

THIRTY SEVENTH DAY

House Chamber, Olympia, Tuesday, February 13, 2024

The House was called to order at 10:00 a.m. by the Speaker (Orwall presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Nikita Sharma and Luke Fazio. The Speaker (Orwall presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Reverend Kellen Corliss, Tumwater United Methodist Church.

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

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

**INTRODUCTION & FIRST READING**

SB 5160 by Senators Torres, Boehnke, Fortunato, Holy, Rolfes, Schoesler, Shewmake, Warnick and Wilson, L.

AN ACT Relating to organized retail theft; amending RCW 9A.56.350; and prescribing penalties.

Referred to Committee on COMMUNITY SAFETY, JUSTICE, & REENTRY.

2SSB 5444 by Senate Committee on Ways & Means (originally sponsored by Valdez, Hunt, Kuderer, Nguyen, Pedersen and Saldaña)

AN ACT Relating to restricting the possession of weapons, excluding carrying a pistol by a person licensed to carry a concealed pistol, on the premises of libraries, zoos, aquariums, and transit facilities; and reenacting and amending RCW 9.41.300.

Referred to Committee on Civil Rights & Judiciary.

SSB 5722 by Senate Committee on Law & Justice (originally sponsored by Kuderer, King, Dhingra, Fortunato and Wilson, C.)

AN ACT Relating to photographs, microphotographs, and electronic images from traffic safety cameras and toll systems; amending RCW 46.63.170, 46.63.170, and 46.63.160; providing an effective date; and providing an expiration date.

Referred to Committee on COMMUNITY SAFETY, JUSTICE, & REENTRY.

SB 5789 by Senators Mullet, Schoesler, Dozier, Nobles, Pedersen and Torres

AN ACT Relating to the sales and use tax for school construction assistance program capital projects; and amending RCW 28A.525.166.

Referred to Committee on Capital Budget.

SB 5799 by Senators Wilson, C., Trudeau, Dhingra, Hasegawa, Liias, Nobles, Salomon, Shewmake, Van De Wege and Wellman

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

Referred to Committee on Agriculture & Natural Resources.

ESB 5816 by Senators Van De Wege, Trudeau, Mullet and Nguyen

AN ACT Relating to alcohol server permits; and amending RCW 66.20.310.

Referred to Committee on Regulated Substances & Gaming.

E2SSB 5853 by Senate Committee on Ways & Means (originally sponsored by Dhingra, Wagoner, Frame, Hasegawa, Kuderer, Lovelett, Lovick, Muzzall, Nguyen, Nobles, Shewmake, Stanford, Torres, Valdez and Wilson, C.)

AN ACT Relating to extending the crisis relief center model to provide behavioral health crisis services for minors; amending RCW 71.24.916, 71.34.020, 71.34.020, 71.34.351, 71.34.375, and 71.34.430; reenacting and amending RCW 71.24.025; adding a new section to chapter 71.34 RCW; and providing a contingent effective date.

Referred to Committee on HUMAN SERVICES, YOUTH, & EARLY LEARNING.

SSB 5857 by Senate Committee on State Government & Elections (originally sponsored by Hunt and Nobles)

AN ACT Relating to reorganizing statutes on campaign disclosure and contribution; amending RCW 42.17A.001, 42.17A.010, 42.17A.020, 42.17A.055, 42.17A.060, 42.17A.065, 42.17A.100, 42.17A.105, 42.17A.110, 42.17A.120, 42.17A.125, 42.17A.135, 42.17A.140, 42.17A.145, 42.17A.150, 42.17A.160, 42.17A.200, 42.17A.205, 42.17A.207, 42.17A.210, 42.17A.215, 42.17A.220, 42.17A.225, 42.17A.230, 42.17A.235, 42.17A.240, 42.17A.250, 42.17A.255, 42.17A.260, 42.17A.265, 42.17A.270, 42.17A.300, 42.17A.305, 42.17A.310, 42.17A.315, 42.17A.320, 42.17A.330, 42.17A.335, 42.17A.340, 42.17A.345, 42.17A.350, 42.17A.400, 42.17A.405, 42.17A.410, 42.17A.415, 42.17A.417, 42.17A.418, 42.17A.420, 42.17A.425, 42.17A.430, 42.17A.435, 42.17A.440, 42.17A.442, 42.17A.445, 42.17A.450, 42.17A.455, 42.17A.460, 42.17A.465, 42.17A.470, 42.17A.475, 42.17A.480, 42.17A.485, 42.17A.490, 42.17A.495, 42.17A.500, 42.17A.550, 42.17A.555, 42.17A.565, 42.17A.570, 42.17A.575, 42.17A.603, 42.17A.610, 42.17A.615, 42.17A.620, 42.17A.625, 42.17A.630, 42.17A.635, 42.17A.640, 42.17A.645, 42.17A.650, 42.17A.655, 42.17A.700, 42.17A.705, 42.17A.710, 42.17A.715, 42.17A.750, 42.17A.755, 42.17A.760, 42.17A.765, 42.17A.770, 42.17A.775, 42.17A.780, 42.17A.785, 42.62.040, 15.89.070, 19.09.020, 28A.600.027, 28B.15.610, 28B.133.030, 29A.32.031, 29A.84.250, 35.02.130, 35.21.759, 36.70A.200, 42.36.040, 42.52.150, 42.52.180, 42.52.185, 42.52.380, 42.52.560, 42.52.806, 43.03.305, 43.17.320, 43.52A.030, 43.59.156, 43.60A.175, 43.166.030, 43.167.020, 43.384.060, 44.05.020, 44.05.080, 53.57.060, 68.52.220, 70A.02.120, 79A.25.830, and 82.04.759; reenacting and amending RCW 42.17A.130, 42.17A.560, 42.17A.600, 42.17A.605, 15.65.280, 15.66.140, 15.115.140, and

42.52.010; adding a new title to the Revised Code of Washington to be codified as Title 29B RCW; creating new sections; recodifying RCW 42.17A.001, 42.17A.010, 42.17A.020, 42.17A.055, 42.17A.060, 42.17A.065, 42.17A.100, 42.17A.105, 42.17A.110, 42.17A.120, 42.17A.125, 42.17A.130, 42.17A.135, 42.17A.140, 42.17A.145, 42.17A.150, 42.17A.160, 42.17A.200, 42.17A.205, 42.17A.207, 42.17A.210, 42.17A.215, 42.17A.220, 42.17A.225, 42.17A.230, 42.17A.235, 42.17A.240, 42.17A.250, 42.17A.255, 42.17A.260, 42.17A.265, 42.17A.270, 42.17A.300, 42.17A.305, 42.17A.310, 42.17A.315, 42.17A.320, 42.17A.330, 42.17A.335, 42.17A.340, 42.17A.345, 42.17A.350, 42.17A.400, 42.17A.405, 42.17A.410, 42.17A.415, 42.17A.417, 42.17A.418, 42.17A.420, 42.17A.425, 42.17A.430, 42.17A.435, 42.17A.440, 42.17A.442, 42.17A.445, 42.17A.450, 42.17A.455, 42.17A.460, 42.17A.465, 42.17A.470, 42.17A.475, 42.17A.480, 42.17A.485, 42.17A.490, 42.17A.495, 42.17A.500, 42.17A.550, 42.17A.555, 42.17A.560, 42.17A.565, 42.17A.570, 42.17A.575, 42.17A.600, 42.17A.603, 42.17A.605, 42.17A.610, 42.17A.615, 42.17A.620, 42.17A.625, 42.17A.630, 42.17A.635, 42.17A.640, 42.17A.645, 42.17A.650, 42.17A.655, 42.17A.700, 42.17A.705, 42.17A.710, 42.17A.715, 42.17A.750, 42.17A.755, 42.17A.760, 42.17A.765, 42.17A.770, 42.17A.775, 42.17A.780, 42.17A.785, 42.62.020, 42.62.030, and 42.62.040; repealing RCW 42.17A.005 and 42.62.010; providing an effective date; and providing an expiration date.

Referred to Committee on State Government & Tribal Relations.

SB 5860 by Senators Fortunato and Padden

AN ACT Relating to spring blade knives; amending RCW 9.41.250, 9.41.280, 9.41.282, 10.31.100, and 43.216.760; reenacting and amending RCW 9.41.300; repealing RCW 9.41.251; prescribing penalties; and providing an effective date.

Referred to Committee on Civil Rights & Judiciary.

SSB 5869 by Senate Committee on Local Government, Land Use & Tribal Affairs (originally sponsored by Short, Lovelett, Dozier, Nobles, Shewmake, Torres, Wagoner and Warnick)

AN ACT Relating to rural fire district stations; amending RCW 58.17.040; and creating a new section.

Referred to Committee on Local Government.

ESSB 5891 by Senate Committee on Law & Justice (originally sponsored by Boehnke, Lovick, Keiser, Lias, Mullet, Torres, Wagoner, Warnick, Wilson, C. and Wilson, J.)

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

Referred to Committee on COMMUNITY SAFETY, JUSTICE, & REENTRY.

SB 5904 by Senators Nobles, Hansen, Dhingra, Frame, Hasegawa, Kuderer, Lias, Lovelett, Nguyen, Randall, Stanford, Trudeau, Valdez and Wilson, C.

AN ACT Relating to extending the terms of eligibility for the Washington college grant program, Washington college bound scholarship program, passport to college promise program, and passport to apprenticeship opportunities program; and amending RCW 28B.92.200, 28B.118.010, 28B.118.005, and 28B.117.030.

Referred to Committee on Postsecondary Education & Workforce.

2SSB 5943 by Senate Committee on Ways & Means (originally sponsored by Gildon, Boehnke, Hasegawa and Wilson, C.)

AN ACT Relating to conducting a feasibility study regarding a resource data tool to connect Washington residents to services and resources; adding new sections to chapter 43.20A RCW; and providing an expiration date.

Referred to Committee on HUMAN SERVICES, YOUTH, & EARLY LEARNING.

SB 5952 by Senators Schoesler, Keiser and Dozier

AN ACT Relating to aligning deputy inspector credentials with national standards; and amending RCW 70.79.120.

Referred to Committee on Labor & Workplace Standards.

ESB 5997 by Senators King, Keiser, Frame, Saldaña, Valdez and Wagoner

AN ACT Relating to making technical corrections to plumbing supervision and trainee hours reporting; amending RCW 18.106.070; and reenacting and amending RCW 18.106.010.

Referred to Committee on Labor & Workplace Standards.

ESSB 6038 by Senate Committee on Ways & Means (originally sponsored by Wilson, C., Lovelett, Keiser, Kuderer, Lias, Nguyen, Nobles, Randall, Salomon, Valdez and Wellman)

AN ACT Relating to reducing the costs associated with providing child care; amending RCW 82.04.2905, 43.216.300, and 43.216.305; adding a new section to chapter 82.04 RCW; creating a new section; and providing an effective date.

Referred to Committee on HUMAN SERVICES, YOUTH, & EARLY LEARNING.

ESB 6095 by Senators Robinson and Valdez

AN ACT Relating to establishing clear authority for the secretary of health to issue standing orders; and adding a new section to chapter 43.70 RCW.

Referred to Committee on Health Care & Wellness.

ESB 6098 by Senators Robinson and Nguyen

AN ACT Relating to accounts; amending RCW 82.45.240 and 27.34.400; reenacting and amending RCW 43.79A.040, 43.79A.040, 43.84.092, and 43.84.092; adding a new section to chapter 41.05 RCW; adding a new section to chapter 70A.535 RCW; creating new sections; repealing RCW 43.83.330, 43.83.350, 27.34.410, 43.79.487, 70A.305.140, 43.79.530, 43.41.444, and 43.79.515; providing effective dates; providing expiration dates; and declaring an emergency.

Referred to Committee on Appropriations.

E2SSB 6109 by Senate Committee on Ways & Means (originally sponsored by Wilson, C., Boehnke, Braun, Gildon, Hasegawa, Kuderer, Lias, Lovelett, Lovick, Nguyen, Nobles, Saldaña, Short, Warnick and Wilson, J.)

AN ACT Relating to supporting children, families, and child welfare workers by improving services and clarifying the child removal process in circumstances involving high-potency synthetic opioids; amending RCW 13.34.050,

13.34.130, 26.44.050, 26.44.056, and 2.56.230; reenacting and amending RCW 13.34.030 and 13.34.065; adding new sections to chapter 43.216 RCW; adding a new section to chapter 41.05 RCW; creating new sections; and providing expiration dates.

Referred to Committee on HUMAN SERVICES, YOUTH, & EARLY LEARNING.

SB 6173 by Senators Nobles, Trudeau, Kuderer, Lovelett, Mullet, Nguyen, Randall, Torres and Wilson, C.

AN ACT Relating to affordable and supportive housing sales and use taxes and encouraging investments in affordable homeownership unit development; and amending RCW 82.14.540.

Referred to Committee on Local Government.

E2SSB 6175 by Senate Committee on Ways & Means (originally sponsored by Trudeau, Billig, Frame, Kuderer, Mullet, Nguyen, Nobles, Randall, Saldaña, Valdez and Wilson, C.)

AN ACT Relating to providing a sales and use tax incentive for existing structures; adding a new chapter to Title 82 RCW; and providing expiration dates.

Referred to Committee on Housing.

E2SSB 6194 by Senate Committee on Ways & Means (originally sponsored by Stanford, Saldaña, Cleveland, Conway, Dhingra, Hasegawa, Hunt, Kuderer, Liias, Lovelett, Nobles, Randall, Trudeau, Valdez, Van De Wege and Wilson, C.)

AN ACT Relating to state legislative employee collective bargaining; amending RCW 44.90.020, 44.90.030, 44.90.050, 44.90.060, 44.90.070, 44.90.080, 44.90.090, 42.52.020, and 42.52.160; adding new sections to chapter 44.90 RCW; providing an effective date; and declaring an emergency.

Referred to Committee on Labor & Workplace Standards.

E2SSB 6251 by Senate Committee on Ways & Means (originally sponsored by Dhingra, Keiser, Kuderer, Lovelett, Lovick, Nguyen, Nobles, Robinson, Saldaña, Trudeau, Valdez, Wellman, Wilson, C. and Wilson, J.)

AN ACT Relating to coordination of regional behavioral health crisis response services; amending RCW 71.24.045; reenacting and amending RCW 71.24.025 and 71.24.890; and adding a new section to chapter 71.24 RCW.

Referred to Committee on Health Care & Wellness.

SSB 6277 by Senate Committee on Transportation (originally sponsored by Liias, King, Hunt, Nobles and Shewmake)

AN ACT Relating to creating a new statutory framework for the use of public-private partnerships for transportation projects; amending RCW 47.56.030, 47.56.031, and 70A.15.4030; adding a new section to chapter 47.10 RCW; adding a new chapter to Title 47 RCW; repealing RCW 47.29.010, 47.29.020, 47.29.030, 47.29.040, 47.29.050, 47.29.060, 47.29.070, 47.29.080, 47.29.090, 47.29.100, 47.29.110, 47.29.120, 47.29.130, 47.29.140, 47.29.150, 47.29.160, 47.29.170, 47.29.180, 47.29.190, 47.29.200, 47.29.210, 47.29.220, 47.29.230, 47.29.240, 47.29.250, 47.29.260, 47.29.270, 47.29.280, and 47.29.290; and providing an effective date.

Referred to Committee on Transportation.

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

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

## SECOND READING

**HOUSE BILL NO. 2236, by Representatives Shavers, Santos, Reed and Goodman**

**Expanding and strengthening career and technical education core plus programs.**

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 2236 was substituted for House Bill No. 2236 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 2236 was read the second time.

With the consent of the House, amendment (1051) was withdrawn.

Representative Shavers moved the adoption of amendment (1070):

On page 2, line 27, after "education" strike "core plus"

On page 3, line 1, after "education" strike "core plus"

On page 3, at the beginning of line 4, insert "lead or"

On page 3, line 8, after "program" insert ", that reflect consideration of the provisions in section 3(3)(c)(i) through (x) of this act,"

On page 3, line 10, after "the" strike "2025-26" and insert "2027-28"

On page 3, line 37, after "education" strike "core plus advancement"

On page 4, line 17, after "education" strike "core plus advancement"

On page 4, line 24, after "education" insert "core plus"

On page 5, line 26, after "programs." insert "In making recommendations in accordance with this subsection (3)(c), the task force must consider, at a minimum, the following:

(i) Curricula and instructional hours that lead or articulate to industry-recognized nondegree credentials;

(ii) Curricula provided without cost to educators;

(iii) Academic course equivalencies;

(iv) Courses and course sequencing;

(v) The development, maintenance, and expansion of industry, labor, and community partnerships;

(vi) Program credentials;

(vii) Training and professional development for educators and counselors;

(viii) Alignment with postsecondary education and training programs;

(ix) The promotion of student, family, and community awareness of career and technical education core plus programs,

including instructional offerings and potential work placement opportunities; and

(x) The development and expansion of a cohort of employers willing to hire and place students that have successfully completed career and technical education core plus programs."

Representatives Shavers and Rude spoke in favor of the adoption of the amendment.

Amendment (1070) was adopted.

The bill was ordered engrossed.

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

Representatives Shavers and Rude spoke in favor of the passage of the bill.

#### MOTION

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

There being no objection, the rules were suspended, and ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2236 was returned to second reading for the purpose of amendment.

There being no objection, Substitute House Bill No. 2236 was substituted for Engrossed Second Substitute House Bill No. 2236 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2236 was read the second time.

With the consent of the House, amendment (1051) was withdrawn.

Representative Shavers moved the adoption of amendment (1070):

On page 2, line 27, after "education" strike "core plus"

On page 3, line 1, after "education" strike "core plus"

On page 3, at the beginning of line 4, insert "lead or"

On page 3, line 8, after "program" insert ", that reflect consideration of the provisions in section 3(3)(c)(i) through (x) of this act,"

On page 3, line 10, after "the" strike "2025-26" and insert "2027-28"

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On page 5, line 26, after "programs." insert "In making recommendations in accordance with this subsection (3)(c), the

task force must consider, at a minimum, the following:

(i) Curricula and instructional hours that lead or articulate to industry-recognized nondegree credentials;

(ii) Curricula provided without cost to educators;

(iii) Academic course equivalencies;

(iv) Courses and course sequencing;

(v) The development, maintenance, and expansion of industry, labor, and community partnerships;

(vi) Program credentials;

(vii) Training and professional development for educators and counselors;

(viii) Alignment with postsecondary education and training programs;

(ix) The promotion of student, family, and community awareness of career and technical education core plus programs, including instructional offerings and potential work placement opportunities; and

(x) The development and expansion of a cohort of employers willing to hire and place students that have successfully completed career and technical education core plus programs."

Representatives Shavers and Rude spoke in favor of the adoption of the amendment.

Amendment (1070) was adopted.

The bill was ordered engrossed.

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

Representatives Shavers, Rude and Santos spoke in favor of the passage of the bill.

The Speaker (Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2236.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2236, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

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

Excused: Representative Chandler

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2236, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2001, by Representatives Simmons, Farivar, Reed, Ormsby, Peterson, Macri, Street, Stearns, Santos and Pollet**

**Providing judicial discretion to modify sentences in the interests of justice.**

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 2001 was substituted for House Bill No. 2001 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 2001 was read the second time.

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

Representatives Simmons and Davis spoke in favor of the passage of the bill.

Representatives Mosbrucker, Caldier, Waters, Jacobsen, error, Cheney, Abbarno, Walsh, Graham, Couture, Hutchins, error, Volz and Maycumber spoke against the passage of the bill.

The Speaker (Orwall presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 2001.

**ROLL CALL**

The Clerk called the roll on the final passage of Second Substitute House Bill No. 2001, and the bill passed the House by the following vote: Yeas, 51; Nays, 46; Absent, 0; Excused, 1

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

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

Excused: Representative Chandler

SECOND SUBSTITUTE HOUSE BILL NO. 2001, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2180, by Representatives Callan, Bergquist, Reed, Ormsby, Ramel, Stonier, Paul, Alvarado, Farivar, Fosse and Reeves**

**Increasing the special education enrollment funding cap.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2180 was substituted for House Bill No. 2180 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2180 was read the second time.

Representative Couture moved the adoption of the striking amendment (959):

Strike everything after the enacting clause and insert the following:

**"Sec. 1.** RCW 28A.150.390 and 2023 c 417 s 3 are each amended to read as follows:

(1) The superintendent of public instruction shall submit to each regular session of the legislature during an odd-numbered year a programmed budget request for special education programs for students with disabilities. Funding for programs operated by local school districts shall be on an excess cost basis from appropriations provided by the legislature for special education programs for students with disabilities and shall take account of state funds accruing through RCW 28A.150.260 (4) (a), (5), (6), and (8) and 28A.150.415.

(2) The excess cost allocation to school districts shall be based on the following:

(a) A district's annual average head count enrollment of students ages three and four and those five year olds not yet enrolled in kindergarten who are eligible for and receiving special education, multiplied by the district's base allocation per full-time equivalent student, multiplied by 1.2;

(b) (i) Subject to the limitation in (b) (ii) of this subsection (2) and subject to adjustments under section 2 of this act, a district's annual average enrollment of resident students who are eligible for and receiving special education, excluding students ages three and four and those five year olds not yet enrolled in kindergarten, multiplied by the district's base allocation per full-time equivalent student, multiplied by the special education cost multiplier rate of:

(A) ~~((Beginning in the 2020-21 school year, either:~~

~~(I) 1.0075 for students eligible for and receiving special education and reported to be in the general education setting for 80 percent or more of the school day; or~~

~~(II) 0.995 for students eligible for and receiving special education and reported to be in the general education setting for less than 80 percent of the school day;~~

~~(B) Beginning in the 2023-24 school year, either:~~

~~(I)) 1.12 for students eligible for and receiving special education and reported to be in the general education setting for 80 percent or more of the school day; or~~

~~((II)) (B) 1.06 for students eligible for and receiving special education and reported to be in the general education setting for less than 80 percent of the school day.~~

(ii) ~~((I)) (A) Except as provided in (b) (ii) (B) of this subsection, if the enrollment percent exceeds ((15 percent)) the funded enrollment limit, the excess cost allocation calculated under (b) (i) of this subsection must be adjusted by multiplying the allocation by ((15 percent)) the funded enrollment limit divided by the enrollment percent.~~

(B) School districts with fewer than 2,500 full-time equivalent students, school districts that received safety net awards under RCW 28A.150.392(2)(f) in the prior school year, and school districts where at least 10 percent of enrollment is identified as having a military parent are not subject to a funded enrollment limit.

(3) As used in this section:

(a) "Base allocation" means the total state allocation to all schools in the district generated by the distribution formula under RCW 28A.150.260 (4)(a), (5), (6), and (8) and the allocation under RCW 28A.150.415, to be divided by the district's full-time equivalent enrollment.

(b) "Basic education enrollment" means enrollment of resident students including nonresident students enrolled under RCW 28A.225.225 and students from nonhigh districts enrolled under RCW 28A.225.210 and excluding students residing in another district enrolled as part of an interdistrict cooperative program under RCW 28A.225.250.

(c) "Enrollment percent" means the district's resident annual average enrollment of students who are eligible for and receiving special education, excluding students ages three and four and those five year olds not yet enrolled in kindergarten and students enrolled in institutional education programs, as a percent of the district's annual average full-time equivalent basic education enrollment.

(d) "Funded enrollment limit" means:

(i) In the 2023-24 school year, 15 percent;

(ii) In the 2024-25 school year, 15.5 percent;

(iii) In the 2025-26 and 2026-27 school years, 16 percent; and

(iv) Beginning in the 2027-28 school year, all students eligible for and receiving special education must generate excess cost allocations under this section.

**NEW SECTION. Sec. 2.** A new section is added to chapter 28A.155 RCW to read as follows:

(1)(a) As part of its monitoring of special education programs, the office of the superintendent of public instruction must determine whether school districts and charter schools are overidentifying students as eligible for special education or overproviding special education services to students beyond what is required by their individualized education programs.

(b) If a school district or charter school is determined to be overidentifying students as eligible for special education or overproviding special education services to students beyond what is required by their individualized education programs, then the office of the superintendent of public instruction must intervene and establish a corrective action plan with the school district or charter school.

(c) The office of the superintendent of public instruction must communicate any determination resulting in a corrective action plan under this subsection to the state auditor.

(2) In the school year following a determination resulting in a corrective action under subsection (1) of this section, the state auditor must audit for compliance with the corrective action plan and part B of the federal individuals with disabilities education act a school district or charter school with an enrollment percent for special education that exceeds 16 percent.

The state auditor must report the audit findings to the office of the superintendent of public instruction.

(3) If the state auditor finds that a school district or charter school audited as required by subsection (2) of this section has not timely implemented corrective actions identified by the office of the superintendent of public instruction, the office of the superintendent of public instruction must adjust the excess cost allocation calculated under RCW 28A.150.390(2)(b)(i) by multiplying the allocation by 16 percent divided by the enrollment percent of the school district or charter school if the enrollment percent exceeds 16 percent.

(4) As used in this section, "enrollment percent" has the same meaning as in RCW 28A.150.390."

Correct the title.

Representatives Couture, Corry, Ybarra and Walsh spoke in favor of the adoption of the striking amendment.

Representative Pollet spoke against the adoption of the striking amendment.

Division was demanded and the demand was sustained. The Speaker (Orwall presiding) divided the House. The result was 42 - YEAS; 53 - NAYS.

The striking amendment (959) was not adopted.

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

Representatives Callan, Couture and error spoke in favor of the passage of the bill.

The Speaker (Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2180.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2180, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

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

Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 2180, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2257, by Representatives Goehner, Peterson, Low, Chapman, Davis, Steele, Ramel, Doglio, Berg and Timmons**

**Supporting back country search and rescue organizations and volunteers through the creation of the back country search and rescue grant program.**

The bill was read the second time.

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

Representatives error and Ryu spoke in favor of the passage of the bill.

The Speaker (Orwall presiding) stated the question before the House to be the final passage of House Bill No. 2257.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2257, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

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

Excused: Representative Chandler

HOUSE BILL NO. 2257, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2195, by Representatives Callan, Eslick, Senn, Chopp, Ramel, Paul, Reeves, Ormsby, Hackney, Reed, Fosse, Doglio, Goodman and Davis**

**Strengthening the early learning facilities grant and loan program by revising criteria and providing resources to the Ruth LeCocq Kagi early learning facilities development account.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2195 was substituted for House Bill No. 2195 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2195 was read the second time.

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

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

Representatives Abbarno and Schmick spoke against the passage of the bill.

The Speaker (Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2195.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2195, and the bill passed the House by the following vote: Yeas, 58; Nays, 39; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, error, Berg, Bergquist, Berry, Bronoske, Callan, error, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse,

Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, error, Paul, Peterson, Pollet, Ramel, error, Reed, Reeves, error, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

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

Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 2195, having received the necessary constitutional majority, was declared passed.

#### HOUSE BILL NO. 2440, by Representative Springer

**Concerning the administration of the board of tax appeals.**

The bill was read the second time.

Representative Orcutt moved the adoption of amendment (1076):

On page 2, line 1, after "(3)" insert "Persons currently or formerly employed by a county assessor are not eligible to be appointed to the board.  
(4)."

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

Representative Berg spoke against the adoption of the amendment.

Amendment (1076) was not adopted.

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

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

Representatives Orcutt and error spoke against the passage of the bill.

The Speaker (Orwall presiding) stated the question before the House to be the final passage of House Bill No. 2440.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2440, and the bill passed the House by the following vote: Yeas, 65; Nays, 32; Absent, 0; Excused, 1

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

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

Excused: Representative Chandler

HOUSE BILL NO. 2440, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2230, by Representatives Peterson, Eslick, Gregerson, Ramel, Reed and Waters**

**Promoting economic inclusion by creating the economic security for all grant program.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2230 was substituted for House Bill No. 2230 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2230 was read the second time.

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

Representatives Peterson and Eslick spoke in favor of the passage of the bill.

The Speaker (Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2230.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 2230, and the bill passed the House by the following vote: Yeas, 93; Nays, 4; Absent, 0; Excused, 1

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

Voting Nay: Representatives Jacobsen, McEntire, Orcutt and Walsh

Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 2230, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2296, by Representatives Griffey, Wylie, Couture, Harris and Leavitt**

**Extending the comprehensive plan revision schedule for select local governments.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2296 was substituted for House Bill No. 2296 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2296 was read the second time.

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

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

The Speaker (Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2296.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 2296, and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 1

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

Voting Nay: Representative Fey

Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 2296, having received the necessary constitutional majority, was declared passed.

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

**THIRD READING**

**ENGROSSED SUBSTITUTE HOUSE BILL NO. 1282, by House Committee on Capital Budget (originally sponsored by Duerr, Hackney, Berry, Ramel, Doglio, Reed and Pollet)**

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

The bill was read the third time.

There being no objection, the rules were suspended, and ENGROSSED SUBSTITUTE HOUSE BILL NO. 1282 was returned to second reading for the purpose of amendment.

Representative Duerr moved the adoption of the striking amendment (1066):

Strike everything after the enacting clause and insert the following:

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

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

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



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

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

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

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

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

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

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

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

from pilot projects has provided a strong foundation to inform future work on buy clean and buy fair policies.

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

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

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

(2) "Awarding authority" means:

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

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

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

(3) "Covered product" includes:

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

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

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

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

(ii) For the purposes of this subsection

(3)(d):

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

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

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

(4) "Covered project" means:

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

(b) A building renovation project where the cost is greater than 50 percent of the assessed value and the project is larger

than 50,000 gross square feet of occupied or conditioned space as defined in the Washington state building code, chapter 51-50 WAC.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**NEW SECTION. Sec. 3.** (1) (a) Beginning July 1, 2025, an awarding authority must require in all newly executed construction contracts that the selected firm for a construction contract for a covered project larger than 100,000 gross square feet submit the following data for each covered product used before substantial completion, including at a minimum:

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

(b) Beginning July 1, 2027, an awarding authority must require in all newly executed construction contracts that the selected firm for a construction contract for a covered project submit the data required by (a) of this subsection for each covered product used before substantial completion.

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

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

(3) (a) Beginning July 1, 2025, an awarding authority must require in all newly executed construction contracts that the selected firm for a construction contract for a covered project larger than 100,000 gross square feet to ask their suppliers to report for each covered product used before substantial completion, including at a minimum:

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

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

(b) Beginning July 1, 2027, an awarding authority must require in all newly executed construction contracts that the successful bidder for a construction contract for a covered project to meet the requirements of (a) of this subsection for each covered product used before substantial completion.

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

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

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

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

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

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

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

**NEW SECTION. Sec. 4.** By July 1, 2025, and to the extent practicable, specifications for a bid or proposal for a project contract by an awarding authority may only include performance-based specifications for concrete used as a structural material. Awarding authorities

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

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

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

(3) By July 1, 2025, the department must:

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

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

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

(d) Produce an educational brief that:

(i) Provides an overview of embodied carbon;

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

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

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

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

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

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

**NEW SECTION. Sec. 6.** (1) By December 1, 2024, the department must convene a technical work group that includes the following representatives:

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

(b) Two representatives each from Washington manufacturers of:

(i) Steel;

(ii) Wood; and

(iii) Concrete;

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

(d) A representative from the department of transportation;

(e) A representative from the department of ecology;

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

(g) Three representatives from labor unions, including two from unions that represent manufacturing workers and one representative from the building and construction trades;

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

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

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

(2) The department may form subgroups with members who have subject matter expertise or industry experience to develop technical information, recommendations, and analysis specific to individual material types, and the feasibility of supply chain specific environmental product declarations. The recommendations must, where possible, align with state and national principles and laws for environmental product declaration development.

(3) The department may contract with the University of Washington college of built environments in convening the technical work group.

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

(5) By September 1, 2025, the technical work group must submit a report to the legislature and the governor that includes:

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

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

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

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

(c) Consideration of how additional information relevant to reducing embodied

carbon through strategies including, but not limited to, product life-cycle assessments could be incorporated into future reporting.

(6) (a) By September 1, 2026, the technical work group must submit a report on policy recommendations, including any statutory changes needed, to the legislature and the governor. The report must consider policies to expand the use and production of low carbon materials, preserve and expand low carbon materials manufacturing in Washington, including opportunities to encourage continued conversion to lower carbon blended cements in public projects, and support living wage manufacturing jobs.

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

(i) Summarize data collected pursuant to section 3 of this act, the case study analysis funded by the 2021-2023 omnibus operating appropriations act, and the pilot projects funded by the 2021-2023 omnibus capital appropriations act. The summary must include product quantities, global warming potential, health product declarations, supplier codes of conduct, and any obstacles to the implementation of this chapter;

(ii) Evaluate options for collecting reported working condition information from product suppliers, including hourly wages, employee benefits, and total case incident rates, and for aligning these reporting requirements with existing reporting requirements for preferential tax rates, credits, exemptions, and deferrals;

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

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

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

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

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

(7) (a) The department may update reporting standards and requirements based on input from the technical work group.

(b) The department must provide updated guidance on reporting standards by January 1, 2027.

(8) This section expires January 1, 2028.

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

(1) The office of financial management must include in its capital budget instructions (~~(, beginning with its instructions for the 2003-05 capital~~

budget,)) a request for "yes" or "no" answers for the following additional informational questions from capital budget applicants for all proposed major capital construction projects valued over (~~10 million dollars~~) \$10,000,000 and required to complete a predesign:

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

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

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

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

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

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

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

(ii) Whether local and additional funds were leveraged;

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

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

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

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

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

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

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

NEW SECTION. **Sec. 10.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

Correct the title.

Representative Duerr moved the adoption of amendment (1075) to the striking amendment (1066):

On page 5, line 24 of the striking amendment, after "full-time" insert "equivalent"

On page 9, line 24 of the striking amendment, after "department" strike "may form" and insert "intends formation of"

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

Amendment (1075) to the striking amendment (1066) was adopted.

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

The striking amendment (1066), as amended, was adopted.

The bill was ordered engrossed.

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

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

Representatives Steele, Dye and Maycumber spoke against the passage of the bill.

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

## ROLL CALL

The Clerk called the roll on the final passage of Second Engrossed Substitute House Bill No. 1282, and the bill passed the House by the following vote: Yeas, 58; Nays, 39; Absent, 0; Excused, 1

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

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

Excused: Representative Chandler

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

The Speaker (Orwall presiding) called upon Representative Bronoske to preside.

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

#### MESSAGE FROM THE SENATE

Monday, February 12, 2024

Mme. Speaker:

The Senate has passed:

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5937  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6031  
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6058  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6069  
 ENGROSSED SENATE BILL NO. 6072  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6110  
 SECOND SUBSTITUTE SENATE BILL NO. 6187

and the same are herewith transmitted.

Colleen Pehar, Deputy Secretary

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

#### MOTION

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

HOUSE BILL NO. 2213

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

#### SECOND READING

**HOUSE BILL NO. 1551, by Representatives Pollet, Doglio, Fitzgibbon, Berry, Gregerson, Fosse and Bateman**

##### Reducing lead in cookware.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1551 was substituted for House Bill No. 1551 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1551 was read the second time.

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

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

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1551.

#### ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1551, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

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

Excused: Representative Chandler

SECOND SUBSTITUTE HOUSE BILL NO. 1551, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2153, by Representatives Ryu, Ormsby, Cheney, Reeves, Pollet and Davis**

##### Detering the theft of catalytic converters.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2153 was substituted for House Bill No. 2153 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2153 was read the second time.

Representative Ryu moved the adoption of amendment (1063):

On page 10, beginning on line 33, after "must" strike all material through "type" on line 34 and insert "provide the consumer a disclosure written in a typeface that is at least as large as the typeface used in the standard text of the document that contains the disclosure and that is boldfaced, capitalized, underlined, or otherwise set out from the surrounding material so as to be conspicuous"

On page 11, beginning on line 3, strike all of subsection (3)

On page 18, beginning on line 10, strike all of section 22 and insert the following:

**"Sec. 22.** RCW 46.12.560 and 2011 c 114 s 7 are each amended to read as follows:

(1)(a) Before accepting an application for a certificate of title, the department, county auditor or other agent, or subagent appointed by the director shall require an applicant to provide a certificate of vehicle inspection completed by the Washington state patrol or other authorized inspector if the vehicle:

(i) Was declared a total loss or salvage vehicle under the laws of this state;

(ii) Has been rebuilt after the certificate of title was returned to the department under RCW 46.12.600 and the vehicle was not kept by the registered owner at the time of the vehicle's destruction or declaration as a total loss; or

(iii) Is presented with documents from another state showing that the vehicle was a total loss or salvage vehicle and has not been reissued a valid registration certificate from that state after the declaration of total loss or salvage.

(b) A vehicle presented for inspection must have all damaged major component parts replaced or repaired to meet all requirements in law and rule before the Washington state patrol will inspect the vehicle. The inspection must verify that the vehicle identification number is genuine and agrees with the number shown on the certificate of title and registration certificate.

(c) A Washington state patrol vehicle identification number specialist must ensure that all major component parts used for the reconstruction of a salvage or rebuilt vehicle were obtained legally, and must securely attach a marking at the driver's door latch pillar indicating the vehicle was previously destroyed or declared a total loss. It is a class C felony for a person to remove the marking indicating that the vehicle was previously destroyed or declared a total loss.

(2) A person presenting a vehicle for inspection under subsection (1) of this section must provide original invoices for new and used parts from:

(a) A vendor that is registered with the department of revenue or a comparable agency in the jurisdiction where the major component parts were purchased for the collection of retail sales or use taxes. The invoices must include:

(i) The name and address of the business;  
(ii) A description of the part or parts sold;

(iii) The date of sale; and

(iv) The amount of sale to include all taxes paid unless exempted by the department of revenue or a comparable agency in the jurisdiction where the major component parts were purchased;

(b) A vehicle wrecker licensed under chapter 46.80 RCW or a comparable business in the jurisdiction outside Washington state where the major component part was purchased; and

(c) Private individuals. The private individual must have the certificate of title to the vehicle where the parts were taken from unless the parts were obtained from a parts car owned by a collector. Bills of sale for parts must be notarized and include:

(i) The names and addresses of the sellers and purchasers;

(ii) A description of the vehicle and the part or parts being sold, including the make, model, year, and identification or serial number;

(iii) The date of sale; and

(iv) The purchase price of the vehicle part or parts.

(3) A person presenting a vehicle for inspection under this section who is unable to provide an acceptable release of interest or proof of ownership for a vehicle or major component part as described in this section shall apply for an ownership in doubt application described in RCW 46.12.680.

(4) (a) Before accepting an application for a certificate of title, the department, county auditor or other agent, or subagent appointed by the director shall require an applicant to provide a certificate of vehicle inspection completed by the Washington state patrol or other authorized inspector when the application is for a vehicle being titled for the first time as:

(i) Assembled;

(ii) Glider kit;

(iii) Homemade;

(iv) Kit vehicle;

(v) Street rod vehicle;

(vi) Custom vehicle; or

(vii) Subject to ownership in doubt under RCW 46.12.680.

(b) The inspection must verify that the vehicle identification number is genuine and agrees with the number shown on the certificate of title and registration certificate.

(5) (a) Before accepting an application for a certificate of title, the department, county auditor or other agent, or subagent appointed by the director shall require an applicant to provide a certificate of vehicle inspection completed by the Washington state patrol when the application is for a vehicle with a vehicle identification number that has been:

(i) Altered;

(ii) Defaced;

(iii) Obliterated;

(iv) Omitted;

(v) Removed; or

(vi) Otherwise absent.

(b) The application must include payment of the fee required in RCW 46.17.135.

(c) The Washington state patrol shall assign a new vehicle identification number to the vehicle and place or stamp the new number in a conspicuous position on the vehicle.

(d) The department shall use the new vehicle identification number assigned by the Washington state patrol as the official vehicle identification number assigned to the vehicle.

(6) The department may adopt rules as necessary to implement this section.

(7) Nothing in this section creates a requirement for the Washington state patrol to inspect attached catalytic converters as major component parts."

On page 33, line 7, after "months" strike "shall" and insert "may, at the discretion of the court,"

On page 47, line 14, after "**Sec. 30.**" strike "Except for section 22 of this act, this" and insert "This"

Correct the title.

Representatives Ryu and Robertson spoke in favor of the adoption of the amendment.

Amendment (1063) was adopted.

The bill was ordered engrossed.

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

Representatives Ryu and Robertson spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2153.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2153, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

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

Excused: Representative Chandler

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2153, having received the necessary constitutional majority, was declared passed.

#### **HOUSE BILL NO. 2411, by Representatives Callan, Berg and Ortiz-Self**

##### **Adjusting school districts' authority to contract indebtedness for school construction.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2411 was substituted for House Bill No. 2411 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2411 was read the second time.

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

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

Representative Abbarno spoke against the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2411.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2411, and the bill passed the House by the following vote: Yeas, 58; Nays, 39; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, error, Berg, Bergquist, Berry, Bronoske, Callan, error, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Nance, Ormsby, Ortiz-Self, error, Paul, Peterson, Pollet, Ramel, error, Reed, Reeves, error, Rule, Ryu, Santos, Senn,

Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

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

Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 2411, having received the necessary constitutional majority, was declared passed.

#### **HOUSE BILL NO. 2210, by Representatives Dye, Couture, Graham, Fosse, Springer and Davis**

##### **Establishing a wild horse holding and training program at a state corrections center.**

The bill was read the second time.

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

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

Representative Dent spoke against the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of House Bill No. 2210.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2210, and the bill passed the House by the following vote: Yeas, 95; Nays, 2; Absent, 0; Excused, 1

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

Voting Nay: Representatives Dent and Kretz

Excused: Representative Chandler

HOUSE BILL NO. 2210, having received the necessary constitutional majority, was declared passed.

#### **HOUSE BILL NO. 2079, by Representatives Schmidt, Riccelli, Low, Christian, Klicker, Ormsby, McClintock and Couture**

##### **Improving school safety by extending and increasing penalties for interference by, or intimidation by threat of, force or violence at schools and athletic activities.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2079 was substituted for House Bill No. 2079 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2079 was read the second time.



Representative Senn moved the adoption of amendment (908):

On page 2, beginning on line 35, after "RCW 28A.600.015." strike all material through "months." on line 39

With the consent of the House, Representative Senn withdrew amendment (908).

Representative Schmidt moved the adoption of amendment (1084):

On page 2, beginning on line 19, strike all of sections 2 and 3 and insert the following:

**"NEW SECTION. Sec. 2.** A new section is added to chapter 28A.635 RCW to read as follows:

(1) Signage must be posted notifying the public of the offenses and possible penalties under RCW 28A.635.090 and 28A.635.100.

(2) The signage must be prominently displayed at any entrance to a public school gymnasium or auditorium and wherever other public notices are placed at public school athletic fields.

(3) The office of the superintendent of public instruction shall develop a standard signage form notifying the public of the offenses and possible penalties under RCW 28A.635.090 and 28A.635.100.

(4) As used in this section, "public school" has the same meaning as in RCW 28A.150.010."

Correct the title.

Representatives Schmidt and Goodman spoke in favor of the adoption of the amendment.

Amendment (1084) was adopted.

Representative Schmidt moved the adoption of amendment (849):

On page 3, after line 24, insert the following:

**"NEW SECTION. Sec. 4.** A new section is added to chapter 28A.635 RCW to read as follows:

(1) Signage must be posted notifying the public of the offenses and possible penalties under RCW 28A.635.090 and 28A.635.100.

(2) The signage must be prominently displayed at any entrance to a public school gymnasium or auditorium and wherever other public notices are placed at public school athletic fields.

(3) The office of the superintendent of public instruction shall develop a standard signage form notifying the public of the offenses and possible penalties under RCW 28A.635.090 and 28A.635.100.

(4) As used in this section, "public school" has the same meaning as in RCW 28A.150.010."

Correct the title.

With the consent of the House, Representative Schmidt withdrew amendment (849).

The bill was ordered engrossed.

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

Representatives Schmidt and error spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2079.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2079, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

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

Excused: Representative Chandler

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2079, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2009, by Representatives Mosbrucker, Goodman, Leavitt, Ramos, Jacobsen, Graham, Cheney, Gregerson, Orwall, Riccelli and Davis**

**Facilitating the use of dental records in missing person investigations.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2009 was substituted for House Bill No. 2009 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2009 was read the second time.

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

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

#### MOTION

\*\*\*\*\*ERROR - JournalEntryId: 46596, StampTemplateId: 275, StampTemplateName: Voter Excused, Unable to fetch excusing Member\*\*\*\*\*

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2009.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2009, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2

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

Excused: Representatives Chandler and Duerr

SUBSTITUTE HOUSE BILL NO. 2009, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2160, by Representatives Reed, Fey, Mena, Alvarado, Berry, Bateman, Ormsby, Ramel, Macri, Street, Peterson, Gregerson, Ryu, Cortes, Riccelli, Doglio and Pollet**

**Promoting community and transit-oriented housing development.**

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 2160 was substituted for House Bill No. 2160 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 2160 was read the second time.

Representative Maycumber moved the adoption of amendment (1033):

On page 12, line 14, after "(5)" insert "(a)"

On page 12, after line 23, insert the following:

"(b) For the purposes of this subsection (5), "affordable housing" means residential housing with a monthly cost, including utilities other than telephone, that does not exceed 30 percent of the monthly income of a household whose income is no more than 80 percent of the median household income adjusted for household size, for the county where the household is located, as reported by the United States department of housing and urban development."

Representatives Hutchins and Peterson spoke in favor of the adoption of the amendment.

Amendment (1033) was adopted.

Representative Hutchins moved the adoption of amendment (1047):

On page 12, beginning on line 38, strike all of subsection (8)

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

On page 13, beginning on line 20, after "meets" strike all material through "and" on line 21

On page 16, beginning on line 8, after "(A)" strike all material through "(B)" on line 13

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

On page 17, beginning on line 30, after "of" strike all material through "(c)" on line 35 and insert "allowing an additional 1.5 floor area ratio for any building in a station area for which all units are affordable housing for at least 50 years or are dedicated to permanent supportive housing as required under section 3 of this act; and

(b)"

With the consent of the House, Representative Hutchins withdrew amendment (1047).

Representative Connors moved the adoption of amendment (1031):

On page 13, line 7, after "2024;" strike "or"

On page 13, line 17, after "(8)(c)" insert "; or

(d) The city submits evidence to the department showing that it has sufficient housing capacity to meet the projected need in its housing element until its next comprehensive plan update under RCW 36.70A.130"

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

Representative Peterson spoke against the adoption of the amendment.

Amendment (1031) was not adopted.

Representative Hutchins moved the adoption of amendment (1035):

On page 19, beginning on line 27, strike all of subsection (4)

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

Representative Peterson spoke against the adoption of the amendment.

Amendment (1035) was not adopted.

Representative Klicker moved the adoption of the striking amendment (1036):

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec.** (1) The University of Washington's Runstad department of real estate shall conduct a study of the feasibility of a statewide transit-oriented development requirement. The study must include:

(a) A review and analysis of provisions for transit-oriented development included in comprehensive plans and development regulations by cities subject to the

requirement under RCW 36.70A.130 to update their comprehensive plans by December 31, 2024;

(b) A comparison of the transit-oriented development density, regulations, and affordability requirements for each city reviewed; and

(c) The convening of an expert panel on transit-oriented development that includes representatives from local government, transit agencies, affordable housing advocacy organizations, and both non-profit and for-profit developers.

(2) By November 1, 2025, and in compliance with RCW 43.01.036, the Runstad department of real estate shall submit a report to the appropriate committees of the legislature that includes a comparison of transit-oriented development practices in Washington cities and any recommendations for statewide transit-oriented development policies.

(3) This section expires December 1, 2025."

Correct the title.

Representative Klicker spoke in favor of the adoption of the striking amendment.

Representative Peterson spoke against the adoption of the striking amendment.

The striking amendment (1036) was not adopted.

The bill was ordered engrossed.

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

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

Representative Barkis spoke against the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 2160.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 2160, and the bill passed the House by the following vote: Yeas, 56; Nays, 40; Absent, 0; Excused, 2

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

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

Excused: Representatives Chandler and Duerr

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2160, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2007, by Representatives Peterson, Gregerson, Alvarado, Berry, Senn, Morgan, Leavitt, Reed, Ormsby, Kloba, Macri, Doglio, Bergquist, Goodman, Ortiz-Self, Santos and Hackney**

**Expanding time limit exemptions applicable to cash assistance programs.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2007 was substituted for House Bill No. 2007 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2007 was read the second time.

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

Representatives Peterson and Eslick spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2007.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2007, and the bill passed the House by the following vote: Yeas, 85; Nays, 11; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, error, Berg, Bergquist, Berry, Bronoske, Callan, Chambers, error, Cheney, Chopp, Corry, Cortes, Couture, Davis, Doglio, Donaghy, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, error, Goodman, Graham, Gregerson, Griffey, Hackney, error, Hutchins, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, error, Paul, Peterson, Pollet, Ramel, error, Reed, Reeves, error, Robertson, Rule, Ryu, Sandlin, Santos, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Caldier, error, Connors, Dent, Dye, Jacobsen, Klicker, McEntire, Rude, Schmick and Walsh

Excused: Representatives Chandler and Duerr

SUBSTITUTE HOUSE BILL NO. 2007, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2375, by Representatives Goehner, Bateman, Orcutt, Simmons, Davis, Sandlin, Rude, Wilcox, Barkis, Schmidt, Steele, Barnard, Shavers, Christian, Reed, Tharinger and Caldier**

**Including an accessory dwelling unit under property that qualifies for the senior citizens property tax exemption.**

The bill was read the second time.

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

Representatives error and Berg spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of House Bill No. 2375.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2375, and the bill passed the House by the following vote: Yeas, 95; Nays, 1; Absent, 0; Excused, 2

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

Voting Nay: Representative Pollet

Excused: Representatives Chandler and Duerr

HOUSE BILL NO. 2375, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2368, by Representatives Gregerson, Eslick, Thai, Low, Senn, Leavitt, Davis, Farivar, Nance, Reed, Doglio, Ramel, Simmons, Ormsby, Street, Goodman, Timmons, Pollet and Santos**

**Assisting refugees and immigrants.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2368 was substituted for House Bill No. 2368 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2368 was read the second time.

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

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

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2368.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2368, and the bill passed the House by the following vote: Yeas, 61; Nays, 35; Absent, 0; Excused, 2

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

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

Excused: Representatives Chandler and Duerr

SUBSTITUTE HOUSE BILL NO. 2368, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2329, by Representatives Macri, Peterson, Alvarado, Chopp, Bateman, Pollet, Reed and Ramel**

**Conducting a study of the insurance market for housing providers receiving housing trust fund resources.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2329 was substituted for House Bill No. 2329 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2329 was read the second time.

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

Representatives Macri and Robertson spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2329.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2329, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2

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

Excused: Representatives Chandler and Duerr

SUBSTITUTE HOUSE BILL NO. 2329, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2124, by Representatives Eslick, Senn, Leavitt, Chapman, Reed, Ramel, Callan, Rule, Goodman, Tharinger, Wylie, Timmons, Stonier, Reeves and Kloba**

**Supporting and expanding access to child care and early learning programs.**

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 2124 was substituted for House Bill No. 2124 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 2124 was read the second time.

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

Representatives Eslick and Senn spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 2124.

### ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 2124, and the bill passed the House by the following vote: Yeas, 74; Nays, 22; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barnard, error, Berg, Bergquist, Berry, Bronoske, Callan, Chambers, error, Cheney, Chopp, Connors, Corry, Cortes, Davis, Doglio, Donaghy, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, error, Goodman, Gregerson, Hackney, error, Kloba, Leavitt, Lekanoff, Low, Macri, McClintock, Mena, Morgan, Nance, Orcutt, Ormsby, Ortiz-Self, error, Paul, Peterson, Pollet, Ramel, error, Reed, Reeves, error, Rule, Ryu, Sandlin, Santos, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Barkis, Caldier, error, Couture, Dent, Dye, Graham, Griffey, Hutchins, Jacobsen, Klicker, Kretz, Maycumber, McEntire, Mosbrucker, Robertson, Rude, Schmick, Steele, Stokesbary, Volz and Walsh

Excused: Representatives Chandler and Duerr

SECOND SUBSTITUTE HOUSE BILL NO. 2124, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2213, by Representatives Cheney, Taylor, Duerr and Graham**

**Concerning defects and omissions in the laws that have been identified by the justices of the supreme court or judges of the superior courts pursuant to Article IV, section 25 of the state Constitution.**

The bill was read the second time.

With the consent of the House, amendment (1059) was withdrawn.

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

Representatives Walsh and Taylor spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of House Bill No. 2213.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2213, and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 1

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

Voting Nay: Representative Graham

Excused: Representative Chandler

HOUSE BILL NO. 2213, having received the necessary constitutional majority, was declared passed.

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

### MESSAGE FROM THE SENATE

Tuesday, February 13, 2024

Mme. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 5829  
SENATE BILL NO. 5836  
SUBSTITUTE SENATE BILL NO. 5902  
SUBSTITUTE SENATE BILL NO. 5972  
SENATE BILL NO. 6013  
SUBSTITUTE SENATE BILL NO. 6121  
SUBSTITUTE SENATE BILL NO. 6125  
SUBSTITUTE SENATE BILL NO. 6162  
SENATE BILL NO. 6222

and the same are herewith transmitted.

Colleen Pehar, Deputy Secretary

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

### SECOND READING

**HOUSE BILL NO. 2382, by Representatives Berry, Lekanoff, Reed, Bronoske, Fosse, Pollet and Ormsby**

**Concerning death benefits applicable to drivers of transportation network companies.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2382 was substituted for House Bill No. 2382 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2382 was read the second time.

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

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

Representatives Schmidt and Abbarno spoke against the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2382.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2382, and the bill passed the House by the following vote: Yeas, 57; Nays, 40; Absent, 0; Excused, 1

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

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

Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 2382, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2494, by Representatives Bergquist, Rude, Simmons, Senn, Pollet, Callan, Paul, Macri, Stonier and Gregerson**

**Increasing state funding for operating costs in schools.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2494 was substituted for House Bill No. 2494 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2494 was read the second time.

Representative Bergquist moved the adoption of amendment (1013):

On page 6, line 19, after "~~((2017-18))~~" strike "2024-25" and insert "2023-24"

On page 6, line 25, after "~~((130.76))~~" strike "\$183.27" and insert "\$178.98"

On page 6, line 26, after "~~((355.30))~~" strike "\$441.26" and insert "\$430.26"

On page 6, line 27, after "~~((140.39))~~" strike "\$168.43" and insert "\$164.48"

On page 6, line 28, after "~~((278.05))~~" strike "\$334.38" and insert "\$326.54"

On page 6, line 29, after "~~((20.00))~~" strike "\$23.20" and insert "\$22.65"

On page 6, line 31, after "~~((21.71))~~" strike "\$30.05" and insert "\$28.94"

On page 6, line 32, after "~~((176.01))~~" strike "\$211.16" and insert "\$206.22"

On page 6, line 33, after "~~((121.94))~~" strike "\$150.29" and insert "\$146.37"

On page 6, line 35, after "~~((2014-15))~~" strike "2024-25" and insert "2023-24"

On page 7, line 6, after "~~((36.35))~~" strike "\$45.11" and insert "\$44.05"

On page 7, line 7, after "~~((39.02))~~" strike "\$49.21" and insert "\$48.06"

On page 7, line 8, after "~~((77.28))~~" strike "\$96.37" and insert "\$94.07"

On page 7, line 9, after "~~((5.56))~~" strike "\$6.15" and insert "\$6.05"

On page 7, line 11, after "~~((6.04))~~" strike "\$8.20" and insert "\$8.01"

On page 10, beginning on line 27, after "**Sec. 3.**" strike "Section 2 of this act takes effect September 1, 2024" and insert the following:

"The state must provide the full school year amount for materials, supplies, and operating costs provided in this act for the 2023-24 school year. The first month's distribution of additional amounts provided under this act in the 2023-24 school year must be a proportion of the total annual additional amount provided in this act equal to the sum of the proportional shares under RCW 28A.510.250 from September 2023 to the first month's distribution.

This section expires September 1, 2024"

Representatives Bergquist and Rude spoke in favor of the adoption of the amendment.

Amendment (1013) was adopted.

The bill was ordered engrossed.

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

Representatives Bergquist and Rude spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2494.

**ROLL CALL**

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2494, and the bill passed the House by the following vote: Yeas, 80; Nays, 17; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Barnard, error, Berg, Bergquist, Berry, Bronoske, Callan, Chambers, error, Cheney, Chopp, Connors, Cortes, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, error, Goodman, Gregerson, Hackney, error, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Nance, Orcutt, Ormsby, Ortiz-Self, error, Paul, Peterson, Pollet, Ramel, error, Reed, Reeves, error, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Caldier, error, Corry, Couture, Graham, Griffey, Hutchins, Jacobsen, McEntire, Schmidt, Steele, Volz, Walsh, Waters and Wilcox

Excused: Representative Chandler

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2494, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2389, by Representatives Abbarno and Barkis**

**Addressing service of notice by mail in cases involving forcible entry and forcible and unlawful detainer.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2389 was substituted for House Bill No. 2389 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2389 was read the second time.

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

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

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2389.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2389, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

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

Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 2389, having received the necessary constitutional majority, was declared passed.

### ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1479, by House Committee on Appropriations (originally sponsored by Callan, Santos, Goodman, Ramel, Ormsby and Pollet)

#### Concerning restraint or isolation of students in public schools and educational programs.

The bill was read the second time.

There being no objection, Fourth Substitute House Bill No. 1479 was substituted for Engrossed Second Substitute House Bill No. 1479 and the fourth substitute bill was placed on the second reading calendar.

FOURTH SUBSTITUTE HOUSE BILL NO. 1479 was read the second time.

Representative Callan moved the adoption of the striking amendment (1074):

Strike everything after the enacting clause and insert the following:

#### "PURPOSE OF ACT

NEW SECTION. **Sec. 1.** The purposes of this act are to: Protect students from physically harmful and emotionally traumatic practices of chemical restraint, mechanical restraint, and isolation; prohibit the use of physical restraint imposed solely for purposes of student discipline or staff convenience; improve the safety and well-being of all staff and students by increasing the training and technical assistance provided to staff; and enhance the public accountability of school

districts and other providers of public educational services.

#### DEFINITIONS

NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.600 RCW to read as follows:

The definitions in this section apply throughout RCW 28A.600.485, 28A.600.486, 28A.155.210, and sections 4, 7 through 9, and 13 through 18 of this act unless the context clearly requires otherwise.

(1) "Behavioral intervention plan" means the individualized plan developed for a student and implemented by staff for the purpose of changing, replacing, modifying, or eliminating a student's behavior or behaviors of concern.

(2) "Chemical restraint" means a drug or chemical administered by staff to a student to control the student's behavior or restrict the student's freedom of movement that is not: (a) Prescribed by a licensed health professional acting within the scope of the practice of that health profession for the standard treatment of a student's medical or psychiatric condition; (b) administered by a licensed health professional acting within the scope of the practice of that health profession or administered by designated staff delegated and trained by the licensed health professional under RCW 28A.210.260; or (c) administered in accordance with the student's medical or psychiatric treatment plan.

(3) "Educational service" means instruction and other activities delivered or sponsored by a school district or other provider of public educational services, for example: General education services; special education services; medical services; safety and security services; transportation services; and any developmental, corrective, or other supportive services necessary for a student eligible for special education services to benefit from special education services.

(4) "Functional behavioral assessment" means the process or evaluation used by staff to understand the cause or purpose of a student's specific behavior or behaviors of concern in a specific environment.

(5) "Imminent" means the state or condition of being likely to occur at any moment or near at hand, rather than distant or remote.

(6) "Intensive crisis prevention and response training" means a training program approved by the office of the superintendent of public instruction under section 13(4) of this act.

(7) "Isolation," also known as seclusion, means the involuntary separation of a student from all other people, by staff, in a room or other enclosed area from which the student is not free to leave. "Isolation" does not include: (a) A time away, which is a student-selected behavior management technique that provides a student with an opportunity for self-calming, where the student is separated from others for a limited period, in a setting that is staff-monitored and from which the student may

leave at any time; (b) staff temporarily confining a student alone in a classroom, office, or common area because the student's behavior poses an imminent likelihood of serious harm to the staff who had been in the room with the student, provided the student's confinement ends as soon as it is practicable for additional staff to intervene; or (c) a room clear, except as provided in rule by the office of the superintendent of public instruction.

(8) "Likelihood of serious harm" means a substantial risk that:

(a) Harm will be inflicted by the student upon his or her own person, as evidenced by threats or attempts to commit suicide, or inflict harm on oneself; or

(b) Harm will be inflicted by the student upon another, as evidenced by behavior that places another person or persons in reasonable fear of sustaining such harm.

(9) "Mechanical restraint" means staff use of a device to restrict a student's freedom of movement. "Mechanical restraint" does not include: (a) A device used by staff or a student: (i) As prescribed by a licensed health professional acting within the scope of the practice of that health profession; (ii) as documented in a student's individualized education program under Part B of the federal individuals with disabilities education act, Title 20 U.S.C. Sec. 1400 et seq. or a student's plan developed under section 504 of the rehabilitation act of 1973; or (iii) for a specific therapeutic, orthopedic, or medical purpose, when used for its designed purpose; or (b) the use of vehicle safety restraints when used as intended during the transport of a student in a vehicle.

(10) "Physical escort" means the temporary touching or holding of a student's hand, wrist, arm, shoulder, or back by staff for the purpose of directing the student to a safe or otherwise appropriate location.

(11) "Physical prompt" means a teaching technique used by staff that involves voluntary physical contact with a student for the purpose of enabling the student to learn or model the physical movement necessary for the development of a desired competency.

(12) "Physical restraint" means physical contact by one or more staff that immobilizes or reduces the ability of a student to move the student's arms, legs, torso, or head freely. "Physical restraint" does not include chemical restraint, mechanical restraint, physical escort, or physical prompt.

(13) "Provider of public educational services" means any entity that directly operates, or provides educational services under contract to, an elementary or secondary school program that receives public funds from the office of the superintendent of public instruction. "Provider of public educational services" includes a school district, public school as defined in RCW 28A.150.010, an educational service district, an institutional education provider as defined in RCW 28A.190.005, a public agency or private entity providing educational services under contract with any other provider of public educational services, an authorized entity as defined in

RCW 28A.300.690, and any providers of services in accordance with Part B of the federal individuals with disabilities education act, Title 20 U.S.C. Sec. 1400 et seq. In addition, "provider of public educational services" includes the state school for the blind and the center for deaf and hard of hearing youth established under RCW 72.40.010.

(14) "Restraint" includes chemical restraint, mechanical restraint, and physical restraint.

(15) "Room clear" means the procedure used by staff in an emergency to direct all students, except for any students causing the emergency, to leave a room. Except as provided in rule of the office of the superintendent of public instruction, a room clear is not isolation.

(16) "Staff" means an employee or contractor of a school district or other provider of public educational services. "Staff" does not include licensed or certified health professionals of inpatient health care facilities.

(17) "Student behavior management" means the knowledge and skills to:

(a) Implement proactive classroom management strategies that create a positive and safe learning environment;

(b) Recognize the emotional or behavioral distress of students and respond using evidence-based, trauma-informed behavioral health supports that are age and developmentally appropriate, are restorative, and consider any disabilities of the students;

(c) Understand and implement behavior management practices and positive behavioral supports within a multitiered system of supports; and

(d) Use evidence-based, trauma-informed, and student-centered approaches for de-escalating aggressive student behaviors that include problem solving and conflict resolution and are less restrictive than isolation or restraint.

(18) "Students" means children and youth served by a school district or other provider of public educational services.

#### USE OF STUDENT ISOLATION AND RESTRAINT

**Sec. 3.** RCW 28A.600.485 and 2015 c 206 s 3 are each amended to read as follows:

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

~~(a) "Isolation" means restricting the student alone within a room or any other form of enclosure, from which the student may not leave. It does not include a student's voluntary use of a quiet space for self-calming, or temporary removal of a student from his or her regular instructional area to an unlocked area for purposes of carrying out an appropriate positive behavior intervention plan.~~

~~(b) "Restraint" means physical intervention or force used to control a student, including the use of a restraint device to restrict a student's freedom of movement. It does not include appropriate use of a prescribed medical, orthopedic, or therapeutic device when used as intended,~~



such as to achieve proper body position, balance, or alignment, or to permit a student to safely participate in activities.

(c) "Restraint device" means a device used to assist in controlling a student, including but not limited to metal handcuffs, plastic ties, ankle restraints, leather cuffs, other hospital-type restraints, pepper spray, tasers, or batons. Restraint device does not mean a seat harness used to safely transport students. This section shall not be construed as encouraging the use of these devices.

(2) The provisions of this section apply to all students, including those who have an individualized education program or plan developed under section 504 of the rehabilitation act of 1973. The provisions of this section apply only to incidents of restraint or isolation that occur while a student is participating in school-sponsored instruction or activities.

(3)(a) An individualized education program or plan developed under section 504 of the rehabilitation act of 1973 must not include the use of restraint or isolation as a planned behavior intervention unless a student's individual needs require more specific advanced educational planning and the student's parent or guardian agrees. All other plans may refer to the district policy developed under subsection (3)(b) of this section. Nothing in this section is intended to limit the provision of a free appropriate public education under Part B of the federal individuals with disabilities education improvement act or section 504 of the federal rehabilitation act of 1973.

(b) Restraint or isolation of any student is permitted only when reasonably necessary to control spontaneous behavior that poses an imminent likelihood of serious harm, as defined in RCW 70.96B.010. Restraint or isolation must be closely monitored to prevent harm to the student, and must be discontinued as soon as the likelihood of serious harm has dissipated. Each school district shall adopt a policy providing for the least amount of restraint or isolation appropriate to protect the safety of students and staff under such circumstances.

(4) Following the release of a student from the use of restraint or isolation, the school must implement follow-up procedures. These procedures must include: (a) Reviewing the incident with the student and the parent or guardian to address the behavior that precipitated the restraint or isolation and the appropriateness of the response; and (b) reviewing the incident with the staff member who administered the restraint or isolation to discuss whether proper procedures were followed and what training or support the staff member needs to help the student avoid similar incidents.

(5) Any school employee, resource officer, or school security officer who uses isolation or restraint on a student during school-sponsored instruction or activities must inform the building administrator or building administrator's designee as soon as possible, and within two business days submit a written report of the incident to the district office. The written report must include, at a minimum, the following information:

(a) The date and time of the incident;  
(b) The name and job title of the individual who administered the restraint or isolation;

(c) A description of the activity that led to the restraint or isolation;

(d) The type of restraint or isolation used on the student, including the duration;

(e) Whether the student or staff was physically injured during the restraint or isolation incident and any medical care provided; and

(f) Any recommendations for changing the nature or amount of resources available to the student and staff members in order to avoid similar incidents.

(6) The principal or principal's designee must make a reasonable effort to verbally inform the student's parent or guardian within twenty-four hours of the incident, and must send written notification as soon as practical but postmarked no later than five business days after the restraint or isolation occurred. If the school or school district customarily provides the parent or guardian with school-related information in a language other than English, the written report under this section must be provided to the parent or guardian in that language.

(7)(a) Beginning January 1, 2016, and by January 1st annually, each school district shall summarize the written reports received under subsection (5) of this section and submit the summaries to the office of the superintendent of public instruction. For each school, the school district shall include the number of individual incidents of restraint and isolation, the number of students involved in the incidents, the number of injuries to students and staff, and the types of restraint or isolation used.

(b) No later than ninety days after receipt, the office of the superintendent of public instruction shall publish to its website the data received by the districts. The office of the superintendent of public instruction may use this data to investigate the training, practices, and other efforts used by schools and districts to reduce the use of restraint and isolation.)

**Application.** This section applies during the provision of educational services:

(a) To all students, including those who have an individualized education program or plan developed under section 504 of the rehabilitation act of 1973, of a school district or other provider of public educational services; and

(b) To all staff of a school district or other provider of public educational services, except for staff who are licensed or certified health professionals of an inpatient health care facility.

**(2) Prohibited isolation and restraint.**

(a) The staff of any school district or other provider of public educational services are prohibited from using the following interventions on any student during the provision of educational services:

(i) Chemical restraint;

(ii) Corporal punishment as prohibited by RCW 28A.150.300;

(iii) Isolation or physical restraint that is contraindicated based on the

student's disability or health care needs or medical or psychiatric condition as documented in:

(A) An individual health plan or other health care management plan;

(B) A behavioral intervention plan;

(C) An individualized education program under Part B of the federal individuals with disabilities education act, Title 20 U.S.C. Sec. 1400 et seq.; or

(D) A plan developed under section 504 of the federal rehabilitation act of 1973;

(iv) Mechanical restraint;

(v) Physical restraint or physical escort that is life-threatening, restricts breathing, or restricts blood flow to the brain, including prone, supine, and wall restraints; and

(vi) Noxious spray and other aversive intervention as prohibited in rule of the office of the superintendent of public instruction.

(b) Except as authorized under subsection (4)(b) of this section, neither a student nor the student's parent or legal guardian may consent, or be asked to consent, to the use of interventions that are prohibited under this subsection (2).

(3) Limited use of physical restraint. The staff of any school district or other provider of public educational services may physically restrain a student during the provision of educational services only when:

(a) The student's behavior poses an imminent likelihood of serious harm to the student or to others;

(b) Less restrictive interventions would be ineffective in stopping the imminent likelihood of serious harm to the student or to others;

(c) The least amount of force necessary is used to protect the student or another person from an imminent likelihood of serious harm to the student or to others; and

(d) The physical restraint of the student ends immediately upon the cessation of the imminent likelihood of serious harm to the student or to others.

(4) Limited use of isolation. (a) Subject to the limitations in (b) of this subsection (4), the staff of any school district or other provider of public educational services may isolate a student during the provision of educational services only when:

(i) The student's behavior poses an imminent likelihood of serious harm to the student or to others;

(ii) Less restrictive interventions would be ineffective in stopping the imminent likelihood of serious harm to the student or to others;

(iii) The least amount of force necessary is used to protect the student or another person from an imminent likelihood of serious harm to the student or to others;

(iv) During isolation, the student is under the constant visual supervision of the staff;

(v) The isolation of the student ends immediately upon the cessation of the imminent likelihood of serious harm to the student or to others; and

(vi) Beginning August 1, 2029, the staff isolating the student has received intensive crisis prevention and response training.

(b) Except as provided in (c) of this subsection (4), beginning August 1, 2025, the staff of any school district or other provider of public educational services are prohibited from isolating any student in prekindergarten through grade five during the provision of educational services, unless requested by the parent or legal guardian of the student and unless authorized as follows:

(i) Two licensed health professionals, acting within the scope of practice for their health professions, have recommended and provided instructions for staff to isolate the student under specified circumstances and conditions that include the conditions described in (a) of this subsection (4). At least one of the licensed health professionals must not be an employee or contractor of the school district or provider of public educational services serving the student. For the purposes of this subsection (4)(b)(i), "licensed health professional" means a licensed behavior analyst, mental health counselor, osteopathic physician, physician, psychiatric nurse, psychiatric nurse practitioner, psychiatrist, or psychologist; and

(ii) The parent or legal guardian of the student provides uncoerced, fully informed, advanced, written consent for the staff to isolate the student as recommended under (b) (i) of this subsection (4).

(c) (i) Through July 31, 2029, or an exemption expiration date established by the office of the superintendent of public instruction, the limitations of (b) of this subsection (4) do not apply to any school district or other providers of public educational services serving students in any of grades prekindergarten through five that have claimed an exemption by August 1, 2025, using the process established under section 18 of this act. The purpose of the exemption is to delay the onset of the prohibition on isolating prekindergarten through grade five students until staff have received student behavior management training and intensive crisis prevention and response training as described in the staff training plan prepared under section 8 of this act.

(ii) School districts and other providers of public educational services that claim an exemption must: (A) Engage with the technical assistance provided by the office of the superintendent of public instruction; and (B) provide the training described in the staff training plan prepared under section 8 of this act, as soon as practicable.

(5) Isolation rooms. (a) School districts and other providers of public educational services are prohibited from designing new construction or remodeling buildings to include a room or other enclosed area solely for purposes of isolating a student in any grade.

(b) Beginning August 1, 2029, school districts and other providers of public educational services are prohibited from approving, equipping, or constructing a room or other enclosed area solely for purposes of isolating a student in prekindergarten through grade five, except to comply with subsection (4)(b) of this section.

(c) The provisions of this subsection (5) do not apply to a state-operated psychiatric hospital that serves students.

(6) **School resource officers.** Nothing in this section prohibits a school resource officer as defined in RCW 28A.320.124 from carrying out the lawful duties of a commissioned law enforcement officer.

(7) **Provision of free appropriate public education.** Nothing in this section is intended to limit the provision of a free appropriate public education under Part B of the federal individuals with disabilities education improvement act or section 504 of the federal rehabilitation act of 1973.

(8) **Definitions.** The definitions in section 2 of this act apply to this section.

#### INCIDENT FOLLOW-UP PROCEDURES

**NEW SECTION. Sec. 4.** A new section is added to chapter 28A.600 RCW to read as follows:

This section applies to incidents of student isolation or restraint, whether prohibited or limited under RCW 28A.600.485, and to incidents of a room clear.

(1) **Notifications.** (a) As soon as practicable following the release of the student from isolation or restraint, and as soon as practicable following the return of students from a room clear, the staff who used, or directed the use of, isolation, restraint, or a room clear shall notify the principal, other building administrator, or designee, of the provider of public educational services about the incident.

(b) The principal, other building administrator, or designee of the provider of public educational services shall:

(i) Notify the student's parent or legal guardian about the incident, within 24 hours of the incident; and

(ii) Send written documentation, including the incident report prepared under subsection (3)(a) of this section, to the parent or legal guardian, within three business days of the incident, and, when possible, send written documentation to the parent or legal guardian via email, on the same calendar day as the incident.

(c) With regard to use of isolation or restraint that is prohibited under RCW 28A.600.485(2), the principal, other building administrator, or designee, of the provider of public educational services shall notify the following people or entities about the incident in accordance with the applicable deadlines:

(i) The school district superintendent or other chief administrator of the provider of public educational services, within one business day of the incident;

(ii) The office of the superintendent of public instruction, within three business days of the incident; and

(iii) If the educational services are provided to the student who was isolated or restrained under a contract, the other party to the contract, within three business days of the incident.

(2) **Reviews.** (a) As soon as practicable, but no later than one week following submission of the incident report as required under subsection (3) of this

section, the principal, other building administrator, or designee, of the provider of public educational services shall review the incident with the student and the student's parent or legal guardian to discuss relevant events that occurred before, during, and after the incident, and to inform the student's parent or legal guardian about behavioral intervention planning that must be completed under subsection (4) of this section.

(b) As soon as practicable, staff must provide the student with an opportunity to meet with a counselor, nurse, psychologist, or social worker to reflect, process, and recover from the incident.

(c)(i) As soon as practicable, a team of staff, including the staff who used, or directed the use of, isolation, restraint, or a room clear shall review the incident to, among other things:

(A) Provide the staff who used, or directed the use of, isolation, restraint, or a room clear with an opportunity to reflect on, process, and recover from the incident;

(B) Determine whether proper procedures were followed; and

(C) Identify additional training, coaching, or assistance that may support staff who used, or directed the use of, isolation, restraint, or a room clear, to use less restrictive interventions in similar situations in the future.

(ii) To the extent practicable, pertinent information from the incident review with the student and the student's parent or legal guardian under (a) of this subsection (2) must be considered by the incident review team.

(iii) Nothing in this subsection (2)(c) prevents an incident review team from conducting multiple incident reviews in the same review session.

(3) **Reports.** (a) For each student who was isolated, restrained, or caused an emergency that resulted in a room clear, the principal, other building administrator, or designee shall work with the staff who used, or directed the use of, isolation, restraint, or room clear to prepare a written daily incident report that describes all incidents involving the student during the date for which the report applies. The daily incident reports must be submitted to the school district superintendent or other chief administrator of the provider of public educational services, within two business days of the date for which the report applies. At a minimum, the written report must include:

(i) The date, time, duration, and location of the incident or incidents;

(ii) Names and job titles of staff who used, or directed the use of, isolation, restraint, or room clear and of staff who observed the incident or incidents;

(iii) The type or description of restraint or isolation used per incident, if applicable;

(iv) A description of relevant events that occurred before, during, and after the incident or incidents, including any less restrictive interventions attempted, including any de-escalation attempts;

(v) Whether the student who was isolated, restrained, or caused the emergency that resulted in a room clear has either an individualized education program or a behavioral intervention plan and, if so, whether the program or plan was followed for each incident or incidents;

(vi) Information about any known physical injuries or psychological trauma experienced by students or staff due to the incident or incidents, including whether medical care was sought or received, and whether staff requested or used leave benefits;

(vii) Any recommendations to prevent similar, future incidents; and

(viii) Other information as required by rule of the office of the superintendent of public instruction.

(b) No less than monthly, the principal, other building administrator or designee, shall submit to the school district superintendent or other chief administrator of a provider of public educational services a summary of the outcomes of the team incident reviews under subsection (2)(c) of this section that describes any changes to the nature and amount of resources and supports available to students and staff needed to prevent similar, future incidents. For the prior month, or other relevant period, the summary must also include the number of team incident reviews conducted under subsection (2)(c) of this section and the number of incident reports submitted under (a) of this subsection (3). A summary does not have to be submitted in months that there are no incidents of student isolation or restraint or room clears.

(c) The school district superintendent or other chief administrator of a provider of public educational services shall prepare a summary of the daily incident reports submitted under (a) of this subsection (3), at least annually and as required by the school district board of directors or other governing body of a provider of public educational services. The summary must be disaggregated for purposes of trend analyses, for example by the student categories and subcategories provided under RCW 28A.300.042 (1) and (3), student gender, students who are dependent pursuant to chapter 13.34 RCW, students who are homeless as defined in RCW 43.330.702, students who are multilingual/English learners, status as a student with a parent who is a member of the armed forces, by school or other applicable unit, by staff job title, by contractor, and by incident type.

(d) The school district superintendent or other chief administrator of a provider of public educational services must submit incident report summaries prepared under (b) and (c) of this subsection (3), at the time and in the manner required by the office of the superintendent of public instruction.

(4) **Behavioral intervention plan.** (a) As soon as practicable following the release of a student from isolation or restraint or the return of students following a room clear, staff shall, for the student who was isolated, restrained, or caused the emergency that resulted in a room clear:

(i) Complete a functional behavioral assessment, unless a functional behavioral

assessment was previously completed for the student's behavior of concern; and

(ii) Develop a behavioral intervention plan or, if a behavioral intervention plan has already been developed, review the behavioral intervention plan and modify it as necessary to address the student's behavior of concern. When the student has an individualized education program, the behavioral intervention plan must be developed and modified in accordance with the student's individualized education program.

(b) Nothing in this subsection (4) limits behavioral intervention planning for students with individualized education programs under Part B of the federal individuals with disabilities education act, Title 20 U.S.C. Sec. 1400 et seq.

(5) **Definitions.** The definitions in section 2 of this act apply to this section.

#### POLICY AND PROCEDURES, AND TRAINING FOR SCHOOL BOARDS AND OTHER GOVERNING BODIES

**Sec. 5.** RCW 28A.600.486 and 2013 c 202 s 4 are each amended to read as follows:

~~((Parents and guardians of children who have individualized education programs or plans developed under section 504 of the rehabilitation act of 1973 must be provided a copy of the district policy on the use of isolation and restraint at the time that the program or plan is created.))~~ (1)(a) The school district board of directors or other governing body of a provider of public educational services shall adopt a student isolation and restraint policy and procedures that meets the requirements of this subsection. The procedures must comply with the requirements in RCW 28A.600.485 and section 4 of this act, and include a process for convening a team of staff to review incidents of student isolation and restraint and room clears using a systems improvement approach that focuses on supporting staff to use less restrictive interventions as alternatives to isolation and restraint.

(b) By August 1, 2025, and periodically thereafter, the school district board of directors or other governing body of a provider of public educational services shall review and revise, as necessary, its student isolation and restraint policy and procedures with input from staff, students, students' families, advocacy organizations, and other appropriate members of the community.

(c) Parents and guardians of children who have individualized education programs or plans developed under section 504 of the rehabilitation act of 1973 must be provided a copy of the policy and procedures adopted under this subsection (1) at the time that the program or plan is created.

(2) On an annual basis, the school district board of directors or other governing body of a provider of public educational services shall monitor the impact of the policy and procedures adopted under subsection (1) of this section by, at a minimum: (a) Performing trend analyses using the incident report summaries prepared by the school district superintendent or other chief administrator of the provider of

public educational services under section 4(3) of this act; and (b) reviewing the staff training plan and updates prepared under section 8 of this act.

(3) If the policy and procedures adopted under subsection (1) of this section includes staff isolation of students in any of grades six through 12 under the conditions described in RCW 28A.600.485(4) (a), the school district board of directors or other governing body of a provider of public educational services must annually submit the policy and procedures at the time and in the manner required by the office of the superintendent of public instruction.

(4) Beginning in the 2024-25 school year, and every four years thereafter, each member of a school district board of directors or other governing body of a provider of public educational services shall complete the training program on student isolation and restraint provided at no cost as required under section 17 of this act.

(5) The definitions in section 2 of this act apply to this section.

**Sec. 6.** RCW 28A.155.210 and 2023 c 436 s 7 are each amended to read as follows:

(1) Parents and legal guardians of students who have individualized education programs must be provided a copy of the policy and procedures adopted in accordance with RCW 28A.600.486.

(2) A student's individualized education program must include procedures for notification of, and incident review with, a parent or legal guardian regarding the use of restraint or isolation under RCW 28A.600.485. If a student is placed in an authorized entity under RCW 28A.155.060, the student's individualized education program must also specify any additional procedures required to ensure the authorized entity fully complies with RCW 28A.600.485 and section 4 of this act.

(3) The definitions in section 2 of this act apply to this section.

#### STAFF TRAININGS

**NEW SECTION. Sec. 7.** A new section is added to chapter 28A.300 RCW to read as follows:

(1) By January 1, 2025, the office of the superintendent of public instruction must develop and publish a model plan and guidance for staff training on student behavior management and intensive crisis prevention and response that school districts and other providers of public educational services must use when developing the staff training plan required by section 8 of this act. The model plan and guidance must be updated periodically to support best practices.

(2) The model plan and guidance required by subsection (1) of this section must:

(a) Propose training content, duration, and frequency categories by staff, program, activity, and duty codes for student behavior management training and for intensive crisis prevention and response training. Nothing in this subsection

requires all staff to be trained on intensive crisis prevention and response;

(b) Describe best practices for connecting staff training on student behavior management and intensive crisis prevention and response to existing systems designed to support student learning, social-emotional well-being, and positive behavior in the classroom, for example: (i) Instruction in social-emotional learning that is consistent with learning standards and benchmarks adopted by the office of the superintendent of public instruction under RCW 28A.300.478; (ii) use of inclusionary practices; and (iii) implementation of the Washington integrated student supports protocol, established under RCW 28A.300.139, within a multitiered system of supports;

(c) Suggest options for compensating staff for training on student behavior management and intensive crisis prevention and response that include: (i) The professional learning days funded under RCW 28A.150.415; (ii) other staff training days funded in a biennial or supplemental operating budget; and (iii) federal funds;

(d) Include mechanisms that can be used to determine whether an entity under contract to provide educational services to students is providing training on student behavior management and intensive crisis prevention and response to the contractor's staff; and

(e) Describe any office of the superintendent of public instruction and education service district resources available to support staff training on student behavior management and intensive crisis prevention and response.

(3) The definitions in section 2 of this act apply to this section.

**NEW SECTION. Sec. 8.** A new section is added to chapter 28A.600 RCW to read as follows:

(1)(a) By August 1, 2025, the school district superintendent or other chief administrator of a provider of public educational services, or the school district board of directors or other governing body of a provider of public educational services, shall prepare and submit to the office of the superintendent of public instruction a plan and timeline for staff training on student behavior management and intensive crisis management and response. The goal of the plan must be to reduce overall staff use of student isolation and restraint and to have highly trained staff available to isolate or restrain students when appropriate and in the safest possible manner. Nothing in this section requires all staff to be trained on intensive crisis prevention and response.

(b) By August 1, 2026, and by August 1st annually thereafter, an update on the implementation of its staff training plan must be submitted to the office of the superintendent of public instruction.

(c) The model plan and guidance for staff training on student behavior management and intensive crisis prevention and response developed as required by section 7 of this act must be considered prior to plan and

update development under this subsection (1).

(d) The plan and each update must be informed by the resource and support needs identified in the team incident review summaries completed under section 4(3) of this act.

(2) The plan and each update must:

(a) Describe the student behavior management and intensive crisis prevention and response training that will be provided or made available to staff during the following school year, with training content, duration, and frequency differentiated by staff, program, activity, and duty codes. When applicable, the plan update must explain why the prior year's training was not provided or made available as planned;

(b) Specify the name of any intensive crisis prevention and response training programs provided or made available to staff, by staff, program, activity, and duty codes;

(c) Explain how staff who have received intensive crisis prevention and response training are made available to prevent isolation and restraint and to reduce the risk of imminent likelihood of serious harm in the safest possible manner; and

(d) Describe the mechanism used to determine whether an entity under contract to provide educational services to students is providing training to the contractor's staff as required by this section.

(3) Training must be prioritized to staff in the following order:

(a) First to staff providing educational services to students with disabilities in prekindergarten through grade five, with further prioritization informed by the team incident review summaries completed under section 4(3) of this act;

(b) Second to staff providing educational services to students with disabilities in grades six through 12; and

(c) Third to all other staff.

(4) The definitions in section 2 of this act apply to this section.

**NEW SECTION. Sec. 9.** A new section is added to chapter 28A.410 RCW to read as follows:

In establishing policies and requirements for the preparation and certification of educators under RCW 28A.410.210, the Washington professional educator standards board shall require that the programs of courses, requirements, and other activities leading to educator certification include the foundational knowledge and skills of student behavior management, as defined in section 2 of this act.

**Sec. 10.** RCW 28A.320.127 and 2016 c 48 s 1 are each amended to read as follows:

(1) Beginning in the 2014-15 school year, each school district must adopt a plan for recognition, initial screening, and response to emotional or behavioral distress in students, including but not limited to indicators of possible substance abuse, violence, youth suicide, and sexual abuse. The school district must annually provide the plan to all district staff.

(2) At a minimum the plan must address:

(a) Identification of training opportunities in recognition, screening, and referral that may be available for staff;

(b) How to use the expertise of district staff who have been trained in recognition, screening, and referral;

(c) How staff should respond to suspicions, concerns, or warning signs of emotional or behavioral distress in students in a manner that is age and developmentally appropriate and considers any disabilities of the students;

(d) Identification and development of partnerships with community organizations and agencies for referral of students to health, mental health, substance abuse, and social support services, including development of at least one memorandum of understanding between the district and such an entity in the community or region;

(e) Protocols and procedures for communication with parents and guardians, including the notification requirements under RCW 28A.320.160;

(f) How staff should implement trauma-informed and relationship-centered de-escalation approaches to respond to a crisis situation where a student is in imminent danger to himself or herself or others, including protocols to comply with student isolation and restraint requirements under RCW 28A.600.485;

(g) How the district will provide support to students and staff after an incident of violence, youth suicide, or allegations of sexual abuse;

(h) How staff should respond when allegations of sexual contact or abuse are made against a staff member, a volunteer, or a parent, guardian, or family member of the student, including how staff should interact with parents, law enforcement, and child protective services; and

(i) How the district will provide to certificated and classified staff the training on the obligation to report physical abuse or sexual misconduct required under RCW 28A.400.317.

(3) The plan under this section may be a separate plan or a component of another district plan or policy, such as the harassment, intimidation, and bullying prevention policy under RCW 28A.300.2851 or the comprehensive safe school plan required under RCW 28A.320.125.

**Sec. 11.** RCW 28A.413.050 and 2021 c 197 s 12 are each amended to read as follows:

(1) The board shall adopt state standards of practice for paraeducators that are based on the recommendations of the paraeducator work group established in chapter 136, Laws of 2014. These standards must include:

(a) Supporting instructional opportunities;

(b) Demonstrating professionalism and ethical practices;

(c) Supporting a positive and safe learning environment, including by assisting certificated staff with: (i) Responding to the emotional or behavioral distress of students in a manner that is age and developmentally appropriate and considers

any disabilities of the students; (ii) implementing behavior management practices and positive behavioral supports; and (iii) using trauma-informed and relationship-centered approaches for de-escalating aggressive student behaviors that include problem solving and conflict resolution;

(d) Communicating effectively and participating in the team process; and

(e) The standards of practice developed by the Washington professional educator standards board under RCW 28A.410.260.

(2) By January 1, 2020, in order to ensure that paraeducators can recognize signs of emotional or behavioral distress in students and appropriately refer students for assistance and support, the board shall incorporate into the standards of practice for paraeducators adopted under subsection (1) of this section the social-emotional learning standards, benchmarks, and related competencies described in RCW 28A.410.270.

**Sec. 12.** RCW 28A.415.445 and 2021 c 197 s 8 are each amended to read as follows:

(1) Beginning in the 2020-21 school year, and every other school year thereafter, school districts must use one of the professional learning days funded under RCW 28A.150.415 to train school district staff in one or more of the following topics: Social-emotional learning, trauma-informed practices, using the model plan developed under RCW 28A.320.1271 related to recognition and response to emotional or behavioral distress, classroom management strategies that include positive behavioral supports and de-escalation strategies, consideration of adverse childhood experiences, mental health literacy, antibullying strategies, or culturally sustaining practices.

(2)(a) In the 2021-22 school year, school districts must use one of the professional learning days funded under RCW 28A.150.415 to train school district staff in one or more of the following topics: Cultural competency, diversity, equity, or inclusion.

(b) Beginning in the 2023-24 school year, and every other school year thereafter, school districts must use one of the professional learning days funded under RCW 28A.150.415 to provide to school district staff a variety of opportunities for training, professional development, and professional learning aligned with the cultural competency, equity, diversity, and inclusion standards of practice developed by the Washington professional educator standards board under RCW 28A.410.260. Alignment with the standards of practice must be evaluated using the rubrics developed under RCW 28A.410.260. The opportunities must also include training on multicultural education and principles of English language acquisition.

(3) For the purposes of this section:

(a) "Cultural competency," "diversity," "equity," and "inclusion" have the same meaning as in RCW 28A.415.443.

(b) "School district staff" includes classified staff, certificated instructional staff, certificated administrative staff, and superintendents.

## STATE MONITORING AND TECHNICAL ASSISTANCE

**NEW SECTION. Sec. 13.** A new section is added to chapter 28A.300 RCW to read as follows:

(1) As required by this section, the office of the superintendent of public instruction shall monitor and support the compliance of school districts and other providers of public educational services with requirements related to student isolation and restraint and room clears under RCW 28A.600.485 and 28A.600.486 and sections 4 and 8 of this act.

(2) Within three months of receipt, the office of the superintendent of public instruction shall review each staff training plan and update submitted by a school district or other provider of public educational services under section 8 of this act.

(3) At least annually, the office of the superintendent of public instruction shall require school districts and other providers of public educational services to submit incident report summaries submitted under section 4(3) of this act. The office of the superintendent of public instruction shall publish the incident report data and summaries on its website within 90 days of receipt. The data must be published in a manner that allows trend analyses, including analysis of intersecting marginalized identities.

(4)(a) Ongoing technical assistance must be provided to school districts and other providers of public educational services to support compliance with the requirements related to student isolation and restraint and room clears under RCW 28A.600.485 and 28A.600.486 and sections 4 and 8 of this act.

(b) At a minimum, this technical assistance must include publishing:

(i) Guidance related to student isolation and restraint and room clears under RCW 28A.600.485 and 28A.600.486 and sections 4 and 8 of this act that is updated periodically to support best practices;

(ii) An approved list of intensive crisis prevention and response training programs that are evidence-based, trauma-informed, student-centered, and proactive. The school mental health assessment research and training center at the University of Washington and the state association for behavior analysis must be consulted during the program approval process;

(iii) A model plan and guidance for staff training on student behavior management developed as required by section 7 of this act; and

(iv) A daily incident report form that includes fields for the information required by section 4(3)(a) of this act.

(5) Prior to implementing the technical assistance, and periodically thereafter, the office of the superintendent of public instruction shall collaborate with statewide associations representing school administrators, classified staff, and certificated staff to conduct focus groups for the purpose of better understanding staff challenges related to implementation of student isolation and restraint and room

clear requirements under RCW 28A.600.485 and 28A.600.486 and sections 4 and 8 of this act.

(6) Annually by November 1st, and in compliance with RCW 43.01.036, the office of the superintendent of public instruction shall report to the appropriate committees of the legislature with a summary of its activities to monitor and support the compliance of school districts and other providers of public educational services with requirements related to student isolation and restraint and room clears under RCW 28A.600.485 and 28A.600.486 and sections 4 and 8 of this act. The report must describe the progress that school districts and other providers of public educational services have made towards providing training to staff as required by section 8 of this act. The report must also highlight exemplar school districts and other providers of public educational services using best practices to eliminate the use of isolation and restraint.

(7) The office of the superintendent of public instruction shall adopt rules under chapter 34.05 RCW for the implementation of this section, sections 2, 4, 7, 8, and 13 through 18 of this act, and RCW 28A.600.485, 28A.600.486, 28A.155.210, 28A.320.127, and 28A.415.445.

(8) The definitions in section 2 of this act apply to this section.

**NEW SECTION. Sec. 14.** A new section is added to chapter 28A.300 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the office of the superintendent of public instruction shall provide, or contract for the provision of, intensive crisis prevention and response training.

(2) The office of the superintendent of public instruction shall establish criteria for prioritizing provision of the training to staff in the following order:

(a) Staff in school districts and other providers of public educational services that claimed and were approved for an exemption from the prohibition on isolation of prekindergarten through grade five students under RCW 28A.600.485(4)(b), with further prioritization informed by the incident report summaries submitted under section 4(3) of this act;

(b) Staff in school districts and other providers of public educational services that submit policies and procedures that include staff isolation of students in any of grades six through 12 as required by RCW 28A.600.486(3), with further prioritization informed by the incident report summaries submitted under section 4(3) of this act; and

(c) Staff not otherwise included in (a) or (b) of this subsection (2) in school districts and other providers of public educational services with high incidents of isolation, restraint, room clears, and injuries.

(3) Training under this section must be provided to the principals and other building administrators while it is provided

to the classified and certificated instructional staff.

(4) The definitions in section 2 of this act apply to this section.

#### REGIONAL COACHES

**NEW SECTION. Sec. 15.** A new section is added to chapter 28A.310 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the office of the superintendent of public instruction shall distribute funding to educational service districts for regional coaches to support school districts and other providers of public educational services to implement requirements related to student isolation and restraint and room clears under RCW 28A.600.485 and 28A.600.486 and sections 4 and 8 of this act.

(2) Regional coaches must promote evidence-based, trauma-informed crisis prevention and response practices that are less restrictive than isolation and restraint, as well as classroom management techniques and the use of a multitiered system of supports. In addition, regional coaches must have received intensive crisis prevention and response training through a program approved by the office of the superintendent of public instruction under section 13(4) of this act.

(3) The duties of the regional coaches must include mentoring, observing classes, providing feedback, providing trainings, training others to be trainers and mentors, and supporting actions to nurture a positive social and emotional school and classroom climate as described in RCW 28A.345.085.

(4) An educational service district that receives funding under this section must prioritize coaching services to local school districts and other providers of public educational services using the criteria established by the office of the superintendent of public instruction to prioritize provision of training under section 14 of this act.

(5) Educational service districts are encouraged to employ or contract with board certified behavior analysts to be regional coaches.

(6) The definitions in section 2 of this act apply to this section.

#### PLANS OF IMPROVEMENT

**NEW SECTION. Sec. 16.** A new section is added to chapter 28A.300 RCW to read as follows:

(1) When a school district or other provider of public educational services is not making sufficient progress towards the goals established in its staff training plan submitted under section 8 of this act or when disparities in use of isolation or restraint are identified in its incident report summaries submitted under section 4(3) of this act, the office of the superintendent of public instruction shall place the school district or other provider of public educational services on a plan of improvement. Under a plan of improvement,



the office of the superintendent of public instruction shall provide targeted technical assistance, including annual site visits, until the school district or other provider of public educational services makes sufficient progress towards providing required staff training, or eliminates disparities in use of isolation or restraint, or both.

(2) The definitions in section 2 of this act apply to this section.

#### TRAINING PROGRAM FOR GOVERNING BODIES

NEW SECTION. **Sec. 17.** A new section is added to chapter 28A.300 RCW to read as follows:

(1) By November 1, 2024, the office of the superintendent of public instruction shall develop a training program for school district boards of directors and the governing bodies of other providers of public educational services to meet requirements related to student isolation and restraint and room clears under RCW 28A.600.485 and 28A.600.486 and sections 4 and 8 of this act. The training program must be updated periodically.

(2) At a minimum, the training program must include the following content:

(a) The legal prohibitions and limitations on the use of isolation and restraint on students provided under RCW 28A.600.485;

(b) The social-emotional and physical impacts to students and staff resulting from the use of isolation and restraint rather than trauma-informed interventions, such as de-escalation strategies and student-centered, restorative practices;

(c) How to assess compliance with RCW 28A.600.485 and 28A.600.486 and sections 4 and 8 of this act;

(d) A summary of the resources available through the office of the superintendent of public instruction and the educational service districts;

(e) A review of the applicable model policy of the Washington state school directors' association;

(f) The model plan and guidance for staff training on student behavior management developed as required by section 7 of this act; and

(g) Options for supporting system improvement by reprioritizing resources.

(3) The training program must be developed and updated in partnership with the Washington state school directors' association.

(4) The training program must be made available at no cost and be easily accessible to school district boards of directors, the governing bodies of other providers of public educational services, and the Washington state school directors' association.

(5) The definitions in section 2 of this act apply to this section.

SUPPORT FOR THOSE CLAIMING A TEMPORARY  
EXEMPTION FROM ELEMENTARY ISOLATION  
PROHIBITIONS

NEW SECTION. **Sec. 18.** A new section is added to chapter 28A.300 RCW to read as follows:

(1) (a) By November 1, 2024, the office of the superintendent of public instruction shall establish and implement a process for school districts and other providers of public educational services to claim an exemption from the prohibition on isolating prekindergarten through grade five students under RCW 28A.600.485(4). The office of the superintendent of public instruction must approve the exemption of each school district or other provider of public educational services that claims an exemption by August 1, 2025.

(b) Exemptions authorized under this section expire on July 31, 2029; however, the office of the superintendent of public instruction is authorized to extend the exemption expiration date for any school district or other provider of public educational services that claimed an exemption by August 1, 2025, until staff have received student behavior management and intensive crisis prevention and response training as described in the staff training plan prepared under section 8 of this act.

(2) The office of the superintendent of public instruction shall provide technical assistance to school districts and other providers of public educational services that claimed and were approved for an exemption. Technical assistance must include assisting with the preparation of a staff training plan, as required by section 8 of this act, that supports compliance with conditions and limitations on use of student isolation under RCW 28A.600.485(4) as soon as practicable.

(3) School districts and other providers of public educational services that claimed and were approved for an exemption must be prioritized for training under section 14 of this act and for regional coaching services under section 15 of this act.

(4) The definitions in section 2 of this act apply to this section.

(5) This section expires June 30, 2040.

#### PROFESSIONAL DEVELOPMENT REPORT

NEW SECTION. **Sec. 19.** (1) By December 1, 2025, and in compliance with RCW 43.01.036, the office of the superintendent of public instruction must report to the appropriate committees of the legislature a description of the training provided under section 14 of this act, including with its progress on developing a staff training deployment strategy and assembling of a network of training providers, as well as its assessment of the need and demand for staff training in the coming biennium. In assessing the future need and demand, the office of the superintendent of public instruction must consider lessons learned from the demonstration projects and provision of staff training authorized in section 501(4)(mm), chapter 475, Laws of 2023, the number of exemptions claimed under section 18 of this act, and the number of policies and procedures submitted as required by RCW 28A.600.486. The report must identify the intensive crisis prevention and

response training program providers approved under section 13(4) of this act and those used by school districts and other providers of public educational services. The report must also describe how the state trainings provided under section 14 of this act connect to related trainings, for example trainings on a multitiered system of supports.

(2) This section expires June 30, 2026.

EDUCATOR PREPARATION AND PARAEDUCATOR CERTIFICATE REPORT

NEW SECTION. Sec. 20. (1) By December 1, 2024, and in compliance with RCW 43.01.036, the Washington professional educator standards board and the paraeducator board must jointly submit to the appropriate committees of the legislature a plan for integrating into educator preparation programs the requirements in section 9 of this act and for integrating into paraeducator standards of practice the new requirements in RCW 28A.413.050.

(2) This section expires August 30, 2025.

ROOM CLEAR REPORT

NEW SECTION. Sec. 21. (1) The office of the superintendent of public instruction must contract with a research entity to study and report on the use of room clears in Washington. The research entity must analyze and report on the impacts of a room clear on the students involved, including those who are removed from the classroom. The report must, at a minimum, consider the impact of room clears on lost instructional time, student mental health, and social-emotional learning. The research entity must also identify and summarize best practices on the use of room clears. The report of the research entity must be submitted by the office of the superintendent of public instruction to the appropriate committees of the legislature by September 1, 2025, in compliance with RCW 43.01.036.

(2) This section expires June 30, 2026.

REPORT ON PLACEMENT IN AUTHORIZED ENTITIES

Sec. 22. RCW 28A.155.250 and 2023 c 436 s 8 are each amended to read as follows:

(1) Beginning December 1, 2023, and in compliance with RCW 43.01.036, the office of the superintendent of public instruction shall annually submit a report to the education committees of the legislature regarding placements of students with disabilities at authorized entities under RCW 28A.155.060. A summary of the report, including a link to the full report content, must also be posted on the office of the superintendent of public instruction's website. The report must include:

(a) The number of students with disabilities placed in in-state authorized entities and the number of students with disabilities placed in out-of-state authorized entities, disaggregated by placing school district;

(b) The academic progress of students receiving special education services from authorized entities, using the results of the two most recent state assessments;

~~((b))~~ (c) The graduation rates of students who have received special education services from authorized entities;

~~((e))~~ (d) The rate at which students receiving special education services from authorized entities return to their resident school districts;

~~((d))~~ (e) Data on student restraint and isolation incidents, discipline, and attendance at authorized entities; ~~(and~~

~~(e))~~ (f) A year-over-year analysis of placement rates in authorized entities that includes whether placement decisions are influenced by requirements related to student isolation and restraint under RCW 28A.600.485; and

(g) Any corrective action or change in an entity's authorization status, as ordered by the office of the superintendent of public instruction.

(2) The data published under subsection (1) of this section must be disaggregated by each authorized entity when it is possible to do so without disclosing, directly or indirectly, a student's personally identifiable information as protected under the federal family educational rights and privacy act (Title 20 U.S.C. Sec. 1232g).

(3) As used in this section, "authorized entity" has the same meaning as in RCW 28A.300.690.

REPEALER

NEW SECTION. Sec. 23. RCW 28A.415.330 (Professional development institutes—Managing disruptive students) and 1999 c 166 s 2 are each repealed.

NULL AND VOID

NEW SECTION. Sec. 24. If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2024, in the omnibus appropriations act, this act is null and void."

Correct the title.

Representative Callan spoke in favor of the adoption of the striking amendment.

The striking amendment (1074) was adopted.

The bill was ordered engrossed.

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

Representatives Callan, Rude and error spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Fourth Substitute House Bill No. 1479.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Fourth Substitute House Bill No. 1479, and the bill passed the House by the following vote: Yeas, 79; Nays, 18; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, error, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, error, Cheney, Chopp, error, Cortes, Couture, Davis, Doglio, Donaghy, Duerr, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, error, Goodman, Gregerson, Griffey, Hackney, Hutchins, Klicker, Kloba, Leavitt, Lekanoff, Low, Macri, McClintock, McEntire, Mena, Morgan, Nance, Ormsby, Ortiz-Self, error, Paul, Peterson, Pollet, Ramel, error, Reed, Reeves, error, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Walsh, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Barkis, Barnard, Chambers, Connors, Corry, Dent, Dye, Graham, error, Jacobsen, Kretz, Maycumber, Mosbrucker, Orcutt, Schmick, Schmidt, Volz and Waters

Excused: Representative Chandler

ENGROSSED FOURTH SUBSTITUTE HOUSE BILL NO. 1479, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1870, by Representatives Barnard, Ryu, Leavitt, Connors, Couture, Schmidt, Duerr, Slatter, Reed, Chapman, Graham, Ormsby, Timmons, Donaghy, Paul, Doglio, Reeves, Hackney and Griffey**

**Promoting economic development by increasing opportunities for local communities to secure federal funding.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1870 was substituted for House Bill No. 1870 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1870 was read the second time.

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

Representatives Barnard and Ryu spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1870.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1870, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

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

Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 1870, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2303, by Representatives Goodman, Simmons and Peterson**

**Modifying conditions of community custody.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2303 was substituted for House Bill No. 2303 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2303 was read the second time.

Representative Goodman moved the adoption of amendment (885):

On page 6, line 19, after "offender," insert "following the offender's release from total confinement,"

On page 6, after line 34, insert the following:

"(e) A motion under this subsection may not reopen the offender's conviction to challenges that would otherwise be barred by RCW 10.73.090, 10.73.100, 10.73.140, or other procedural barriers."

On page 7, line 5, after "offender," insert "following the offender's release from total confinement,"

On page 7, after line 20, insert the following:

"(e) A motion under this subsection may not reopen the offender's conviction to challenges that would otherwise be barred by RCW 10.73.090, 10.73.100, 10.73.140, or other procedural barriers."

Representatives Goodman and Mosbrucker spoke in favor of the adoption of the amendment.

Amendment (885) was adopted.

Representative Mosbrucker moved the adoption of amendment (1090):

On page 4, beginning on line 19, strike all of sections 2 and 3

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

On page 16, beginning on line 1, strike all of section 8

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

Correct the title.

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

Representative Goodman spoke against the adoption of the amendment.

Amendment (1090) was not adopted.

Representative Mosbrucker moved the adoption of amendment (941):

On page 6, line 30, after "every" strike "six-month" and insert "12-month"

On page 7, line 16, after "every" strike "six-month" and insert "12-month"

Representatives Mosbrucker and Goodman spoke in favor of the adoption of the amendment.

Amendment (941) was adopted.

The bill was ordered engrossed.

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

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

Representative Mosbrucker spoke against the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2303.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2303, and the bill passed the House by the following vote: Yeas, 58; Nays, 39; Absent, 0; Excused, 1

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

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

Excused: Representative Chandler

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2303, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2023, by Representatives Shavers, Ramel, Reed, Ormsby, Callan, Timmons, Berg, Lekanoff, Doglio, Reeves and Santos**

**Improving meaningful access to elections by increasing language assistance.**

The bill was read the second time.

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

Representatives Shavers and Cheney spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of House Bill No. 2023.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2023, and the bill passed the House by the following vote: Yeas, 84; Nays, 13; Absent, 0; Excused, 1

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

Voting Nay: Representatives Abbarno, error, Couture, Dye, Graham, Griffey, Jacobsen, McEntire, Orcutt, Schmick, Schmidt, Volz and Walsh

Excused: Representative Chandler

HOUSE BILL NO. 2023, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2481, by Representatives Volz, Bergquist, Robertson and Macri**

**Waiving health benefit premiums in the public employees' benefits board.**

The bill was read the second time.

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

Representatives Volz and Bergquist spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of House Bill No. 2481.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2481, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

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

Excused: Representative Chandler

HOUSE BILL NO. 2481, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Bronoske presiding) called upon Representative Orwall to preside.

#### SECOND READING

**HOUSE BILL NO. 1906, by Representatives Chapman, Barkis, Bronoske, Reed, Ryu and Reeves**

**Changing the vessel length requirement in obtaining nonresident vessel permits.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1906 was substituted for House Bill No. 1906 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1906 was read the second time.

Representative Chapman moved the adoption of amendment (841):

On page 3, line 5, after "permit." insert "Until May 1, 2025, the department must process the application for a nonresident vessel permit, with respect to a vessel that exceeds 200 feet in length, as if the vessel were 200 feet in length."

On page 4, line 35, after "(D)" insert "(I)"

On page 4, line 35, after "length" insert ", except as provided in (a) (ii) (D) (II) of this subsection"

On page 4, line 37, after "foot" insert "

(II) Until May 1, 2025, the fee for vessels between 201 and 300 feet in length is the same as that for a vessel 200 feet in length"

Representatives error and Barkis spoke in favor of the adoption of the amendment.

Amendment (841) was adopted.

The bill was ordered engrossed.

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

Representatives error and Barkis spoke in favor of the passage of the bill.

The Speaker (Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1906.

**ROLL CALL**

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1906, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

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

Excused: Representative Chandler

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1906, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1996, by Representatives Robertson, Chapman and Graham**

**Establishing the Washington recreational vehicle manufacturer and dealer law.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1996 was substituted for House Bill No. 1996 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1996 was read the second time.

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

Representatives Robertson and Walen spoke in favor of the passage of the bill.

The Speaker (Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1996.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 1996, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

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

Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 1996, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1919, by Representatives Bronoske, Corry, Leavitt, Reed and Tharinger**

**Modifying the process by which a private moorage facility may sell an abandoned vessel for failure to pay moorage fees.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1919 was substituted for House Bill No. 1919 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1919 was read the second time.

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

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

The Speaker (Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1919.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1919, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

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

Excused: Representative Chandler

SUBSTITUTE HOUSE BILL NO. 1919, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1468, by Representatives Goehner, Duerr, Jacobsen, Griffey, Barkis, Robertson, Hutchins, Chapman, Riccelli, Berg, Bateman and Pollet**

#### Concerning impact fee deferrals.

The bill was read the second time.

With the consent of the House, amendment (794) was withdrawn.

Representative Callan moved the adoption of amendment (1079):

Beginning on page 1, line 4, strike all of section 1 and insert the following:

"**Sec. 1.** RCW 82.02.050 and 2015 c 241 s 1 are each amended to read as follows:

(1) It is the intent of the legislature:

(a) To ensure that adequate facilities are available to serve new growth and development;

(b) To promote orderly growth and development by establishing standards by which counties, cities, and towns may require, by ordinance, that new growth and development pay a proportionate share of the cost of new facilities needed to serve new growth and development; and

(c) To ensure that impact fees are imposed through established procedures and criteria so that specific developments do not pay arbitrary fees or duplicative fees for the same impact.

(2) Counties, cities, and towns that are required or choose to plan under RCW 36.70A.040 are authorized to impose impact fees on development activity as part of the financing for public facilities, provided that the financing for system improvements to serve new development must provide for a balance between impact fees and other sources of public funds and cannot rely solely on impact fees.

(3) (a) ~~((i))~~ Counties, cities, and towns collecting impact fees must, by September 1,

~~((2016))2025, adopt and maintain a system for the deferred collection of impact fees for single-family detached and attached residential construction. The deferral system must include a process by which an applicant for a building permit for ((a)) single-family detached or attached residences may ((request a deferral of the full impact fee payment. The deferral system offered by a county, city, or town under this subsection (3) must include one or more of the following options:~~

~~(A) Deferring collection of the impact fee payment until final inspection;~~

~~(B) Deferring collection of the impact fee payment until certificate of occupancy or equivalent certification; or~~

~~(C) Deferring collection of the impact fee payment until the time of closing of the first sale of the property occurring after the issuance of the applicable building permit.~~

~~(ii) Counties, cities, and towns utilizing the deferral process required by this subsection (3) (a)) execute a promissory note in favor of the county, city, or town imposing the impact fee for the full value of the impact fees imposed. The note must come due at the time provided for in (b) of this subsection (3). The note must identify each impact fee that it covers and the total amount of fees that are due. The note must be recorded with the county auditor at the expense of the applicant. If lots have not been created on the subdivision, the note must be recorded for the entire subdivision. The payment of the fees detailed in the promissory note is the legal responsibility of the applicant.~~

~~(b) The promissory note must include a provision for payment of the impact fee:~~

~~(i) At the time of the issuance of a certificate of occupancy or equivalent certification for the lot or unit;~~

~~(ii) At the time of the closing of the first sale of the lot or unit occurring after the issuance of the applicable building permit; or~~

~~(iii) At the time of final inspection.~~

~~(c) (i) If a county, city, or town has determined that payment of the impact fees is due at the time of the issuance of the certificate of occupancy or equivalent certification or at the time of the final inspection, the county, city, or town may withhold certification of final inspection, the certificate of occupancy, or equivalent certification until the impact fees have been paid in full. If the applicant has not paid in full by the time of the first sale of the lot or unit occurring after the issuance of the applicable building permit, then the impact fees are due immediately at the time of sale.~~

~~(ii) If the full impact fees have not been paid within one month of the sale of the first sale of the lot or unit occurring after the issuance of the applicable building permit, then the note bears interest at the rate provided for in RCW 82.32.050(2). The rate must be adjusted on the first day of January of each year for use in computing interest for that calendar year. The county treasurer must provide the county, city, or town covered by the promissory note with the variable rate on or~~

before December 31st of the year preceding the year in which the rate applies.

~~(iii) In addition to the interest provided for in (c)(ii) of this subsection (3), if an applicant has not paid the impact fees in full within one month of the first sale of the lot or unit occurring after the issuance of the applicable building permit, the applicant must additionally be assessed a penalty of five percent of the total amount remaining due on the promissory note. If the promissory note has not been paid in full within two months of the time of the first sale of the lot or unit occurring after the issuance of the applicable building permit, the applicant must instead be assessed a penalty of 10 percent of the total amount remaining due on the promissory note. If the promissory note has not been paid in full within three months of the time of the first sale of the lot or unit occurring after the issuance of the applicable building permit, the applicant must instead be assessed a penalty of 20 percent of the total amount remaining due on the promissory note.~~

~~(iv) The interest and penalties provided for in this subsection (3)(c) are collectible only from the applicant and may not be a lien against the property sold by the applicant for which the impact fees were due. Owners of an applicant who has not paid the impact fees in full within one month of the first sale of the lot or unit occurring after the issuance of the applicable building permit are personally liable for the full amount of the note, unless the sale has been recorded in the official county property record.~~

~~((iii)) (d) The amount of impact fees that may be deferred under this subsection (3) must be determined by the fees in effect at the time the applicant applies for a deferral.~~

~~((iv) Unless an agreement to the contrary is reached between the buyer and seller, the payment of impact fees due at closing of a sale must be made from the seller's proceeds. In the absence of an agreement to the contrary, the seller bears strict liability for the payment of the impact fees.~~

~~(b)) (e) The applicant must provide written disclosure of a deferral agreement to a property buyer as required by chapter 64.06 RCW.~~

~~(f) The term of an impact fee deferral under this subsection (3) may not exceed ((eighteen)) 18 months from the date of building permit issuance.~~

~~((e) Except as may otherwise be authorized in accordance with (f) of this subsection (3), an applicant seeking a deferral under this subsection (3) must grant and record a deferred impact fee lien against the property in favor of the county, city, or town in the amount of the deferred impact fee. The deferred impact fee lien, which must include the legal description, tax account number, and address of the property, must also be:~~

~~(i) In a form approved by the county, city, or town;~~

~~(ii) Signed by all owners of the property, with all signatures acknowledged~~

~~as required for a deed, and recorded in the county where the property is located;~~

~~(iii) Binding on all successors in title after the recordation; and~~

~~(iv) Junior and subordinate to one mortgage for the purpose of construction upon the same real property granted by the person who applied for the deferral of impact fees.~~

~~(d)(i) If impact fees are not paid in accordance with a deferral authorized by this subsection (3), and in accordance with the term provisions established in (b) of this subsection (3), the county, city, or town may institute foreclosure proceedings in accordance with chapter 61.12 RCW.~~

~~(ii) If the county, city, or town does not institute foreclosure proceedings for unpaid school impact fees within forty-five days after receiving notice from a school district requesting that it do so, the district may institute foreclosure proceedings with respect to the unpaid impact fees.~~

~~(e)(i) Upon receipt of final payment of all deferred impact fees for a property, the county, city, or town must execute a release of deferred impact fee lien for the property. The property owner at the time of the release, at his or her expense, is responsible for recording the lien release.~~

~~(ii) The extinguishment of a deferred impact fee lien by the foreclosure of a lien having priority does not affect the obligation to pay the impact fees as a condition of final inspection, certificate of occupancy, or equivalent certification, or at the time of closing of the first sale.~~

~~((f)) (g) A county, city, or town with an impact fee deferral process on or before April 1, 2015, is exempt from the requirements of this subsection (3) if the deferral process delays all impact fees and remains in effect after September 1, 2016.~~

~~((g)(i) Each applicant for a single-family residential construction permit, in accordance with his or her contractor registration number or other unique identification number, is entitled to annually receive deferrals under this subsection (3) for the first twenty single-family residential construction building permits per county, city, or town. A county, city, or town, however, may elect, by ordinance, to defer more than twenty single-family residential construction building permits for an applicant. If the county, city, or town collects impact fees on behalf of one or more school districts for which the collection of impact fees could be delayed, the county, city, or town must consult with the district or districts about the additional deferrals. A county, city, or town considering additional deferrals must give substantial weight to recommendations of each applicable school district regarding the number of additional deferrals. If the county, city, or town disagrees with the recommendations of one or more school districts, the county, city, or town must provide the district or districts with a written rationale for its decision.~~

~~((ii)) (h) For purposes of this subsection (3) ((g)), an "applicant" includes an entity that controls the applicant, is~~

controlled by the applicant, or is under common control with the applicant.

~~((h) Counties, cities, and towns may collect reasonable administrative fees to implement this subsection (3) from permit applicants who are seeking to delay the payment of impact fees under this subsection (3).)~~

~~(i) In accordance with RCW 44.28.812 and 43.31.980, counties, cities, and towns must cooperate with and provide requested data, materials, and assistance to the department of commerce and the joint legislative audit and review committee.)~~

(4) The impact fees:

(a) Shall only be imposed for system improvements that are reasonably related to the new development;

(b) Shall not exceed a proportionate share of the costs of system improvements that are reasonably related to the new development; and

(c) Shall be used for system improvements that will reasonably benefit the new development.

(5) (a) Impact fees may be collected and spent only for the public facilities defined in RCW 82.02.090 which are addressed by a capital facilities plan element of a comprehensive land use plan adopted pursuant to the provisions of RCW 36.70A.070 or the provisions for comprehensive plan adoption contained in chapter 36.70, 35.63, or 35A.63 RCW. After the date a county, city, or town is required to adopt its development regulations under chapter 36.70A RCW, continued authorization to collect and expend impact fees is contingent on the county, city, or town adopting or revising a comprehensive plan in compliance with RCW 36.70A.070, and on the capital facilities plan identifying:

(i) Deficiencies in public facilities serving existing development and the means by which existing deficiencies will be eliminated within a reasonable period of time;

(ii) Additional demands placed on existing public facilities by new development; and

(iii) Additional public facility improvements required to serve new development.

(b) If the capital facilities plan of the county, city, or town is complete other than for the inclusion of those elements which are the responsibility of a special district, the county, city, or town may impose impact fees to address those public facility needs for which the county, city, or town is responsible."

Representatives Callan and error spoke in favor of the adoption of the amendment.

Amendment (1079) was adopted.

The bill was ordered engrossed.

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

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

The Speaker (Orwall presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1468.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1468, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

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

Excused: Representative Chandler

ENGROSSED HOUSE BILL NO. 1468, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1899, by Representatives Volz, Schmidt, Chapman, Graham, Rule, Leavitt, Waters, Low, Christian, Couture, McClintock, Barnard, Jacobsen, Timmons, Schmick, Dent, Cheney, Sandlin and Griffey**

**Facilitating reconstruction of communities damaged or destroyed by wildfires.**

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1899 was substituted for House Bill No. 1899 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1899 was read the second time.

Representative Volz moved the adoption of amendment (1062):

On page 1, line 18, after "making" strike "grants" and insert "disaster relief payments"

On page 2, line 2, after "state." insert "It is the intent of the legislature that the assistance provided in this act be considered disaster relief payments by the internal revenue service."

On page 2, line 7, after "a" strike "grant" and insert "disaster relief payment"

On page 2, line 10, after "of" strike "grant" and insert "disaster relief payment"

On page 2, line 14, after "that the" strike "grants" and insert "disaster relief payments"

On page 2, line 16, after "(2)" strike "Grants" and insert "Disaster relief payments"

On page 2, line 21, after "wildfires" strike "at the time the building was destroyed"



On page 2, line 30, after "(3)" strike "Grants" and insert "Disaster relief payments"

On page 2, line 35, after "awarding" strike "grants" and insert "disaster relief payments"

On page 2, line 38, after "awarding" strike "grants" and insert "disaster relief payments"

On page 3, line 1, after "award" strike "grants" and insert "disaster relief payments"

On page 3, line 3, after "with" strike "grants" and insert "disaster relief payments"

On page 3, after line 19, insert the following:

**"NEW SECTION. Sec. 3.** A new section is added to chapter 19.27 RCW to read as follows:

(1) The provisions of this chapter do not apply to the permitting, repair, or reconstruction of a rebuilt residential building to the extent that they would require additional energy efficiencies or offsets on, restrict, or prohibit the construction or use of a propane tank as a secondary heating source for the rebuilt residential building. The provisions of this chapter shall apply to rebuilt residential buildings in all other respects that do not conflict with this section.

(2) Counties and cities may not prohibit the construction or use of a propane tank as a secondary heating source in a rebuilt residential building.

(3) For the purposes of this section, "rebuilt residential building" means a residential building damaged or destroyed by wildfire between July 1, 2023, and September 1, 2023, in a location that was subject to an emergency declaration from the governor or a local government.

**Sec. 4.** RCW 19.27A.015 and 1990 c 2 s 2 are each amended to read as follows:

(1) Except as provided in \*RCW 19.27A.020((+7-)) (6) and in subsection (2) of this section, the Washington state energy code for residential buildings shall be the maximum and minimum energy code for residential buildings in each city, town, and county and shall be enforced by each city, town, and county no later than July 1, 1991. The Washington state energy code for nonresidential buildings shall be the minimum energy code for nonresidential buildings enforced by each city, town, and county.

(2)(a) The provisions of the Washington state energy code for residential structures shall not apply to the permitting, repair, or construction of rebuilt residential buildings to the extent that it would require additional energy efficiencies or offsets on, restrict, or prohibit the construction or use of a propane tank as a secondary heating source for the rebuilt residential building. The provisions of Washington state energy code for residential structures shall apply to rebuilt

residential buildings in all other respects that do not conflict with this section.

(b) For the purposes of this section, "rebuilt residential building" has the same meaning as in section 3 of this act.

**NEW SECTION. Sec. 5.** Sections 3 and 4 of this act expire June 30, 2026."

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

Correct the title.

Representatives Volz and error spoke in favor of the adoption of the amendment.

Amendment (1062) was adopted.

The bill was ordered engrossed.

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

Representatives Volz and error spoke in favor of the passage of the bill.

The Speaker (Orwall presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1899.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1899, and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 1

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

Voting Nay: Representative Ramel

Excused: Representative Chandler

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1899, having received the necessary constitutional majority, was declared passed.

The Speaker assumed the chair.

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

### MESSAGE FROM THE SENATE

Tuesday, February 13, 2024

Mme. Speaker:

The Senate has passed:

SECOND ENGROSSED SUBSTITUTE SENATE BILL NO.  
5546  
SENATE BILL NO. 5595

ENGROSSED SENATE BILL NO. 5629  
 SUBSTITUTE SENATE BILL NO. 5652  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5657  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5828  
 SECOND SUBSTITUTE SENATE BILL NO. 5893  
 SENATE BILL NO. 5903  
 SENATE BILL NO. 5915  
 SUBSTITUTE SENATE BILL NO. 5980  
 SUBSTITUTE SENATE BILL NO. 6010  
 SENATE BILL NO. 6030  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6040  
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO.  
 6068  
 SUBSTITUTE SENATE BILL NO. 6154  
 SUBSTITUTE SENATE BILL NO. 6198  
 SENATE BILL NO. 6215  
 SENATE BILL NO. 6229  
 SENATE BILL NO. 6242  
 SENATE BILL NO. 6247  
 ENGROSSED SENATE BILL NO. 6296  
 SUBSTITUTE SENATE BILL NO. 6302

and the same are herewith transmitted.

Colleen Pehar, Deputy Secretary

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

## SECOND READING

**HOUSE BILL NO. 2114, by Representatives Alvarado, Macri, Ramel, Peterson, Mena, Slatter, Farivar, Taylor, Doglio, Cortes, Fitzgibbon, Gregerson, Berry, Senn, Reed, Bateman, Ortiz-Self, Simmons, Ormsby, Street, Chopp, Orwall, Bergquist, Berg, Wylie, Stonier, Lekanoff, Fosse, Riccelli, Pollet, Kloba and Davis**

**Improving housing stability for tenants subject to the residential landlord-tenant act and the manufactured/mobile home landlord-tenant act by limiting rent and fee increases, requiring notice of rent and fee increases, limiting fees and deposits, establishing a landlord resource center and associated services, authorizing tenant lease termination, creating parity between lease types, and providing for attorney general enforcement.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2114 was substituted for House Bill No. 2114 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2114 was read the second time.

With the consent of the House, amendments (1022), (1024), (1025), (1029), (1030), (1032), (1037), (1038), (1039), (1040), (1041), (1042), (1043), (1044), (1045), (1046), (1048), (1020), (1017), (1018) and (1019) were withdrawn.

Representative Reeves moved the adoption of amendment (1028):

On page 3, line 5, after "tenancy," insert "including short-term rentals and vacation rentals,"

On page 3, line 6, after "greater" insert "or lesser"

On page 11, at the beginning of line 34, insert "including short-term rentals and vacation rentals,"

On page 11, line 35, after "greater" insert "or lesser"

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

Amendment (1028) was adopted.

Representative Reeves moved the adoption of amendment (1027):

On page 25, after line 25, insert the following:

"NEW SECTION. Sec. 303. (1) The department of commerce must contract with an independent third party, which may include educational institutions or private entities with subject matter expertise, to carry out a social vulnerability assessment of the impacts of this act. At a minimum, the assessment must consider the following:

(a) The impact of rent stabilization on extending tenancies due to rent capping.

(b) Whether there are social vulnerability impacts on cost burdened, immutable characteristic communities, or rural communities.

(c) Whether rent stabilization creates a disproportionate burden on new or transitioning renters as a result of current tenants' rent being capped.

(d) The impacts of rent stabilization on alternative rental markets such as short-term rentals.

(e) The impacts of rent stabilization on state-owned or state-run housing units.

(2) The assessment is due to the legislature no later than December 1, 2026, and shall be provided in compliance with RCW 43.01.036.

(3) This section expires July 1, 2027."

Correct the title.

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

Amendment (1027) was adopted.

Representative Klicker moved the adoption of the striking amendment (1034):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 43.330 RCW to read as follows:

(1) The department must review the efficacy of the following mandates as applied to landlords and tenants subject to chapter 59.18 RCW or chapter 59.20 RCW:

(a) Prohibiting any increase in rent and fees in total during the first twelve months of a tenancy;

(b) Restricting increases in total rent and fees to seven percent or less during any twelve-month period following the initial twelve months of a tenancy; and

(c) Requiring landlords to provide tenants with at least 180 days notice before raising their rent and fees in total by three percent or more.

(2) The review must include a recommendation as to whether the provisions described in subsection (1) of this section should be enacted.

(3) By November 1, 2026, and in compliance with RCW 43.01.036, the department shall provide a report to the legislature and the governor based on the requirements of this section.

(4) This section expires July 1, 2027."

Correct the title.

Representatives Klicker and Barkis spoke in favor of the adoption of the striking amendment.

Representative Peterson spoke against the adoption of the striking amendment.

An electronic roll call was requested.

### ROLL CALL

The Clerk called the roll on the adoption of the striking amendment (1034) and the amendment was not adopted by the following vote: Yeas, 42; Nays, 55; Absent, 0; Excused, 1

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

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

Excused: Representative Chandler

The striking amendment (1034) was not adopted.

The bill was ordered engrossed.

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

Representatives Alvarado, Macri, Ramel, Street and Stonier spoke in favor of the passage of the bill.

Representatives Corry, error, Abbarno, Connors, Klicker, Couture, Hutchins and Barkis spoke against the passage of the bill.

The Speaker stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2114.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2114, and the bill passed the House by the following vote: Yeas, 54; Nays, 43; Absent, 0; Excused, 1

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

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

Excused: Representative Chandler

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2114, having received the necessary constitutional majority, was declared passed.

### SPEAKER'S PRIVILEGE

The Speaker thanked the members of the body for the robust debate as today was the last day to pass house of origin bills. The Speaker also acknowledged and thanked the entire legislative staff for all of their hard work and asked the Chamber to acknowledge them.

There being no objection, the House adjourned until 9:55 a.m., Wednesday, February 14, 2024, the 38th Day of the 2024 Regular Session.

Laurie Jinkins, Speaker

Bernard Dean, Chief Clerk

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