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**SENATE BILL 6196**

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**State of Washington 66th Legislature 2020 Regular Session**

**By** Senators Braun, Brown, O'Ban, Wagoner, and Wilson, L.

AN ACT Relating to creating a homelessness impact grant program to address security and sanitation impacts of homeless populations; amending RCW 36.22.179, 43.185C.060, and 43.185C.061; and adding a new section to chapter 43.185C RCW.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. **Sec.**  A new section is added to chapter 43.185C RCW to read as follows:

Subject to the availability of amounts appropriated for this specific purpose, the department must administer a homelessness impact grant program to provide to city or county chambers of commerce or similar associations administering a business improvement area that is located in a county with an unsheltered homeless individuals count that exceeds five hundred according to the department's most recent point-in-time homeless census under RCW 43.185C.030. Grant funds must be used to provide additional security or sanitation services for the protection of persons or property within the boundaries of the chamber of commerce or business improvement area.

**Sec.**  RCW 36.22.179 and 2019 c 136 s 2 are each amended to read as follows:

(1) In addition to the surcharge authorized in RCW 36.22.178, and except as provided in subsection (3) of this section, an additional surcharge of sixty-two dollars shall be charged by the county auditor for each document recorded, which will be in addition to any other charge allowed by law. Except as provided in subsection (4) of this section, the funds collected pursuant to this section are to be distributed and used as follows:

(a) The auditor shall retain two percent for collection of the fee, and of the remainder shall remit sixty percent to the county to be deposited into a fund that must be used by the county and its cities and towns to accomplish the purposes of chapter 484, Laws of 2005, six percent of which may be used by the county for the collection and local distribution of these funds and administrative costs related to its homeless housing plan, and the remainder for programs which directly accomplish the goals of the county's local homeless housing plan, except that for each city in the county which elects as authorized in RCW 43.185C.080 to operate its own local homeless housing program, a percentage of the surcharge assessed under this section equal to the percentage of the city's local portion of the real estate excise tax collected by the county shall be transmitted at least quarterly to the city treasurer, without any deduction for county administrative costs, for use by the city for program costs which directly contribute to the goals of the city's local homeless housing plan; of the funds received by the city, it may use six percent for administrative costs for its homeless housing program.

(b) The auditor shall remit the remaining funds to the state treasurer for deposit in the home security fund account to be used as follows:

(i) The department may use twelve and one-half percent of this amount for administration of the program established in RCW 43.185C.020, including the costs of creating the statewide homeless housing strategic plan, measuring performance, providing technical assistance to local governments, and managing the homeless housing grant program.

(ii) The remaining eighty-seven and one-half percent of this amount must be used as follows:

(A) At least forty-five percent must be set aside for the use of private rental housing payments; and

(B) All remaining funds are to be used by the department to:

(I) Provide housing and shelter for homeless people including, but not limited to: Grants to operate, repair, and staff shelters; grants to operate transitional housing; partial payments for rental assistance; consolidated emergency assistance; overnight youth shelters; grants and vouchers designated for victims of human trafficking and their families; and emergency shelter assistance; ((~~and~~))

(II) Fund the homeless housing grant program; and

(III) Fund the homelessness impact grant program created in section 1 of this act.

(2) A county issuing general obligation bonds pursuant to RCW 36.67.010, to carry out the purposes of subsection (1)(a) of this section, may provide that such bonds be made payable from any surcharge provided for in subsection (1)(a) of this section and may pledge such surcharges to the repayment of the bonds.

(3) The surcharge imposed in this section does not apply to (a) assignments or substitutions of previously recorded deeds of trust, (b) documents recording a birth, marriage, divorce, or death, (c) any recorded documents otherwise exempted from a recording fee or additional surcharges under state law, (d) marriage licenses issued by the county auditor, or (e) documents recording a federal, state, county, or city lien or satisfaction of lien.

(4) Ten dollars of the surcharge imposed under subsection (1) of this section must be distributed to the counties to carry out the purposes of subsection (1)(a) of this section.

(5) For purposes of this section, "private rental housing" means housing owned by a private landlord and includes housing owned by a nonprofit housing entity.

**Sec.**  RCW 43.185C.060 and 2018 c 85 s 6 are each amended to read as follows:

(1) The home security fund account is created in the state treasury, subject to appropriation. The state's portion of the surcharge established in RCW 36.22.179 and 36.22.1791 must be deposited in the account. Expenditures from the account may be used only for homeless housing programs as described in this chapter and the homelessness impact grant program created in section 1 of this act.

(2) The department must distinguish allotments from the account made to carry out the activities in RCW 43.330.167, 43.330.700 through 43.330.715, 43.330.911, 43.185C.010, 43.185C.250 through 43.185C.320, and 36.22.179(1)(b).

(3) The office of financial management must secure an independent expenditure review of state funds received under RCW 36.22.179(1)(b) on a biennial basis. The purpose of the review is to assess the consistency in achieving policy priorities within the private market rental housing segment for housing persons experiencing homelessness. The independent reviewer must notify the department and the office of financial management of its findings. The first biennial expenditure review, for the 2017-2019 fiscal biennium, is due February 1, 2020. Independent reviews conducted thereafter are due February 1st of each even-numbered year.

**Sec.**  RCW 43.185C.061 and 2015 c 69 s 27 are each amended to read as follows:

Home security fund account funds appropriated to carry out the activities of RCW 43.330.700 through 43.330.715, 43.330.911, 43.185C.010, 43.185C.250 through 43.185C.320, ((~~and~~)) 43.330.167, and section 1 of this act are not subject to the set aside under RCW 36.22.179(1)(b).

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