan balance, interest rate and interest reset dates and amounts, balloon payments if any, prepayment penalties if any, the basis for the default, the monthly payment amount, reinstatement amounts or conditions, payoff amounts, and information on how and where payments should be made. The mortgage servicers shall also provide the claimant application materials and information, or a description of the process, necessary to request a loan assumption and modification.

(d) Upon receipt by the trustee or the mortgage servicer of the documentation establishing claimant's ownership interest in the real property, that claimant shall be deemed a "successor in interest" for the purposes of this section.

(e) There may be more than one successor in interest to the borrower's property rights. The trustee and mortgage servicer shall apply the provisions of this section to each successor in interest. In the case of multiple successors in interest, where one or more do not wish to assume the loan as coborrowers or coapplicants, a mortgage servicer may require any nonapplicant successor in interest to consent in writing to the application for loan assumption.

(f) The existence of a successor in interest under this section does not impose an affirmative duty on a mortgage servicer or alter any obligation the mortgage servicer has to provide a loan modification to the successor in interest. If a successor in interest assumes the loan, he or she may be required to otherwise qualify for available foreclosure prevention alternatives offered by the mortgage servicer.

(g) (c), (e), and (f) of this subsection (11) do not apply to association beneficiaries subject to chapter 64.32, 64.34, ~~((#))~~ 64.38, or 64.90 RCW; and

(12) Nothing in this section shall prejudice the right of the mortgage servicer or beneficiary from discontinuing any foreclosure action initiated under the deed of trust act in favor of other allowed methods for pursuit of foreclosure of the security interest or deed of trust security interest.

**NEW SECTION. Sec. 32.** The following acts or parts of acts, as now existing or hereafter amended, are each repealed, effective January 1, 2026:

(1) RCW 64.32.290 (Electric vehicle charging stations) and 2022 c 27 s 1;

(2) RCW 64.32.350 (Heat pumps) and 2024 c 128 s 1;

(3) RCW 64.34.332 (Meetings) and 2021 c 227 s 5 & 1989 c 43 s 3-109;

(4) RCW 64.34.393 (Heat pumps) and 2024 c 128 s 2;

(5) RCW 64.34.395 (Electric vehicle charging stations) and 2022 c 27 s 2;

(6) RCW 64.38.035 (Association meetings—Notice—Board of directors) and 2021 c 227 s 10, 2014 c 20 s 1, 2013 c 108 s 1, & 1995 c 283 s 7;

(7) RCW 64.38.062 (Electric vehicle charging stations) and 2022 c 27 s 3; and

(8) RCW 64.38.180 (Heat pumps) and 2024 c 128 s 3.

**NEW SECTION. Sec. 33.** RCW 64.90.509 (Governing documents, may not vary provision of chapter—Exceptions) and

2024 c 321 s 303 are each repealed.

**NEW SECTION. Sec. 34.** 2024 c 337 s 4 is repealed.

**NEW SECTION. Sec. 35.** (1) Sections 2 through 4, 11, 19, 21, and 25 of this act take effect January 1, 2026.

(2) Section 34 of this act takes effect January 1, 2028.

**NEW SECTION. Sec. 36.** Section 31 of this act expires January 1, 2028."

On page 1, line 1 of the title, after "communities;" strike the remainder of the title and insert "amending RCW 64.32.250, 64.32.260, 64.34.076, 64.38.095, 64.90.010, 64.90.015, 64.90.210, 64.90.300, 64.90.360, 64.90.365, 64.90.405, 64.90.410, 64.90.420, 64.90.435, 64.90.445, 64.90.455, 64.90.475, 64.90.480, 64.90.485, 64.90.513, 64.90.525, 64.90.530, 64.90.535, 64.90.580, 64.90.600, 64.90.610, 64.90.635, 64.90.640, 64.90.665, and 61.24.030; adding a new section to chapter 64.38 RCW; repealing RCW 64.32.290, 64.32.350, 64.34.332, 64.34.393, 64.34.395, 64.38.035, 64.38.062, 64.38.180, and 64.90.509; repealing 2024 c 337 s 4; providing effective dates; and providing an expiration date."

#### MOTION

Senator Harris moved that the following floor amendment no. 0016 by Senator Harris be adopted:

On page 2, line 32, strike "(1)" and insert "(((1)))"

On page 2, line 34, strike "(a)" and insert "(((a))) (1)"

On page 2, line 35, strike "(b)" and insert "(((b))) (2)"

On page 3, beginning on line 1, strike all material through "64.90.580." on line 13 and insert "(((2)) Pursuant to RCW 64.90.365, the following provisions of chapter 64.90 RCW apply, and any inconsistent provisions of this chapter do not apply, to a common interest community created before July 1, 2018:

(a) RCW 64.90.370;

(b) RCW 64.90.405(1) (b) and (c);

(c) RCW 64.90.525; and

(d) RCW 64.90.545.)"

On page 3, line 17, after "24.06," insert "64.90,"

On page 81, after line 13, insert the following:

**NEW SECTION. Sec. 32.** 2024 c 321 s 503 (uncodified) is repealed."

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

On page 82, line 13, after "2024 c 337 s 4;" insert "repealing 2024 c 321 s 503 (uncodified);"

Senator Harris spoke in favor of adoption of the amendment to the striking amendment.

Senator Bateman spoke against adoption of the amendment to the striking amendment.

The Vice President Pro Tempore declared the question before the Senate to be the adoption of floor amendment no. 0016 by Senator Harris on page 2, line 12 to the striking amendment.

The motion by Senator Harris did not carry and floor amendment no. 0016 was not adopted by voice vote.

#### MOTION

Senator Harris moved that the following floor amendment no. 017 by Senator Harris be adopted:

On page 81, after line 13, insert the following:

**NEW SECTION. Sec. 32.** A new section is added to chapter 64.38 RCW to read as follows:

A task force shall be created in the attorney general's office to study and make recommendations regarding the impacts of the

THIRTY FIRST DAY, FEBRUARY 12, 2025

2025 REGULAR SESSION

Washington uniform common interest ownership act, chapter 64.90 RCW, on new and preexisting homeowners' associations governed under this chapter and recommend remedial steps including amending the consumer protection act to provide relief for homeowners when an association engages in conduct in violation of this chapter. The task force shall include homeowners from different size homeowners' associations governed under this chapter."

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

On page 82, line 10, after "adding" strike "a new section" and insert "new sections"

Senator Harris spoke in favor of adoption of the amendment to the striking amendment.

Senator Bateman spoke against adoption of the amendment to the striking amendment.

The Vice President Pro Tempore declared the question before the Senate to be the adoption of floor amendment no. 017 by Senator Harris on page 81, after line 13 to the striking amendment.

The motion by Senator Harris did not carry and floor amendment no. 017 was not adopted by voice vote.

MOTION

Senator Harris moved that the following floor amendment no. 0018 by Senator Harris be adopted:

On page 81, after line 13, insert the following:

"**Sec. 32.** RCW 64.38.010 and 2023 c 337 s 2 are each amended to read as follows:

For purposes of this chapter:

(1) "Assessment" means all sums chargeable to an owner by an association in accordance with RCW 64.38.020.

(2) "Baseline funding plan" means establishing a reserve funding goal of maintaining a reserve account balance above \$0 throughout the 30-year study period described under RCW 64.38.065.

(3) "Board of directors" or "board" means the body, regardless of name, with primary authority to manage the affairs of the association.

(4) "Common areas" means property owned, or otherwise maintained, repaired or administered by the association.

(5) "Common expense" means the costs incurred by the association to exercise any of the powers provided for in this chapter.

(6) "Contribution rate" means, in a reserve study as described in RCW 64.38.065, the amount contributed to the reserve account so that the association will have cash reserves to pay major maintenance, repair, or replacement costs without the need of a special assessment.

(7) "Effective age" means the difference between the estimated useful life and remaining useful life.

(8) "Electronic transmission" or "electronically transmitted" means any electronic communication not directly involving the physical transfer of a writing in a tangible medium, but that may be retained, retrieved, and reviewed by the sender and the recipient of the communication, and that may be directly reproduced in a tangible medium by a sender and recipient.

(9) "Full funding plan" means setting a reserve funding goal of achieving one hundred percent fully funded reserves by the end of the 30-year study period described under RCW 64.38.065, in which the reserve account balance equals the sum of the deteriorated portion of all reserve components.

(10) "Fully funded balance" means the current value of the deteriorated portion, not the total replacement value, of all the reserve components. The fully funded balance for each reserve component is calculated by multiplying the current replacement cost of the reserve component by its effective age, then dividing the result by the reserve component's useful life. The sum total of all reserve components' fully funded balances is the association's fully funded balance.

(11) "Governing documents" means the articles of incorporation, bylaws, plat, declaration of covenants, conditions, and restrictions, rules and regulations of the association, or other written instrument by which the association has the authority to exercise any of the powers provided for in this chapter or to manage, maintain, or otherwise affect the property under its jurisdiction.

(12) "Homeowners' association" or "association" means a corporation, unincorporated association, or other legal entity, each member of which is an owner of residential real property located within the association's jurisdiction, as described in the governing documents, and by virtue of membership or ownership of property is obligated to pay real property taxes, insurance premiums, maintenance costs, or for improvement of real property other than that which is owned by the member. "Homeowners' association" does not mean an association created under chapter 64.32, 64.34, or 64.90 RCW.

(13) "Lot" means a physical portion of the real property located within an association's jurisdiction designated for separate ownership.

(14) "Office" means the office of the homeowners' association ombuds.

(15) "Ombuds" means the homeowners' association ombuds.

(16) "Owner" means the owner of a lot, but does not include a person who has an interest in a lot solely as security for an obligation. "Owner" also means the vendee, not the vendor, of a lot under a real estate contract.

~~((15))~~ (17) "Remaining useful life" means the estimated time, in years, before a reserve component will require major maintenance, repair, or replacement to perform its intended function.

~~((16))~~ (18) "Replacement cost" means the current cost of replacing, repairing, or restoring a reserve component to its original functional condition.

~~((17))~~ (19) "Reserve component" means a common element whose cost of maintenance, repair, or replacement is infrequent, significant, and impractical to include in an annual budget.

~~((18))~~ (20) "Reserve study professional" means an independent person who is suitably qualified by knowledge, skill, experience, training, or education to prepare a reserve study in accordance with RCW 64.38.065 and 64.38.070.

~~((19))~~ (21) "Residential real property" means any real property, the use of which is limited by law, covenant or otherwise to primarily residential or recreational purposes.

~~((20))~~ (22) "Significant assets" means that the current replacement value of the major reserve components is 75 percent or more of the gross budget of the association, excluding the association's reserve account funds.

~~((21))~~ (23) "Tangible medium" means a writing, copy of a writing, facsimile, or a physical reproduction, each on paper or on other tangible material.

~~((22))~~ (24) "Useful life" means the estimated time, between years, that major maintenance, repair, or replacement is estimated to occur.

NEW SECTION. Sec. 33. A new section is added to chapter 64.38 RCW to read as follows:

(1) There is established within the office of the attorney general

an office of the homeowners' association ombuds.

(2) The attorney general must appoint the ombuds, consistent with the qualifications for the ombuds set forth in section 34 of this act.

(3) The ombuds must be the head of the office and is charged with managing the office consistent with the powers and duties vested in the ombuds under section 35 of this act within the amounts appropriated for the office.

(4) The ombuds must serve at the pleasure of the attorney general.

(5) A vacancy in the ombuds position must be filled in the same manner as the original appointment.

**NEW SECTION. Sec. 34.** A new section is added to chapter 64.38 RCW to read as follows:

The ombuds:

(1) Must be a member in good standing of the bar of this state;

(2) Must have at least five years of experience in the practice of law in this state;

(3) Must have experience in real estate law, including homeowners' association law;

(4) Must have experience in conflict and alternative dispute resolution;

(5) May not engage in any other business or profession that conflicts with the powers and duties of the position or the office; and

(6) Must comply with all restrictions on political activity applicable to office of the attorney general employees.

**NEW SECTION. Sec. 35.** A new section is added to chapter 64.38 RCW to read as follows:

The ombuds:

(1) Must contact homeowners' associations, the board of directors of homeowners' associations, individual owners in homeowners' associations, and other interested parties to inform them of the services available through the office. In addition to any other method used to publicize the office's services, the ombuds must maintain a website containing information about the office, contact information, the services available through the office, any information required to be placed on the website in accordance with this chapter, and any other information deemed appropriate by the ombuds;

(2) Must assist homeowners' associations, the board of directors of homeowners' associations, individual owners in homeowners' associations, and other interested parties in understanding their rights and responsibilities and the processes available to them according to the law, rules, regulations, and documents governing their respective homeowners' associations. The ombuds is not the attorney for a homeowners' association, the board of directors of a homeowners' association, an individual owner in a homeowners' association, or another interested party. An attorney-client relationship is not implied or established by the ombuds' communication with such persons, and the ombuds may not act as or appear to act as an attorney in a legal action brought by such persons;

(3) Must organize and conduct meetings to educate homeowners' associations, the board of directors of homeowners' associations, individual owners in homeowners' associations, and other interested parties about their rights and responsibilities and the processes available to them according to the law, rules, regulations, and documents governing their respective homeowners' association;

(4) Must prepare and publish educational and reference materials about homeowners' associations and make these resources available in print and on the office's website. The materials about homeowners' associations must include general information about the roles, rights, and responsibilities of the various parties, suggestions for the orderly operation of the

homeowners' association, mechanisms for internal dispute resolution, or any other information deemed appropriate by the ombuds;

(5) Must develop and publicize procedures intended to result in fair elections for members and officers of a homeowners' association;

(6) Must provide monitors and vote counting services to homeowners' associations, intended to result in fair elections for members and officers of a homeowners' association, when 15 percent of the total voting interests of a homeowners' association, or six owners, whichever is greater, petition the ombuds to do so;

(7) Must provide meetings, mediation, or other forms of alternative dispute resolution as requested by homeowners' associations, the board of directors of homeowners' associations, individual owners in homeowners' associations, or other interested parties;

(8) May receive complaints from homeowners' associations, the board of directors of homeowners' associations, individual owners in homeowners' associations, or other interested parties regarding potential violations of the law, rules, regulations, or documents governing their respective homeowners' associations;

(9) Must investigate any complaint received and, if meritorious and appropriate, provide meetings, mediation, or other forms of alternative dispute resolution to those parties involved to assist in the resolution of the complaint;

(10) May refer meritorious violations of existing law to the attorney general or other appropriate law enforcement agency for prosecution;

(11) May subpoena witnesses, compel their attendance and testimony, administer oaths and affirmations, take evidence, and require by subpoena the production of books, papers, records, or other evidence needed for the exercise of the powers or the performance of the duties vested in the ombuds under this section. The power granted in this subsection (11) may also be exercised by any other employee of the office who is a member in good standing of the bar of this state;

(12) Must establish and publish, in print and on the office's website, procedural rules for meetings, mediation, or other forms of alternative dispute resolution organized under this section;

(13) Must establish and publish, in print and on the office's website, procedures and forms for accepting complaints from homeowners' associations, the board of directors of homeowners' associations, individual owners in homeowners' associations, or other interested parties regarding potential violations of the law, rules, regulations, or documents governing their respective homeowners' associations;

(14) Must establish an annual fee by rule for: Meetings, mediation, or other forms of alternative dispute resolution; election monitoring; vote counting; or other services as provided by the ombuds under this section. The fee amount must be levied upon each homeowners' association in the state, be adjusted for each homeowners' association based on the size of the homeowners' association, and be deposited in the office of the homeowners' association ombuds account created in section 37 of this act;

(15) Must provide an annual report of the office's activities to the governor, attorney general, legislature, and chief justice of the supreme court by December 1st of each year. Each report must contain:

(a) Statistics on the number of inquiries and complaints handled by the office;

(b) Information on education and outreach efforts by the office;

(c) Concerns expressed to the office by homeowners' associations, the board of directors of homeowners' associations, individual owners in homeowners' associations, or other interested parties;



THIRTY FIRST DAY, FEBRUARY 12, 2025

2025 REGULAR SESSION

(d) Legal developments impacting homeowners' associations;  
 (e) Recommendations for changes to state law or rules of court procedure designed to improve the regulation and operation of homeowners' associations made by the ombuds; and

(f) Any other information deemed appropriate by the ombuds;

(16) May organize and hold public meetings as necessary to gain a comprehensive sense of the issues facing homeowners' associations in this state. When such meetings are held, at least one meeting must be held in each county at a convenient place within each county, and the information obtained from these meetings must be made a part of the report issued under subsection (15) of this section;

(17) May perform any other function necessary to fulfill the powers and duties outlined in this section;

(18) Must direct the work of the office consistent with the powers and duties established under this section; and

(19) May employ and supervise staff necessary to assist in carrying out the powers and duties established under this section within the amounts appropriated for the office.

**NEW SECTION. Sec. 36.** A new section is added to chapter 64.38 RCW to read as follows:

(1) When a homeowners' association, the board of directors of a homeowners' association, or individual owner in a homeowners' association contacts the office to make an inquiry, request services, or file a complaint, the homeowners' association, board of directors, or individual owner must provide the office with at least the following information regarding the homeowners' association at issue:

(a) The name, address, telephone number, and any other contact information for the homeowners' association;

(b) The name of the person engaged in property management for the homeowners' association or the name of the person who manages the property at the site of the homeowners' association;

(c) The name, mailing address, telephone number, and any other contact information for the board of directors of the homeowners' association;

(d) The governing documents for the homeowners' association;

(e) The annual budget adopted by the homeowners' association;

(f) The number of units in the homeowners' association; and

(g) The total annual assessment made by the homeowners' association.

(2) The ombuds may waive the requirements under subsection (1) of this section when appropriate.

**NEW SECTION. Sec. 37.** A new section is added to chapter 64.38 RCW to read as follows:

The office of the homeowners' association ombuds account is created in the state treasury. All receipts from fees collected under section 35(14) 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 the purposes of this act.

**Sec. 38.** 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 office of the homeowners' association ombuds account, 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. 39.** 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

THIRTY FIRST DAY, FEBRUARY 12, 2025

2025 REGULAR SESSION

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 office of the homeowners' association ombuds account, 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."

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

On page 82, after line 3, insert the following:

NEW SECTION. **Sec. 37.** Section 38 of this act expires July 1, 2028.

NEW SECTION. **Sec. 38.** Section 39 of this act takes effect July 1, 2028."

On page 82, line 10, after "64.90.665," strike "and" and after "61.24.030" insert ", and 64.38.010; reenacting and amending RCW 43.84.092 and 43.84.092"

On page 82, beginning on line 10, after "adding" strike "a new section" and insert "new sections"

On page 82, beginning on line 13, after "providing" strike "an expiration date" and insert "expiration dates"

Senator Harris spoke in favor of adoption of the amendment to the striking amendment.

Senator Bateman spoke against adoption of the amendment to the striking amendment.

The Vice President Pro Tempore declared the question before the Senate to be the adoption of floor amendment no. 0018 by Senator Harris on page 81, after line 13 to the striking amendment.

The motion by Senator Harris did not carry and floor amendment no. 0018 was not adopted by voice vote.

Senators Pedersen and Goehner spoke in favor of adoption of the striking amendment.

The Vice President Pro Tempore declared the question before the Senate to be the adoption of striking floor amendment no. 0013 by Senator Pedersen to Substitute Senate Bill No. 5129.

The motion by Senator Pedersen carried and striking floor amendment no. 0013 was adopted by voice vote.

#### MOTION

On motion of Senator Liias, the rules were suspended, Engrossed Substitute Senate Bill No. 5129 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Liias, Goehner, Harris and Fortunato spoke in favor of passage of the bill.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5129.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5129 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Boehnke, Braun, Chapman, Christian, Cleveland, Conway, Cortes, Dhingra, Dozier, Fortunato, Frame, Gildon, Goehner, Hansen, Harris, Hasegawa, Holy, Kauffman, King, Krishnadasan, Liias, Lovelett, Lovick, MacEwen, McCune, Muzzall, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Slatter, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, J.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5129, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Conway assumed the chair.

#### SECOND READING

SENATE BILL NO. 5224, by Senators Lovick, and Shewmake

Concerning officer certification definitions, processes, and commissioning.

The measure was read the second time.

#### MOTION

On motion of Senator Lovick, the rules were suspended, Senate Bill No. 5224 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Lovick and Holy spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5224.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5224 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Boehnke, Braun, Chapman, Christian, Cleveland, Conway, Cortes, Dhingra, Dozier, Fortunato, Frame, Gildon, Goehner, Hansen, Harris, Hasegawa, Holy, Kauffman, King, Krishnadasan, Liias, Lovelett, Lovick, MacEwen, McCune, Muzzall, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Slatter, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, J.

SENATE BILL NO. 5224, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 5209, by Senators Lovick, Holy, Conway, Dhingra, and Nobles

Explicitly listing the department of labor and industries in the definition of limited authority Washington law enforcement agency while not granting new enforcement authority.

The measure was read the second time.

#### MOTION

On motion of Senator Lovick, the rules were suspended, Senate Bill No. 5209 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Lovick and Holy spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5209.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5209 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Boehnke, Braun, Chapman, Christian, Cleveland, Conway, Cortes, Dhingra, Dozier, Fortunato, Frame, Gildon, Goehner, Hansen, Harris, Hasegawa, Holy, Kauffman, King, Krishnadasan, Liias, Lovelett, Lovick, MacEwen, McCune, Muzzall, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Slatter, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, J.

SENATE BILL NO. 5209, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

THIRTY FIRST DAY, FEBRUARY 12, 2025

2025 REGULAR SESSION

Senator Lovick assumed the chair.

the Senate to be the final passage of Substitute Senate Bill No. 5239.

SECOND READING

SENATE BILL NO. 5214, by Senators Shewmake, Harris, Wellman, Kauffman, Stanford, Chapman, Riccelli, Saldaña, Hasegawa, Krishnadasan, Nobles, Slatter, and Valdez

Concerning mobile market programs.

MOTIONS

On motion of Senator Shewmake, Substitute Senate Bill No. 5214 was substituted for Senate Bill No. 5214 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Shewmake, the rules were suspended, Substitute Senate Bill No. 5214 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Shewmake and Christian spoke in favor of passage of the bill.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5214.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5214 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Boehnke, Braun, Chapman, Christian, Cleveland, Conway, Cortes, Dhingra, Dozier, Fortunato, Frame, Gildon, Goehner, Hansen, Harris, Hasegawa, Holy, Kauffman, King, Krishnadasan, Liias, Lovelett, Lovick, MacEwen, McCune, Muzzall, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Slatter, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, J.

SUBSTITUTE SENATE BILL NO. 5214, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5239, by Senators Slatter, Nobles, and Wilson, C.

Concerning the retention of hospital medical records.

MOTIONS

On motion of Senator Slatter, Substitute Senate Bill No. 5239 was substituted for Senate Bill No. 5239 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Slatter, the rules were suspended, Substitute Senate Bill No. 5239 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Slatter and Muzzall spoke in favor of passage of the bill.

The Vice President Pro Tempore declared the question before

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5239 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Boehnke, Braun, Chapman, Christian, Cleveland, Conway, Cortes, Dhingra, Dozier, Fortunato, Frame, Gildon, Goehner, Hansen, Harris, Hasegawa, Holy, Kauffman, King, Krishnadasan, Liias, Lovelett, Lovick, MacEwen, McCune, Muzzall, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Slatter, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, J.

SUBSTITUTE SENATE BILL NO. 5239, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

PERSONAL PRIVILEGE

Senator Slatter: “Thank you Mr. President. It is truly an honor to serve as senator representing the great 48<sup>th</sup> Legislative District. And to learn from and join this body in service to this great state. I am proud to follow in the footsteps of former Senator Patty Kuderer who served in this roll with a clarity of purpose and conviction and continues her service to this great state. Today marks that passage of my first bill in this chamber. In keeping with the tradition, I offer each of you a gift. One that reflects the hearts, spirit, and history of the 48<sup>th</sup> District. Included in your gift is a candle from Bellden Café, it’s a women and minority owned small business that has great coffee but also is the first social enterprise in Bellevue that partners with women in marginalized communities to pour these hand-crafted candles where the proceeds go to workforce development and nonprofits. The beautiful floral scents come from the Bellevue Botanical Garden but also reflect our districts rich farming roots and amazing history. Including the legacy of Japanese farmers who shaped our land in our community. You will also find a macaroon from Lady Yum, that comes from the heart of Kirkland that represents our entrepreneurial spirit. And a Microsoft keychain symbolizing 50 years of longevity of an iconic company that helped to bring us into the digital age and transform our lives. And lastly, a tile tracker. Technology that helps us keep track of things. In a really busy session, I have already lost my keys twice. So, I thought that would be helpful for you. And I stand on the shoulders of my incredible community and hope to bring their many diverse voices to this body. Thank you for the honor of serving alongside of all of you and each of you. I look forward to what we’ll accomplish.”

[The Senate rose in applause to welcome Senator Slatter.]

SECOND READING

SENATE BILL NO. 5435, by Senators Ramos, King, Nobles, and Saldaña

Reorganizing and adding subchapter headings to public employees' collective bargaining statutes.

The measure was read the second time.

MOTION

On motion of Senator Ramos, the rules were suspended, Senate Bill No. 5435 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Ramos and King spoke in favor of passage of the bill.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5435.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5435 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Boehnke, Braun, Chapman, Christian, Cleveland, Conway, Cortes, Dhingra, Dozier, Fortunato, Frame, Gildon, Goehner, Hansen, Harris, Hasegawa, Holy, Kauffman, King, Krishnadasan, Liias, Lovelett, Lovick, MacEwen, McCune, Muzzall, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Slatter, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, J.

SENATE BILL NO. 5435, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### PERSONAL PRIVILEGE

Senator Ramos: "Thank you Mr. President. I want to thank everybody here for welcoming me in such a warm manner and honored to represent my district. Thank you very much. What's being passed out now are conchas. So, these are a little bit of my Mexican heritage that I share with you. When I was a kid, my Tio poncho owned in San Francisco, he owned the Mexican bakery and store. We'd go there and get hot tortillas and conchas right out of the oven on Sunday morning. It was just very important. And these aren't warm, but I picked them up at 7 a.m. at the bakery, at Julio's in Olympia. So, I got them as warm as I could get them here and they are fresh. Enjoy them. And just enjoy them and thank you for having e here."

[The Senate rose in applause to welcome Senator Ramos.]

#### SECOND READING

SENATE BILL NO. 5303, by Senators Warnick, Chapman, Dozier, Nobles, and Torres

Extending the water supply milestone for the Yakima river basin integrated plan to 2035.

#### MOTIONS

On motion of Senator Warnick, Substitute Senate Bill No. 5303 was substituted for Senate Bill No. 5303 and the substitute bill was placed on the second reading and read the second time.

#### SECOND READING

SUBSTITUTE SENATE BILL NO. 5303, by Senate Committee on Agriculture & Natural Resources (originally sponsored by Warnick, Chapman, Dozier, Nobles, and Torres)

Extending the water supply milestone for the Yakima river basin integrated plan to 2035.

The measure was read the second time.

#### MOTION

Senator Robinson moved that the following floor amendment no. 0015 by Senator Robinson be adopted:

On page 5, line 14, after "resources." strike "An" and insert "~~(A#)~~ Until June 30, 2025, an"

Senators Robinson and Warnick spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 0015 by Senator Robinson on page 5, line 14 to Substitute Senate Bill No. 5303.

The motion by Senator Robinson carried and floor amendment no. 0015 was adopted by voice vote.

On motion of Senator Warnick, the rules were suspended, Engrossed Substitute Senate Bill No. 5303 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Warnick and Saldaña spoke in favor of passage of the bill.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5303.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5303 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Boehnke, Braun, Chapman, Christian, Cleveland, Conway, Cortes, Dhingra, Dozier, Fortunato, Frame, Gildon, Goehner, Hansen, Harris, Hasegawa, Holy, Kauffman, King, Krishnadasan, Liias, Lovelett, Lovick, MacEwen, McCune, Muzzall, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Slatter, Stanford, Torres, Trudeau, Valdez, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, J.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5303, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 5343, by Senators Short, Chapman, Dozier, and Krishnadasan

Concerning the northeast Washington wolf-livestock management account.

The measure was read the second time.

#### MOTION

On motion of Senator Short, the rules were suspended, Senate Bill No. 5343 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Short and Chapman spoke in favor of passage of the bill.

THIRTY FIRST DAY, FEBRUARY 12, 2025

2025 REGULAR SESSION

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5343.

Wagoner, Warnick, Wellman, Wilson, C. and Wilson, J.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5343 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Alvarado, Bateman, Boehnke, Braun, Chapman, Christian, Cleveland, Conway, Cortes, Dhingra, Dozier, Fortunato, Frame, Gildon, Goehner, Hansen, Harris, Hasegawa, Holy, Kauffman, King, Krishnadasan, Liias, Lovelett, Lovick, MacEwen, McCune, Muzzall, Nobles, Orwall, Pedersen, Ramos, Riccelli, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Slatter, Stanford, Torres, Trudeau, Valdez,

SENATE BILL NO. 5343, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

At 4:39 p.m., on motion of Senator Riccelli, the Senate adjourned until 12:30 o'clock p.m. Thursday, February 13, 2025.

JOHN LOVICK, Vice President Pro Tempore of the Senate

SARAH BANNISTER, Secretary of the Senate

1054		5212-S	
Messages .....	3	Second Reading .....	6
1066-S		Third Reading Final Passage .....	6
Messages .....	3	5214-S	
1371-S		Second Reading .....	45
Messages .....	3	Third Reading Final Passage .....	45
5004-S		5221-S	
Second Reading .....	11	Second Reading .....	6, 7
Third Reading Final Passage .....	11	Third Reading Final Passage .....	7
5017		5224	
Second Reading .....	7	Second Reading .....	44
5017-S		Third Reading Final Passage .....	44
Second Reading .....	8	5226	
Third Reading Final Passage .....	8	Committee Report .....	1
5077		5238-S	
Second Reading .....	8	Second Reading .....	9
Third Reading Final Passage .....	8	Third Reading Final Passage .....	9
5081		5239-S	
Second Reading .....	12	Second Reading .....	45
Third Reading Final Passage .....	12	Third Reading Final Passage .....	45
5083		5240	
Committee Report .....	1	Committee Report .....	1
5084		5253	
Second Reading .....	5	Committee Report .....	1
Third Reading Final Passage .....	5	5286	
5104-S		Second Reading .....	6
Second Reading .....	11	Third Reading Final Passage .....	6
Third Reading Final Passage .....	12	5288	
5129-S		Second Reading .....	7
Other Action .....	12, 13	Third Reading Final Passage .....	7
Second Reading .....	12, 13, 38, 39	5299	
Third Reading Final Passage .....	44	Committee Report .....	1
5138		5303-S	
Second Reading .....	5	Second Reading .....	46
Third Reading Final Passage .....	5	Third Reading Final Passage .....	46
5170		5315	
Second Reading .....	5	Second Reading .....	7
5170-S		Third Reading Final Passage .....	7
Second Reading .....	5	532	
Third Reading Final Passage .....	6	Second Reading .....	9
5202		5323-S	
Second Reading .....	10	Second Reading .....	9
5202-S		Third Reading Final Passage .....	10
Second Reading .....	10	5324	
Third Reading Final Passage .....	11	Committee Report .....	1
5209		5327	
Second Reading .....	44	Committee Report .....	1
Third Reading Final Passage .....	44	5343	



Second Reading .....	46	Confirmed .....	4
Third Reading Final Passage .....	47	9127 Restucci, James A.	
5344		Confirmed .....	4
Committee Report.....	2	9140 Battles, Robert A.	
5435		Committee Report.....	2
Second Reading .....	45	9175 Salvesen, Rhonda	
Third Reading Final Passage .....	46	Committee Report.....	2
5478		9194 Anthony, Michael	
Committee Report.....	2	Confirmed .....	4
5570		9195 Flower, Aline	
Committee Report.....	2	Committee Report.....	2
5732		9216 Lang, Timothy	
Introduction & 1st Reading.....	3	Committee Report.....	2
5733		9222 Senn, Tana	
Introduction & 1st Reading.....	3	Committee Report.....	2
5734		CHAPLAIN OF THE DAY	
Introduction & 1st Reading.....	3	Stampfli, Ms. Tammy, Reverend, Olympia..	1
5735		FLAG BEARERS	
Introduction & 1st Reading.....	3	Mun, Mr. David .....	1
5736		Peterson, Miss Brielle .....	1
Introduction & 1st Reading.....	3	GUESTS	
5737		Hyatt, Ms. Karen.....	4
Introduction & 1st Reading.....	3	Scandalis, Dr. Tom .....	4
5738		Sinha, Mr. Andy, Pledge of Allegiance .....	1
Introduction & 1st Reading.....	3	Vornbrock, Mr. John.....	4
5739		Wacker, Dr. Robbyn, Interim President of	
Introduction & 1st Reading.....	3	Pacific Northwest University of Health	
8004		Sciences.....	4
Second Reading .....	9	Story, Mr. Adam: .....	4
Third Reading Final Passage .....	9	WASHINGTON STATE SENATE	
8613		Personal Privilege, Senator Ramos .....	46
Adopted.....	4	Personal Privilege, Senator Slatter.....	45
Introduced .....	3	Point of Inquiry, Senator Muzzall.....	9
9002 Riojas, Rogelio			