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SENATE BILL 5903

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State of Washington

65th Legislature

2017 Regular Session

By Senators Darneille, Ranker, Rolfes, Nelson, Frockt, Saldaña, Hasegawa, Wellman, Carlyle, Conway, Pedersen, Keiser, Cleveland, Chase, Takko, and Lias

Read first time 03/21/17. Referred to Committee on Human Services, Mental Health & Housing.

1 AN ACT Relating to the housing for all act; amending RCW  
2 36.22.179, 43.185C.060, 43.185C.190, 43.185C.215, 43.185C.340,  
3 43.185C.220, 74.04.805, and 74.62.030; adding a new section to  
4 chapter 28B.50 RCW; adding a new section to chapter 82.14 RCW; adding  
5 a new section to chapter 71.24 RCW; and creating new sections.

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

7 NEW SECTION. **Sec. 1.** This act may be known and cited as the  
8 housing for all act of 2017.

9 NEW SECTION. **Sec. 2.** The legislature finds that homelessness is  
10 a crisis across the state of Washington. Data collected by the point-  
11 in-time census found that in 2016 there were roughly twenty-one  
12 thousand homeless Washingtonians on a given night. Trends over the  
13 last several years show the number of unsheltered Washingtonians  
14 across the state is increasing, including among children. The  
15 legislature recognizes that as the representative body of the people  
16 of Washington, its sole duty is to work without judgment and in the  
17 best interest of those people. The legislature further recognizes  
18 that to fulfill this duty, it must act swiftly in times of crisis,  
19 and not stay silent even if those it represents are silenced by their  
20 own need. Research shows it comes at a significant financial cost to

1 keep people on the streets, as those who are homeless are far more  
2 likely to end up in jail for noncriminal offenses, in need of  
3 emergency medical services, and in emergency shelters. State funding  
4 for low-income housing and emergency shelters has not kept pace with  
5 the increasing demand for these services. The legislature therefore  
6 finds that our state's cities and counties are left to address the  
7 crisis of homelessness with limited resources. Homelessness also  
8 comes at a great human cost. The people experiencing homelessness in  
9 our state include our most vulnerable residents, such as families,  
10 students, veterans, children, and people with mental illness or  
11 chemical dependency, or both. One medical or financial crisis in a  
12 person's life can commit them to an ongoing cycle of poverty that  
13 leads to chronic homelessness. The legislature also recognizes that  
14 families fleeing domestic violence, youth exiting foster care, LGBTQ  
15 youth, people who were formerly incarcerated, and individuals  
16 discharged from public institutions, including the department of  
17 corrections, the juvenile rehabilitation administration, and the  
18 state hospitals, are at an increased risk of experiencing  
19 homelessness. While the reasons for homelessness are many, the root  
20 cause is the lack of appropriate shelter. The legislature intends to  
21 work in concert with other governments and organizations to provide  
22 support and funds to increase services to homeless Washingtonians and  
23 to ease the desperate crisis faced by tens of thousands of people in  
24 our communities every day.

25 **Sec. 3.** RCW 36.22.179 and 2014 c 200 s 1 are each amended to  
26 read as follows:

27 (1) In addition to the surcharge authorized in RCW 36.22.178, and  
28 except as provided in subsection (2) of this section, an additional  
29 surcharge of ~~((ten))~~ ninety dollars shall be charged by the county  
30 auditor for each document recorded, which will be in addition to any  
31 other charge allowed by law. ~~((From September 1, 2012, through June  
32 30, 2019, the surcharge shall be forty dollars.))~~ The funds collected  
33 pursuant to this section are to be distributed and used as follows:

34 (a) The auditor shall retain two percent for collection of the  
35 fee, and of the remainder shall remit sixty percent to the county to  
36 be deposited into a fund that must be used by the county and its  
37 cities and towns to accomplish the purposes of chapter 484, Laws of  
38 2005, six percent of which may be used by the county for  
39 administrative costs related to its homeless housing plan, and the

1 remainder for programs which directly accomplish the goals of the  
2 county's local homeless housing plan, except that for each city in  
3 the county which elects as authorized in RCW 43.185C.080 to operate  
4 its own local homeless housing program, a percentage of the surcharge  
5 assessed under this section equal to the percentage of the city's  
6 local portion of the real estate excise tax collected by the county  
7 shall be transmitted at least quarterly to the city treasurer,  
8 without any deduction for county administrative costs, for use by the  
9 city for program costs which directly contribute to the goals of the  
10 city's local homeless housing plan; of the funds received by the  
11 city, it may use six percent for administrative costs for its  
12 homeless housing program.

13 (b) The auditor shall remit the remaining funds to the state  
14 treasurer for deposit in the home security fund account. The  
15 department may use twelve and one-half percent of this amount for  
16 administration of the program established in RCW 43.185C.020,  
17 including the costs of creating the statewide homeless housing  
18 strategic plan, measuring performance, providing technical assistance  
19 to local governments, and managing the homeless housing grant  
20 program. Of the remaining eighty-seven and one-half percent, (~~at  
21 least forty-five percent must be set aside for the use of private  
22 rental housing payments, and~~) the remainder is to be used by the  
23 department to:

24 (i) Provide housing and shelter for homeless people including,  
25 but not limited to:

26 (A) Grants to operate, repair, and staff shelters; grants to  
27 operate transitional housing;

28 (B) Partial payments for rental assistance;

29 (C) Consolidated emergency assistance;

30 (D) Overnight youth shelters;

31 (E) Grants and vouchers designated for victims of human  
32 trafficking and their families; ((and))

33 (F) Emergency shelter assistance; and

34 (G) Innovative strategies to provide homeless housing support  
35 through the following:

36 (I) Nonacademic support for homeless students as provided for in  
37 RCW 28A.165.035;

38 (II) Providing an additional subsidy for the homeless child care  
39 program as provided for in rule, including funding for outreach  
40 workers to enroll eligible families in the program;

1 (III) Funding mobile health and hygiene programs;

2 (IV) Funding programs to ensure that no person exits a  
3 government-funded or supported system of care into homelessness;

4 (V) Vehicle repair support; and

5 (VI) Reducing barriers that prevent entry into shelters, such as  
6 people who have pets or supporting an adult couple without children;  
7 and

8 (ii) Fund the homeless housing grant program.

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

16 **Sec. 4.** RCW 43.185C.060 and 2014 c 200 s 2 are each amended to  
17 read as follows:

18 The home security fund account is created in the state treasury,  
19 subject to appropriation. The state's portion of the surcharge  
20 established in RCW 36.22.179 and 36.22.1791 must be deposited in the  
21 account. Expenditures from the account may be used only for homeless  
22 housing programs as described in this chapter. ~~((If an independent  
23 audit finds that the department has failed to set aside at least  
24 forty five percent of funds received under RCW 36.22.179(1)(b) after  
25 June 12, 2014, for the use of private rental housing payments, the  
26 department must submit a corrective action plan to the office of  
27 financial management within thirty days of receipt of the independent  
28 audit. The office of financial management must monitor the  
29 department's corrective action plan and expenditures from this  
30 account for the remainder of the fiscal year. If the department is  
31 not in compliance with RCW 36.22.179(1)(b) in any month of the fiscal  
32 year following submission of the corrective action plan, the office  
33 of financial management must reduce the department's allotments from  
34 this account and hold in reserve status a portion of the department's  
35 appropriation equal to the expenditures made during the month not in  
36 compliance with RCW 36.22.179(1)(b).)) Families who receive temporary  
37 assistance to needy families as provided for in chapter 74.08A RCW  
38 and qualify for services under this chapter must receive priority for  
39 any funding provided from this account.~~

1       **Sec. 5.** RCW 43.185C.190 and 2011 1st sp.s. c 50 s 955 are each  
2 amended to read as follows:

3       The affordable housing for all account is created in the state  
4 treasury, subject to appropriation. The state's portion of the  
5 surcharges established in RCW 36.22.178 shall be deposited in the  
6 account. Expenditures from the account may only be used for  
7 affordable housing programs. Families who receive temporary  
8 assistance to needy families as provided for in chapter 74.08A RCW  
9 and qualify for services under this chapter must receive priority for  
10 any funding provided from this account. During the 2011-2013 fiscal  
11 biennium, moneys in the account may be transferred to the home  
12 security fund.

13       **Sec. 6.** RCW 43.185C.215 and 2008 c 256 s 2 are each amended to  
14 read as follows:

15       The transitional housing operating and rent account is created in  
16 the custody of the state treasurer. All receipts from sources  
17 directed to the transitional housing operating and rent program must  
18 be deposited into the account. Expenditures from the account may be  
19 used solely for the purpose of the transitional housing operating and  
20 rent program as described in RCW 43.185C.210. Families who receive  
21 temporary assistance to needy families as provided for in chapter  
22 74.08A RCW and qualify for services under RCW 43.185C.210 must have  
23 priority for receiving assistance through the transitional housing  
24 operating and rent program. Only the director of the department or  
25 the director's designee may authorize expenditures from the account.  
26 The account is subject to allotment procedures under chapter 43.88  
27 RCW, but an appropriation is not required for expenditures.

28       **Sec. 7.** RCW 43.185C.340 and 2016 c 157 s 3 are each amended to  
29 read as follows:

30       (1) Subject to funds appropriated for this specific purpose, the  
31 department, in consultation with the office of the superintendent of  
32 public instruction, shall administer a grant program that links  
33 homeless students and their families with stable housing located in  
34 the homeless student's school district. The goal of the program is to  
35 provide educational stability for homeless students by promoting  
36 housing stability.

37       (2) The department, working with the office of the superintendent  
38 of public instruction, shall develop a competitive grant process to

1 make grant awards of no more than one hundred thousand dollars per  
2 school, not to exceed five hundred thousand dollars per school  
3 district, to school districts partnered with eligible organizations  
4 on implementation of the proposal. For the purposes of this  
5 subsection, "eligible organization" means any local government, local  
6 housing authority, regional support network established under chapter  
7 71.24 RCW, nonprofit community or neighborhood-based organization,  
8 federally recognized Indian tribe in the state of Washington, or  
9 regional or statewide nonprofit housing assistance organization.  
10 Applications for the grant program must include contractual  
11 agreements between the housing providers and school districts  
12 defining the responsibilities and commitments of each party to  
13 identify, house, and support homeless students.

14 (3) (~~The grants awarded to school districts shall not exceed~~  
15 ~~fifteen school districts per school year.~~) In determining which  
16 partnerships will receive grants, preference must be given to  
17 districts with a demonstrated commitment of partnership and history  
18 with eligible organizations.

19 (4) Activities eligible for assistance under this grant program  
20 include but are not limited to:

21 (a) Rental assistance, which includes utilities, security and  
22 utility deposits, first and last month's rent, rental application  
23 fees, moving expenses, and other eligible expenses to be determined  
24 by the department;

25 (b) Transportation assistance, including gasoline assistance for  
26 families with vehicles and bus passes;

27 (c) Emergency shelter; and

28 (d) Housing stability case management.

29 (5) All beneficiaries of funds from the grant program must be  
30 unaccompanied youth or from very low-income households. For the  
31 purposes of this subsection, "very low-income household" means an  
32 unaccompanied youth or family or unrelated persons living together  
33 whose adjusted income is less than fifty percent of the median family  
34 income, adjusted for household size, for the county where the grant  
35 recipient is located.

36 (6)(a) Grantee school districts must compile and report  
37 information to the department. The department shall report to the  
38 legislature the findings of the grantee, the housing stability of the  
39 homeless families, the academic performance of the grantee  
40 population, and any related policy recommendations.

1 (b) Data on all program participants must be entered into and  
2 tracked through the Washington homeless client management information  
3 system as described in RCW 43.185C.180.

4 (7) In order to ensure that school districts are meeting the  
5 requirements of an approved program for homeless students, the office  
6 of the superintendent of public instruction shall monitor the  
7 programs at least once every two years. Monitoring shall begin during  
8 the 2016-17 school year.

9 (8) Any program review and monitoring under this section may be  
10 conducted concurrently with other program reviews and monitoring  
11 conducted by the department. In its review, the office of the  
12 superintendent of public instruction shall monitor program components  
13 that include but need not be limited to the process used by the  
14 district to identify and reach out to homeless students, assessment  
15 data and other indicators to determine how well the district is  
16 meeting the academic needs of homeless students, district  
17 expenditures used to expand opportunities for these students, and the  
18 academic progress of students under the program.

19 (9) Homeless students served under this section must also be  
20 eligible for nonacademic support as provided for in RCW 28A.165.035.

21 **Sec. 8.** RCW 43.185C.220 and 2015 c 128 s 5 are each amended to  
22 read as follows:

23 (1) The department shall distribute funds for the essential needs  
24 and housing support program established under this section in a  
25 manner consistent with the requirements of this section (~~and the~~  
26 ~~biennial operating budget~~). The first distribution of funds must be  
27 completed by September 1, 2011. Essential needs or housing support is  
28 only for persons found eligible for such services under RCW 74.04.805  
29 (~~and is not considered an entitlement~~)).

30 (2) The department shall distribute funds appropriated for the  
31 essential needs and housing support program in the form of grants to  
32 designated essential needs support and housing support entities  
33 within each county. The department shall not distribute any funds  
34 until it approves the expenditure plan submitted by the designated  
35 essential needs support and housing support entities. (~~The amount of~~  
36 ~~funds to be distributed pursuant to this section shall be designated~~  
37 ~~in the biennial operating budget.~~) For the sole purpose of meeting  
38 the initial distribution of funds date, the department may distribute  
39 partial funds upon the department's approval of a preliminary

1 expenditure plan. The department shall not distribute the remaining  
2 funds until it has approved a final expenditure plan.

3 (3)~~((a))~~ During the 2011-2013 biennium, in awarding housing  
4 support that is not funded through the contingency fund in this  
5 subsection, the designated housing support entity shall provide  
6 housing support to clients who are homeless persons as defined in RCW  
7 43.185C.010. As provided in the biennial operating budget for the  
8 2011-2013 biennium, a contingency fund shall be used solely for those  
9 clients who are at substantial risk of losing stable housing or at  
10 substantial risk of losing one of the other services defined in RCW  
11 74.62.010(6). For purposes of this chapter, "substantial risk" means  
12 the client has provided documentation that he or she will lose his or  
13 her housing within the next thirty days or that the services will be  
14 discontinued within the next thirty days.

15 ~~((b) After July 1, 2013, the designated housing support entity  
16 shall give first priority to clients who are homeless persons as  
17 defined in RCW 43.185C.010 and second priority to clients who would  
18 be at substantial risk of losing stable housing without housing  
19 support.))~~

20 (4) For each county, the department shall designate an essential  
21 needs support entity and a housing support entity that will begin  
22 providing these supports to medical care services program recipients  
23 on November 1, 2011. Essential needs and housing support entities are  
24 not required to provide assistance to every person referred to the  
25 local entity or who meets the priority standards in subsection (3) of  
26 this section.

27 (a) Each designated entity must be a local government or  
28 community-based organization, and may administer the funding for  
29 essential needs support, housing support, or both. Designated  
30 entities have the authority to subcontract with qualified entities.  
31 Upon request, and the approval of the department, two or more  
32 counties may combine resources to more effectively deliver services.

33 (b) The department's designation process must include a review of  
34 proficiency in managing housing or human services programs when  
35 designating housing support entities.

36 ~~((c) Within a county, if the department directly awards separate  
37 grants to the designated housing support entity and the designated  
38 essential needs support entity, the department shall determine the  
39 amount allocated for essential needs support as directed in the  
40 biennial operating budget.))~~



1 (5)(a) Essential needs and housing support entities must use  
2 funds distributed under this section as flexibly as is practicable to  
3 provide essential needs items and housing support to recipients of  
4 the essential needs and housing support program, subject to the  
5 requirements of this section.

6 (b) Benefits provided under the essential needs and housing  
7 support program shall not be provided to recipients in the form of  
8 cash assistance.

9 (c) The department may move funds between entities or between  
10 counties to reflect actual caseload changes. In doing so, the  
11 department must: (i) Develop a process for reviewing the caseload of  
12 designated essential needs and housing support entities, and for  
13 redistributing grant funds from those entities experiencing reduced  
14 actual caseloads to those with increased actual caseloads; and (ii)  
15 inform all designated entities of the redistribution process. Savings  
16 resulting from program caseload attrition from the essential needs  
17 and housing support program shall not result in increased per-client  
18 expenditures.

19 (d) Essential needs and housing support entities must partner  
20 with other public and private organizations to maximize the  
21 beneficial impact of funds distributed under this section, and should  
22 attempt to leverage other sources of public and private funds to  
23 serve essential needs and housing support recipients. (~~Funds~~  
24 ~~appropriated in the operating budget for essential needs and housing~~  
25 ~~support must be used only to serve persons eligible to receive~~  
26 ~~services under that program.))~~

27 (6) The department shall use no more than five percent of the  
28 funds for administration of the essential needs and housing support  
29 program. Each essential needs and housing support entity shall use no  
30 more than seven percent of the funds for administrative expenses.

31 (7) The department shall:

32 (a) Require housing support entities to enter data into the  
33 homeless client management information system;

34 (b) Require essential needs support entities to report on  
35 services provided under this section;

36 (c) In collaboration with the department of social and health  
37 services, submit a report annually to the relevant policy and fiscal  
38 committees of the legislature. A preliminary report shall be  
39 submitted by December 31, 2011, and must include (c)(i), (iii), and

1 (v) of this subsection. Annual reports must be submitted beginning  
2 December 1, 2012, and must include:

3 (i) A description of the actions the department has taken to  
4 achieve the objectives of chapter 36, Laws of 2011 1st sp. sess.;

5 (ii) The amount of funds used by the department to administer the  
6 program;

7 (iii) Information on the housing status of essential needs and  
8 housing support recipients served by housing support entities, and  
9 individuals who have requested housing support but did not receive  
10 housing support;

11 (iv) Grantee expenditure data related to administration and  
12 services provided under this section; and

13 (v) Efforts made to partner with other entities and leverage  
14 sources or public and private funds;

15 (d) Review the data submitted by the designated entities, and  
16 make recommendations for program improvements and administrative  
17 efficiencies. The department has the authority to designate  
18 alternative entities as necessary due to performance or other  
19 significant issues. Such change must only be made after consultation  
20 with the department of social and health services and the impacted  
21 entity.

22 (8) The department, counties, and essential needs and housing  
23 support entities are not civilly or criminally liable and may not  
24 have any penalty or cause of action of any nature arise against them  
25 related to decisions regarding: (a) The provision or lack of  
26 provision of housing or essential needs support; or (b) the type of  
27 housing arrangement supported with funds allocated under this  
28 section, when the decision was made in good faith and in the  
29 performance of the powers and duties under this section. However,  
30 this section does not prohibit legal actions against the department,  
31 county, or essential needs or housing support entity to enforce  
32 contractual duties or obligations.

33 **Sec. 9.** RCW 74.04.805 and 2013 2nd sp.s. c 10 s 3 are each  
34 amended to read as follows:

35 (1) The department is responsible for determining eligibility for  
36 referral for essential needs and housing support under RCW  
37 43.185C.220. Persons found to be eligible are entitled to services as  
38 provided in RCW 43.185C.220. Persons eligible are persons who:

1 (a) Are incapacitated from gainful employment by reason of bodily  
2 or mental infirmity that will likely continue for a minimum of ninety  
3 days. The standard for incapacity in this subsection, as evidenced by  
4 the ninety-day duration standard, is not intended to be as stringent  
5 as federal supplemental security income disability standards;

6 (b) Are citizens or aliens lawfully admitted for permanent  
7 residence or otherwise residing in the United States under color of  
8 law;

9 (c) Have furnished the department their social security number.  
10 If the social security number cannot be furnished because it has not  
11 been issued or is not known, an application for a number must be made  
12 prior to authorization of benefits, and the social security number  
13 must be provided to the department upon receipt;

14 (d) Have countable income as described in RCW 74.04.005 at or  
15 below four hundred twenty-eight dollars for a married couple or at or  
16 below three hundred thirty-nine dollars for a single individual;

17 (e) Do not have countable resources in excess of those described  
18 in RCW 74.04.005; and

19 (f) Are not eligible for:

20 (i) The aged, blind, or disabled assistance program;

21 (ii) The pregnant women assistance program; or

22 (iii) Federal aid assistance, other than basic food benefits  
23 transferred electronically and medical assistance.

24 (2) The following persons are not eligible for a referral for  
25 essential needs and housing support:

26 (a) Persons who are unemployable due primarily to alcohol or drug  
27 addiction, except as provided in subsection (3) of this subsection.  
28 These persons must be referred to appropriate assessment, treatment,  
29 shelter, or supplemental security income referral services as  
30 authorized under chapter 74.50 RCW. Referrals must be made at the  
31 time of application or at the time of eligibility review. This  
32 subsection may not be construed to prohibit the department from  
33 making a referral for essential needs and housing report for persons  
34 who have a substance abuse addiction who are incapacitated due to  
35 other physical or mental conditions that meet the eligibility  
36 criteria for a referral for essential needs and housing support;

37 (b) Persons who refuse or fail to cooperate in obtaining federal  
38 aid assistance, without good cause;

39 (c) Persons who refuse or fail without good cause to participate  
40 in drug or alcohol treatment if an assessment by a certified chemical

1 dependency counselor indicates a need for such treatment. Good cause  
2 must be found to exist when a person's physical or mental condition,  
3 as determined by the department, prevents the person from  
4 participating in drug or alcohol dependency treatment, when needed  
5 outpatient drug or alcohol treatment is not available to the person  
6 in the county of his or her residence or when needed inpatient  
7 treatment is not available in a location that is reasonably  
8 accessible for the person; and

9 (d) Persons who are fleeing to avoid prosecution of, or to avoid  
10 custody or confinement for conviction of, a felony, or an attempt to  
11 commit a felony, under the laws of the state of Washington or the  
12 place from which the person flees; or who are violating a condition  
13 of probation, community supervision, or parole imposed under federal  
14 or state law for a felony or gross misdemeanor conviction.

15 (3) For purposes of determining whether a person is incapacitated  
16 from gainful employment under subsection (1) of this section:

17 (a) The department shall adopt by rule medical criteria for  
18 incapacity determinations to ensure that eligibility decisions are  
19 consistent with statutory requirements and are based on clear,  
20 objective medical information; and

21 (b) The process implementing the medical criteria must involve  
22 consideration of opinions of the treating or consulting physicians or  
23 health care professionals regarding incapacity, and any eligibility  
24 decision which rejects uncontroverted medical opinion must set forth  
25 clear and convincing reasons for doing so.

26 (4) For purposes of reviewing a person's continuing eligibility  
27 and in order to remain eligible for the program, persons who have  
28 been found to have an incapacity from gainful employment must  
29 demonstrate that there has been no material improvement in their  
30 medical or mental health condition. The department may discontinue  
31 benefits when there was specific error in the prior determination  
32 that found the person eligible by reason of incapacitation.

33 (5) The department must review the cases of all persons who have  
34 received benefits under the essential needs and housing support  
35 program for twelve consecutive months, and at least annually after  
36 the first review, to determine whether they are eligible for the  
37 aged, blind, or disabled assistance program.

38 (6) Beginning the effective date of this section, persons found  
39 to be eligible for services are entitled to services that equal the  
40 benefit amount as provided for in RCW 74.62.030.

1       **Sec. 10.** RCW 74.62.030 and 2013 2nd sp.s. c 10 s 2 are each  
2 amended to read as follows:

3       (1)(a) Effective November 1, 2011, the aged, blind, or disabled  
4 assistance program shall provide financial grants to persons in need  
5 who:

6       (i) Are not eligible to receive federal aid assistance, other  
7 than basic food benefits transferred electronically and medical  
8 assistance;

9       (ii) Meet the eligibility requirements of subsection (3) of this  
10 section; and

11       (iii) Are aged, blind, or disabled. For purposes of determining  
12 eligibility for assistance for the aged, blind, or disabled  
13 assistance program, the following definitions apply:

14       (A) "Aged" means age sixty-five or older.

15       (B) "Blind" means statutorily blind as defined for the purpose of  
16 determining eligibility for the federal supplemental security income  
17 program.

18       (C) "Disabled" means likely to meet the federal supplemental  
19 security income disability standard. In making this determination,  
20 the department should give full consideration to the cumulative  
21 impact of an applicant's multiple impairments, an applicant's age,  
22 and vocational and educational history.

23       In determining whether a person is disabled, the department may  
24 rely on, but is not limited to, the following:

25       (I) A previous disability determination by the social security  
26 administration or the disability determination service entity within  
27 the department; or

28       (II) A determination that an individual is eligible to receive  
29 optional categorically needy medicaid as a disabled person under the  
30 federal regulations at 42 C.F.R. Parts 435, Secs. 201(a)(3) and 210.

31       (b) The following persons are not eligible for the aged, blind,  
32 or disabled assistance program:

33       (i) Persons who are not able to engage in gainful employment due  
34 primarily to alcohol or drug addiction. These persons shall be  
35 referred to appropriate assessment, treatment, shelter, or  
36 supplemental security income referral services as authorized under  
37 chapter 74.50 RCW. Referrals shall be made at the time of application  
38 or at the time of eligibility review. This subsection may not be  
39 construed to prohibit the department from granting aged, blind, or  
40 disabled assistance benefits to alcoholics and drug addicts who are

1 incapacitated due to other physical or mental conditions that meet  
2 the eligibility criteria for the aged, blind, or disabled assistance  
3 program; or

4 (ii) Persons for whom there has been a final determination of  
5 ineligibility for federal supplemental security income benefits.

6 (c) Persons may receive aged, blind, or disabled assistance  
7 benefits pending application for federal supplemental security income  
8 benefits. The monetary value of any aged, blind, or disabled  
9 assistance benefit that is subsequently duplicated by the person's  
10 receipt of supplemental security income for the same period shall be  
11 considered a debt due the state and shall by operation of law be  
12 subject to recovery through all available legal remedies.

13 (d) During the 2017-2019 fiscal biennium, the financial grants  
14 must be double the regular financial grant.

15 (2) Effective November 1, 2011, the pregnant women assistance  
16 program shall provide financial grants to persons who:

17 (a) Are not eligible to receive federal aid assistance other than  
18 basic food benefits or medical assistance; and

19 (b) Are pregnant and in need, based upon the current income and  
20 resource standards of the federal temporary assistance for needy  
21 families program, but are ineligible for federal temporary assistance  
22 for needy families benefits for a reason other than failure to  
23 cooperate in program requirements; and

24 (c) Meet the eligibility requirements of subsection (3) of this  
25 section.

26 (3) To be eligible for the aged, blind, or disabled assistance  
27 program under subsection (1) of this section or the pregnant women  
28 assistance program under subsection (2) of this section, a person  
29 must:

30 (a) Be a citizen or alien lawfully admitted for permanent  
31 residence or otherwise residing in the United States under color of  
32 law;

33 (b) Meet the income and resource standards described in RCW  
34 74.04.805(1) (d) and (e);

35 (c) Have furnished the department his or her social security  
36 number. If the social security number cannot be furnished because it  
37 has not been issued or is not known, an application for a number  
38 shall be made prior to authorization of benefits, and the social  
39 security number shall be provided to the department upon receipt;

1 (d) Not have refused or failed without good cause to participate  
2 in drug or alcohol treatment if an assessment by a certified chemical  
3 dependency counselor indicates a need for such treatment. Good cause  
4 must be found to exist when a person's physical or mental condition,  
5 as determined by the department, prevents the person from  
6 participating in drug or alcohol dependency treatment, when needed  
7 outpatient drug or alcohol treatment is not available to the person  
8 in the county of his or her residence or when needed inpatient  
9 treatment is not available in a location that is reasonably  
10 accessible for the person; and

11 (e) Not have refused or failed to cooperate in obtaining federal  
12 aid assistance, without good cause.

13 (4) Effective November 1, 2011, referrals for essential needs and  
14 housing support under RCW 43.185C.220 shall be provided to persons  
15 found eligible under RCW 74.04.805.

16 (5) No person may be considered an eligible individual for  
17 benefits under this section with respect to any month if during that  
18 month the person:

19 (a) Is fleeing to avoid prosecution of, or to avoid custody or  
20 confinement for conviction of, a felony, or an attempt to commit a  
21 felony, under the laws of the state of Washington or the place from  
22 which the person flees; or

23 (b) Is violating a condition of probation, community supervision,  
24 or parole imposed under federal or state law for a felony or gross  
25 misdemeanor conviction.

26 NEW SECTION. **Sec. 11.** A new section is added to chapter 28B.50  
27 RCW to read as follows:

28 The college board shall establish a pilot program to encourage  
29 college districts to plan for the unique needs and challenges of  
30 students experiencing homelessness. Such accommodations may include,  
31 but are not limited to: Laundry facilities, storage, showers,  
32 encouraging culinary programs to provide free or reduced priced  
33 meals, and providing short-term housing or housing assistance; and  
34 plans to develop surplus property for affordable housing to  
35 accommodate the needs of students experiencing homelessness. The  
36 pilot program must include two college districts, one on each side of  
37 the Cascade mountain range. The pilot program expires July 1, 2022.  
38 The college districts that participate in the pilot program shall  
39 provide a joint report to the legislature by December 1, 2022, that

1 includes at the least the following information: The number of  
2 students experiencing homelessness during the pilot program, the  
3 number of students assisted, strategies for accommodating students  
4 experiencing homelessness, and legislative recommendations.

5 NEW SECTION. **Sec. 12.** A new section is added to chapter 82.14  
6 RCW to read as follows:

7 (1)(a) A county legislative authority may authorize, fix, and  
8 impose a sales and use tax in accordance with the terms of this  
9 chapter.

10 (b) If a county with a population of more than eight hundred  
11 thousand has not imposed the tax authorized under this subsection by  
12 January 1, 2018, any city with a population of more than thirty  
13 thousand located in that county may authorize, fix, and impose the  
14 sales and use tax in accordance with this chapter. The county must  
15 provide a credit against its tax for the full amount of tax imposed  
16 under this subsection (1)(b) by any city located in that county if  
17 the county imposes the tax after January 1, 2018.

18 (2) The tax authorized in this section is in addition to any  
19 other taxes authorized by law and must be collected from those  
20 persons who are taxable by the state under chapters 82.08 and 82.12  
21 RCW upon the occurrence of any taxable event within the county for a  
22 county's tax and within a city for a city's tax. The rate of tax  
23 equals one-tenth of one percent of the selling price in the case of a  
24 sales tax, or value of the article used, in the case of a use tax.

25 (3) Except as provided in subsections (4) and (5) of this  
26 section, moneys collected under this section must be used solely for  
27 the purpose of providing for the operation or delivery of chemical  
28 dependency or mental health treatment programs and services and for  
29 the operation or delivery of therapeutic court programs and services  
30 for individuals experiencing homelessness. For the purposes of this  
31 section, "programs and services" includes, but is not limited to,  
32 treatment services, case management, transportation, and housing that  
33 are a component of a coordinated chemical dependency or mental health  
34 treatment program or service for individuals experiencing  
35 homelessness.

36 (4)(a) For a county with a population of more than twenty-five  
37 thousand or a city with a population of more than thirty thousand,  
38 which initially imposed the tax authorized under this section before  
39 January 1, 2018, a portion of moneys collected under this section may



1 be used to supplant existing funding for the purposes under  
2 subsection (3) of this section as follows: Up to fifty percent may be  
3 used to supplant existing funding in calendar years 2017-2018, up to  
4 forty percent may be used to supplant existing funding in calendar  
5 year 2019, up to thirty percent may be used to supplant existing  
6 funding in calendar year 2020, up to twenty percent may be used to  
7 supplant existing funding in calendar year 2021, and up to ten  
8 percent may be used to supplant existing funding in calendar year  
9 2022.

10 (b) For a county with a population of more than twenty-five  
11 thousand or a city with a population of more than thirty thousand,  
12 which initially imposes the tax authorized under this section after  
13 December 31, 2017, a portion of moneys collected under this section  
14 may be used to supplant existing funding for the purposes under  
15 subsection (3) of this section as follows: Up to fifty percent may be  
16 used to supplant existing funding for up to the first three calendar  
17 years following adoption, and up to twenty-five percent may be used  
18 to supplant existing funding for the fourth and fifth years after  
19 adoption.

20 (c) For a county with a population of fewer than twenty-five  
21 thousand, a portion of moneys collected under this section may be  
22 used to supplant existing funding for the purposes under subsection  
23 (3) of this section as follows: Up to eighty percent may be used to  
24 supplant existing funding in calendar years 2017-2018, up to sixty  
25 percent may be used to supplant existing funding in calendar year  
26 2019, up to forty percent may be used to supplant existing funding in  
27 calendar year 2020, up to twenty percent may be used to supplant  
28 existing funding in calendar year 2021, and up to ten percent may be  
29 used to supplant existing funding in calendar year 2022.

30 (5) Moneys collected under this section may be used to support  
31 the cost of the judicial officer and support staff of a therapeutic  
32 court.

33 NEW SECTION. **Sec. 13.** A new section is added to chapter 71.24  
34 RCW to read as follows:

35 In addition to the services provided through RCW 71.24.385,  
36 behavioral health organizations shall develop innovative strategies  
37 to serve the homeless including, but not limited to, treatment on  
38 demand, engaging in outreach programs to encourage homeless people to  
39 receive services, and developing a process to link a homeless person

1 with housing, ensuring that no person receiving services through a  
2 behavioral health organization is discharged into homelessness. For  
3 purposes of this section, "treatment on demand" means immediate entry  
4 into mental health or drug treatment, or both, for all who request  
5 such services.

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