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**SUBSTITUTE HOUSE BILL 2794**

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**State of Washington                      60th Legislature                      2008 Regular Session**

**By** House Human Services (originally sponsored by Representatives Wallace, Chase, Sells, Williams, Green, Haigh, Santos, and Simpson)

READ FIRST TIME 02/05/08.

1            AN ACT Relating to promoting accessible communities for persons  
2 with disabilities; amending RCW 29A.46.260 and 38.52.070; reenacting  
3 and amending RCW 46.16.381 and 43.79A.040; adding new sections to  
4 chapter 50.40 RCW; adding a new section to chapter 36.01 RCW; creating  
5 a new section; and providing an effective date.

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

7            NEW SECTION. **Sec. 1.** The legislature finds that when people who  
8 have disabilities are welcomed and included as members of our  
9 communities and provided with equal access to the opportunities  
10 available to others, their participation enriches those communities,  
11 enhances the strength of those communities' diversity, and contributes  
12 toward the economic vitality of those communities. The legislature  
13 further finds that more than nine hundred thousand Washington state  
14 residents with disabilities continue to face barriers to full  
15 participation that could be easily eliminated.

16            NEW SECTION. **Sec. 2.** A new section is added to chapter 50.40 RCW  
17 to read as follows:

18            (1) The accessible communities account is created in the custody of

1 the state treasurer. One hundred dollars from each penalty imposed  
2 under RCW 46.16.381 (7), (8), (9), and (11) must be deposited into the  
3 account.

4 (2) The account is subject to the allotment procedures under  
5 chapter 43.88 RCW, but an appropriation is not required for  
6 expenditures. Only the commissioner may authorize expenditures from  
7 the account.

8 (3) Expenditures from the account may be used for promoting greater  
9 awareness of disability issues and improved access for and acceptance  
10 of persons with disabilities in communities in the state of Washington,  
11 including:

12 (a) Reimbursing travel, per diem, and reasonable accommodation or  
13 meeting expenses for county accessible community advisory committees;

14 (b) Establishing and maintaining an accessible communities web  
15 site;

16 (c) Providing training or technical assistance for county  
17 accessible community advisory committees; and

18 (d) A grant program for funding proposals developed and submitted  
19 by county accessible community advisory committees to promote greater  
20 awareness of disability issues and access for persons with disabilities  
21 within the community.

22 NEW SECTION. **Sec. 3.** A new section is added to chapter 50.40 RCW  
23 to read as follows:

24 (1) The governor's committee on disability issues and employment  
25 shall:

26 (a) Determine eligibility of accessible community advisory  
27 committees for grant funding according to section 4(1) of this act;

28 (b) Solicit proposals from active accessible community advisory  
29 committees for projects to improve disability awareness and access for  
30 persons with disabilities, and shall select projects for funding from  
31 moneys available in the accessible communities account; and

32 (c) Adopt rules to administer this subsection.

33 (2) The governor's committee on disability issues and employment  
34 shall establish an accessible communities web site to provide the  
35 following information: Guidance, technical assistance, reference  
36 materials, and resource identification for local governments,  
37 accessible community advisory committees, and public accommodations;

1 examples of best practices for local initiatives and activities to  
2 promote greater awareness of disability issues and access for persons  
3 with disabilities within the community; and a searchable listing of  
4 local public accommodations that have taken steps to be more disability  
5 friendly, including information on the specific access features  
6 provided.

7 NEW SECTION. **Sec. 4.** A new section is added to chapter 36.01 RCW  
8 to read as follows:

9 (1) A county that has an active accessible community advisory  
10 committee established under RCW 29A.46.260 may be reimbursed from the  
11 accessible communities account created in section 2 of this act for  
12 travel, per diem, reasonable accommodation expenses for the  
13 participation of that committee's members in committee meetings and  
14 sponsored activities, and meeting room costs for the county's  
15 accessible community advisory committee meetings.

16 (2) A county establishes that it has an active accessible community  
17 advisory committee by submitting annual assurances to the governor's  
18 committee on disability issues and employment that:

19 (a) Committee members include persons with a diverse range of  
20 disabilities who are knowledgeable in identifying and eliminating  
21 attitudinal, programmatic, and physical barriers encountered by persons  
22 with disabilities.

23 (b) The committee is actively involved in the following activities:  
24 Advising on addressing the needs of persons with disabilities in  
25 emergency plans; advising the county and other local governments within  
26 the county on access to programs services and activities, new  
27 construction or renovation projects, sidewalks, other pedestrian routes  
28 of travel, and disability parking enforcement; and developing local  
29 initiatives and activities to promote greater awareness of disability  
30 issues and access for persons with disabilities within the community.

31 (3) Adjacent counties may form joint accessible community advisory  
32 committees, as long as no more than one of the participating counties  
33 has a population greater than seventy thousand.

34 (4) A county that is required to establish and maintain an advisory  
35 committee under RCW 29A.46.260 may incorporate the functions of that  
36 committee into an active accessible community advisory committee.

1       **Sec. 5.** RCW 29A.46.260 and 2006 c 207 s 7 are each amended to read  
2 as follows:

3       (1) The legislature finds that the elimination of polling places  
4 resulting from the transition to vote by mail creates barriers that  
5 restrict the ability of many voters with disabilities from achieving  
6 the independence and privacy in voting provided by the accessible  
7 voting devices required under the help America vote act. Counties  
8 adopting a vote by mail system must take appropriate steps to mitigate  
9 these impacts and to address the obligation to provide voters with  
10 disabilities an equal opportunity to vote independently and privately,  
11 to the extent that this can be achieved without incurring undue  
12 administrative and financial burden.

13       (2) Each county shall establish and maintain an accessible  
14 community advisory committee that includes persons with diverse  
15 disabilities and persons with expertise in providing accommodations for  
16 persons with disabilities. The committee shall assist election  
17 officials in developing a plan to identify and implement changes to  
18 improve the accessibility of elections for voters with disabilities.  
19 The plan shall include recommendations for the following:

20       (a) The number of polling places that will be maintained in order  
21 to ensure that people with disabilities have reasonable access to  
22 accessible voting devices, and a written explanation for how the  
23 determination was made;

24       (b) The locations of polling places, drop-off facilities, voting  
25 centers, and other election-related functions necessary to maximize  
26 accessibility to persons with disabilities;

27       (c) Outreach to voters with disabilities on the availability of  
28 disability accommodation, including in-person disability access voting;

29       (d) Transportation of voting devices to locations convenient for  
30 voters with disabilities in order to ensure reasonable access for  
31 voters with disabilities; and

32       (e) Implementation of the provisions of the help America vote act  
33 related to persons with disabilities.

34       Counties must update the plan at least annually. The election  
35 review staff of the secretary of state shall review and evaluate the  
36 plan in conformance with the review procedure identified in RCW  
37 29A.04.570.

1 (3) Counties may form a joint accessible community advisory  
2 committee to develop the plan identified in subsection (2) of this  
3 section if (~~the total population of the joining counties does not~~  
4 ~~exceed thirty thousand, and the counties are geographically adjacent~~)  
5 no more than one of the participating counties has a population greater  
6 than seventy thousand.

7 **Sec. 6.** RCW 46.16.381 and 2007 c 262 s 1 and 2007 c 44 s 1 are  
8 each reenacted and amended to read as follows:

9 (1) The director shall grant special parking privileges to any  
10 person who has a disability that limits or impairs the ability to walk  
11 or involves acute sensitivity to light and meets one of the following  
12 criteria, as determined by a licensed physician, an advanced registered  
13 nurse practitioner licensed under chapter 18.79 RCW, or a physician  
14 assistant licensed under chapter 18.71A or 18.57A RCW:

- 15 (a) Cannot walk two hundred feet without stopping to rest;
- 16 (b) Is severely limited in ability to walk due to arthritic,  
17 neurological, or orthopedic condition;
- 18 (c) Has such a severe disability, that the person cannot walk  
19 without the use of or assistance from a brace, cane, another person,  
20 prosthetic device, wheelchair, or other assistive device;
- 21 (d) Uses portable oxygen;
- 22 (e) Is restricted by lung disease to such an extent that forced  
23 expiratory respiratory volume, when measured by spirometry is less than  
24 one liter per second or the arterial oxygen tension is less than sixty  
25 mm/hg on room air at rest;
- 26 (f) Impairment by cardiovascular disease or cardiac condition to  
27 the extent that the person's functional limitations are classified as  
28 class III or IV under standards accepted by the American Heart  
29 Association;
- 30 (g) Has a disability resulting from an acute sensitivity to  
31 automobile emissions which limits or impairs the ability to walk. The  
32 personal physician, advanced registered nurse practitioner, or  
33 physician assistant of the applicant shall document that the disability  
34 is comparable in severity to the others listed in this subsection;
- 35 (h) Is legally blind and has limited mobility; or
- 36 (i) Is restricted by a form of porphyria to the extent that the

1 applicant would significantly benefit from a decrease in exposure to  
2 light.

3 (2) The applications for parking permits for persons with  
4 disabilities and parking permits for persons with temporary  
5 disabilities are official state documents. Knowingly providing false  
6 information in conjunction with the application is a gross misdemeanor  
7 punishable under chapter 9A.20 RCW. The following statement must  
8 appear on each application form immediately below the physician's,  
9 advanced registered nurse practitioner's, or physician assistant's  
10 signature and immediately below the applicant's signature: "A parking  
11 permit for a person with disabilities may be issued only for a medical  
12 necessity that severely affects mobility or involves acute sensitivity  
13 to light (RCW 46.16.381). Knowingly providing false information on  
14 this application is a gross misdemeanor. The penalty is up to one year  
15 in jail and a fine of up to \$5,000 or both."

16 (3) Persons who qualify for special parking privileges are entitled  
17 to receive from the department of licensing a removable windshield  
18 placard bearing the international symbol of access and an individual  
19 serial number, along with a special identification card bearing the  
20 name and date of birth of the person to whom the placard is issued, and  
21 the placard's serial number. The special identification card shall be  
22 issued to all persons who are issued parking placards, including those  
23 issued for temporary disabilities, and special parking license plates  
24 for persons with disabilities. The department shall design the placard  
25 to be displayed when the vehicle is parked by suspending it from the  
26 rearview mirror, or in the absence of a rearview mirror the card may be  
27 displayed on the dashboard of any vehicle used to transport the person  
28 with disabilities. Instead of regular motor vehicle license plates,  
29 persons with disabilities are entitled to receive special license  
30 plates under this section or RCW 46.16.385 bearing the international  
31 symbol of access for one vehicle registered in the name of the person  
32 with disabilities. Persons with disabilities who are not issued the  
33 special license plates are entitled to receive a second special placard  
34 upon submitting a written request to the department. Persons who have  
35 been issued the parking privileges and who are using a vehicle or are  
36 riding in a vehicle displaying the placard or special license plates  
37 issued under this section or RCW 46.16.385 may park in places reserved  
38 for persons with physical disabilities. The director shall adopt rules

1 providing for the issuance of special placards and license plates to  
2 public transportation authorities, nursing homes licensed under chapter  
3 18.51 RCW, boarding homes licensed under chapter 18.20 RCW, senior  
4 citizen centers, private nonprofit agencies as defined in chapter 24.03  
5 RCW, and vehicles registered with the department as cabulances that  
6 regularly transport persons with disabilities who have been determined  
7 eligible for special parking privileges provided under this section.  
8 The director may issue special license plates for a vehicle registered  
9 in the name of the public transportation authority, nursing home,  
10 boarding home, senior citizen center, private nonprofit agency, or  
11 cabulance service if the vehicle is primarily used to transport persons  
12 with disabilities described in this section. Public transportation  
13 authorities, nursing homes, boarding homes, senior citizen centers,  
14 private nonprofit agencies, and cabulance services are responsible for  
15 insuring that the special placards and license plates are not used  
16 improperly and are responsible for all fines and penalties for improper  
17 use.

18 (4) Whenever the person with disabilities transfers or assigns his  
19 or her interest in the vehicle, the special license plates shall be  
20 removed from the motor vehicle. If another vehicle is acquired by the  
21 person with disabilities and the vehicle owner qualifies for a special  
22 plate, the plate shall be attached to the vehicle, and the director  
23 shall be immediately notified of the transfer of the plate. If another  
24 vehicle is not acquired by the person with disabilities, the removed  
25 plate shall be immediately surrendered to the director.

26 (5) The special license plate shall be renewed in the same manner  
27 and at the time required for the renewal of regular motor vehicle  
28 license plates under this chapter. No special license plate may be  
29 issued to a person who is temporarily disabled. A person who has a  
30 condition expected to improve within six months may be issued a  
31 temporary placard for a period not to exceed six months. If the  
32 condition exists after six months a new temporary placard shall be  
33 issued upon receipt of a new certification from the person's physician.  
34 The permanent parking placard and identification card of a person with  
35 disabilities shall be renewed at least every five years, as required by  
36 the director, by satisfactory proof of the right to continued use of  
37 the privileges. In the event of the permit holder's death, the parking  
38 placard and identification card must be immediately surrendered to the

1 department. The department shall match and purge its database of  
2 parking permits issued to persons with disabilities with available  
3 death record information at least every twelve months.

4 (6) Additional fees shall not be charged for the issuance of the  
5 special placards or the identification cards. No additional fee may be  
6 charged for the issuance of the special license plates except the  
7 regular motor vehicle registration fee and any other fees and taxes  
8 required to be paid upon registration of a motor vehicle.

9 (7) Any unauthorized use of the special placard, special license  
10 plate issued under this section or RCW 46.16.385, or identification  
11 card is a traffic infraction with a monetary penalty of (~~two~~) three  
12 hundred fifty dollars.

13 (8) It is a parking infraction, with a monetary penalty of (~~two~~)  
14 three hundred fifty dollars for a person to park in, block, or  
15 otherwise make inaccessible the access aisle located next to a space  
16 reserved for persons with physical disabilities. The clerk of the  
17 court shall report all violations related to this subsection to the  
18 department.

19 (9) It is a parking infraction, with a monetary penalty of (~~two~~)  
20 three hundred fifty dollars for any person to park a vehicle in a  
21 parking place provided on private property without charge or on public  
22 property reserved for persons with physical disabilities without a  
23 placard or special license plate issued under this section or RCW  
24 46.16.385. If a person is charged with a violation, the person shall  
25 not be determined to have committed an infraction if the person  
26 produces in court or before the court appearance the placard or special  
27 license plate issued under this section or RCW 46.16.385 required under  
28 this section. A local jurisdiction providing nonmetered, on-street  
29 parking places reserved for persons with physical disabilities may  
30 impose by ordinance time restrictions of no less than four hours on the  
31 use of these parking places. A local jurisdiction may impose by  
32 ordinance time restrictions of no less than four hours on the use of  
33 nonreserved, on-street parking spaces by vehicles displaying the  
34 special parking placards or special license plates issued under this  
35 section or RCW 46.16.385. All time restrictions must be clearly  
36 posted.

37 (10) (~~The penalties~~) One hundred dollars from each penalty  
38 imposed under subsections (7), (8) (~~and~~), (9), and (11) of this

1 section shall be deposited in the accessible communities account  
2 created in section 2 of this act. The remaining penalty amounts shall  
3 be used by that local jurisdiction exclusively for law enforcement.  
4 The court may also impose an additional penalty sufficient to reimburse  
5 the local jurisdiction for any costs it may have incurred in removal  
6 and storage of the improperly parked vehicle.

7 (11) Except as provided by subsection (2) of this section, it is a  
8 traffic infraction with a monetary penalty of (~~two~~) three hundred  
9 fifty dollars for any person willfully to obtain a special license  
10 plate issued under this section or RCW 46.16.385, placard, or  
11 identification card in a manner other than that established under this  
12 section.

13 (12)(a) A law enforcement agency authorized to enforce parking laws  
14 may appoint volunteers, with a limited commission, to issue notices of  
15 infractions for violations of this section or RCW 46.61.581.  
16 Volunteers must be at least twenty-one years of age. The law  
17 enforcement agency appointing volunteers may establish any other  
18 qualifications the agency deems desirable.

19 (b) An agency appointing volunteers under this section must provide  
20 training to the volunteers before authorizing them to issue notices of  
21 infractions.

22 (c) A notice of infraction issued by a volunteer appointed under  
23 this subsection has the same force and effect as a notice of infraction  
24 issued by a police officer for the same offense.

25 (d) A police officer or a volunteer may request a person to show  
26 the person's identification card or special parking placard when  
27 investigating the possibility of a violation of this section. If the  
28 request is refused, the person in charge of the vehicle may be issued  
29 a notice of infraction for a violation of this section.

30 (13) For second or subsequent violations of this section, in  
31 addition to a monetary fine, the violator must complete a minimum of  
32 forty hours of:

33 (a) Community restitution for a nonprofit organization that serves  
34 persons having disabilities or disabling diseases; or

35 (b) Any other community restitution that may sensitize the violator  
36 to the needs and obstacles faced by persons who have disabilities.

37 (14) The court may not suspend more than one-half of any fine  
38 imposed under subsection (7), (8), (9), or (11) of this section.

1 (15) For the purposes of this section, "legally blind" means a  
2 person who: (a) Has no vision or whose vision with corrective lenses  
3 is so limited that the individual requires alternative methods or  
4 skills to do efficiently those things that are ordinarily done with  
5 sight by individuals with normal vision; or (b) has an eye condition of  
6 a progressive nature which may lead to blindness.

7 **Sec. 7.** RCW 43.79A.040 and 2007 c 523 s 5, 2007 c 357 s 21, and  
8 2007 c 214 s 14 are each reenacted and amended to read as follows:

9 (1) Money in the treasurer's trust fund may be deposited, invested,  
10 and reinvested by the state treasurer in accordance with RCW 43.84.080  
11 in the same manner and to the same extent as if the money were in the  
12 state treasury.

13 (2) All income received from investment of the treasurer's trust  
14 fund shall be set aside in an account in the treasury trust fund to be  
15 known as the investment income account.

16 (3) The investment income account may be utilized for the payment  
17 of purchased banking services on behalf of treasurer's trust funds  
18 including, but not limited to, depository, safekeeping, and  
19 disbursement functions for the state treasurer or affected state  
20 agencies. The investment income account is subject in all respects to  
21 chapter 43.88 RCW, but no appropriation is required for payments to  
22 financial institutions. Payments shall occur prior to distribution of  
23 earnings set forth in subsection (4) of this section.

24 (4)(a) Monthly, the state treasurer shall distribute the earnings  
25 credited to the investment income account to the state general fund  
26 except under (b) and (c) of this subsection.

27 (b) The following accounts and funds shall receive their  
28 proportionate share of earnings based upon each account's or fund's  
29 average daily balance for the period: The Washington promise  
30 scholarship account, the college savings program account, the  
31 Washington advanced college tuition payment program account, the  
32 accessible communities account, the agricultural local fund, the  
33 American Indian scholarship endowment fund, the foster care scholarship  
34 endowment fund, the foster care endowed scholarship trust fund, the  
35 students with dependents grant account, the basic health plan self-  
36 insurance reserve account, the contract harvesting revolving account,  
37 the Washington state combined fund drive account, the commemorative

1 works account, the Washington international exchange scholarship  
2 endowment fund, the developmental disabilities endowment trust fund,  
3 the energy account, the fair fund, the family leave insurance account,  
4 the fruit and vegetable inspection account, the future teachers  
5 conditional scholarship account, the game farm alternative account, the  
6 GET ready for math and science scholarship account, the grain  
7 inspection revolving fund, the juvenile accountability incentive  
8 account, the law enforcement officers' and firefighters' plan 2 expense  
9 fund, the local tourism promotion account, the produce railcar pool  
10 account, the regional transportation investment district account, the  
11 rural rehabilitation account, the stadium and exhibition center  
12 account, the youth athletic facility account, the self-insurance  
13 revolving fund, the sulfur dioxide abatement account, the children's  
14 trust fund, the Washington horse racing commission Washington bred  
15 owners' bonus fund account, the Washington horse racing commission  
16 class C purse fund account, the individual development account program  
17 account, the Washington horse racing commission operating account  
18 (earnings from the Washington horse racing commission operating account  
19 must be credited to the Washington horse racing commission class C  
20 purse fund account), the life sciences discovery fund, the Washington  
21 state heritage center account, and the reading achievement account.  
22 However, the earnings to be distributed shall first be reduced by the  
23 allocation to the state treasurer's service fund pursuant to RCW  
24 43.08.190.

25 (c) The following accounts and funds shall receive eighty percent  
26 of their proportionate share of earnings based upon each account's or  
27 fund's average daily balance for the period: The advanced right-of-way  
28 revolving fund, the advanced environmental mitigation revolving  
29 account, the city and county advance right-of-way revolving fund, the  
30 federal narcotics asset forfeitures account, the high occupancy vehicle  
31 account, the local rail service assistance account, and the  
32 miscellaneous transportation programs account.

33 (5) In conformance with Article II, section 37 of the state  
34 Constitution, no trust accounts or funds shall be allocated earnings  
35 without the specific affirmative directive of this section.

36 **Sec. 8.** RCW 38.52.070 and 1997 c 49 s 4 are each amended to read  
37 as follows:

1 (1) Each political subdivision of this state is hereby authorized  
2 and directed to establish a local organization or to be a member of a  
3 joint local organization for emergency management in accordance with  
4 the state comprehensive emergency management plan and program:  
5 PROVIDED, That a political subdivision proposing such establishment  
6 shall submit its plan and program for emergency management to the state  
7 director and secure his or her recommendations thereon, and  
8 verification of consistency with the state comprehensive emergency  
9 management plan, in order that the plan of the local organization for  
10 emergency management may be coordinated with the plan and program of  
11 the state. Local comprehensive emergency management plans must specify  
12 the use of the incident command system for  
13 multiagency/multijurisdiction operations. By July 2010, local  
14 comprehensive emergency plans must identify and respond to the needs of  
15 persons with disabilities concerning issues such as: Notification;  
16 evacuation; emergency transportation; sheltering; access to  
17 medications, refrigeration, and backup power; access to mobility  
18 devices and service animals while in transit or at shelters; and access  
19 to information. The local comprehensive emergency plans must document  
20 the participation of accessible community advisory committees or other  
21 local disability organizations in developing the responses to these  
22 issues. No political subdivision may be required to include in its  
23 plan provisions for the emergency evacuation or relocation of residents  
24 in anticipation of nuclear attack. If the director's recommendations  
25 are adverse to the plan as submitted, and, if the local organization  
26 does not agree to the director's recommendations for modification to  
27 the proposal, the matter shall be referred to the council for final  
28 action. The director may authorize two or more political subdivisions  
29 to join in the establishment and operation of a joint local  
30 organization for emergency management as circumstances may warrant, in  
31 which case each political subdivision shall contribute to the cost of  
32 emergency management upon such fair and equitable basis as may be  
33 determined upon by the executive heads of the constituent subdivisions.  
34 If in any case the executive heads cannot agree upon the proper  
35 division of cost the matter shall be referred to the council for  
36 arbitration and its decision shall be final. When two or more  
37 political subdivisions join in the establishment and operation of a  
38 joint local organization for emergency management each shall pay its

1 share of the cost into a special pooled fund to be administered by the  
2 treasurer of the most populous subdivision, which fund shall be known  
3 as the . . . . . emergency management fund. Each local organization  
4 or joint local organization for emergency management shall have a  
5 director who shall be appointed by the executive head of the political  
6 subdivision, and who shall have direct responsibility for the  
7 organization, administration, and operation of such local organization  
8 for emergency management, subject to the direction and control of such  
9 executive officer or officers. In the case of a joint local  
10 organization for emergency management, the director shall be appointed  
11 by the joint action of the executive heads of the constituent political  
12 subdivisions. Each local organization or joint local organization for  
13 emergency management shall perform emergency management functions  
14 within the territorial limits of the political subdivision within which  
15 it is organized, and, in addition, shall conduct such functions outside  
16 of such territorial limits as may be required pursuant to the  
17 provisions of this chapter.

18 (2) In carrying out the provisions of this chapter each political  
19 subdivision, in which any disaster as described in RCW 38.52.020  
20 occurs, shall have the power to enter into contracts and incur  
21 obligations necessary to combat such disaster, protecting the health  
22 and safety of persons and property, and providing emergency assistance  
23 to the victims of such disaster. Each political subdivision is  
24 authorized to exercise the powers vested under this section in the  
25 light of the exigencies of an extreme emergency situation without  
26 regard to time-consuming procedures and formalities prescribed by law  
27 (excepting mandatory constitutional requirements), including, but not  
28 limited to, budget law limitations, requirements of competitive bidding  
29 and publication of notices, provisions pertaining to the performance of  
30 public work, entering into contracts, the incurring of obligations, the  
31 employment of temporary workers, the rental of equipment, the purchase  
32 of supplies and materials, the levying of taxes, and the appropriation  
33 and expenditures of public funds.

34 NEW SECTION. **Sec. 9.** Section 7 of this act takes effect July 1,  
35 2008.

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