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**HOUSE BILL 2899**

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

**By** Representatives Hudgins, Valdez, Bergquist, Peterson, Ryu, Santos, Springer, Morgan, Davis, and Pollet

AN ACT Relating to establishing the Washington state civil rights trail program; and adding new sections to chapter 27.34 RCW.

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

NEW SECTION. **Sec.**  CIVIL RIGHTS TRAIL PROGRAM ESTABLISHED. (1) The Washington state civil rights trail program is created with the Washington state historical society as the managing agency. The program is created to commemorate sites important to the understanding of civil rights in Washington state and our nation. Under the program, the society, in consultation with the civil rights trail site advisory board, may recognize civil rights trail sites and may provide site recognition awards as provided in sections 2 and 3 of this act.

(2) The society must establish an online resource that provides the public with information about:

(a) How the public may access recognized information about civil rights trail sites;

(b) How to nominate a site for recognition as a civil rights trail site by the society; and

(c) How to apply for a civil rights trail site award.

NEW SECTION. **Sec.**  CIVIL RIGHTS TRAIL SITE RECOGNITION. (1) The Washington state historical society, in consultation with the civil rights trail advisory board, must establish a civil rights trail site recognition process within the Washington state civil rights trail program created under section 1 of this act. To receive recognition as a civil rights trail site, an applicant must supply to the society, at a minimum, photos of the location, a brief history of the site, rationale for why and how the site should be recognized, and must meet the criteria established under section 3(1)(b)(i) of this act.

(2) The society must compile a list of sites that have been created or recognized by local or state governments for their civil rights importance as of the effective date of this section and recognize those sites as part of the civil rights trail program.

(3) In compiling the list of sites required under subsection (2) of this section, the following conditions apply:

(a) The society shall consider existing civil rights historical markers in need of updating or that are relevant to potential locations of civil rights significance;

(b) The society's consideration of new sites shall begin with recognizing locations of African American significance in the context of, and in preparation for, the state's recognition of black history month; and

(c) The society shall consider new sites submitted by the public, the advisory board, or organizations that the advisory board members represent.

NEW SECTION. **Sec.**  CIVIL RIGHTS TRAIL SITE AWARD PROGRAM. (1) The civil rights trail site award program is established within the Washington state historical society to provide funding for site markers, interpretive signs, site preservation, or site acquisition.

(a) The society may conduct a statewide solicitation of site projects applications as part of the award process.

(b) A site is eligible for a civil rights trail site award if:

(i) The site meets minimum criteria established by the society for historic and civil rights significance;

(ii) The site either already received a site recognition under section 2 of this act or an application for recognition is submitted concurrently with the award application and the society approves the recognition; and

(iii) The award application is submitted by an eligible applicant. Eligible applicants for a civil rights trail site award include property owners, nonprofit organizations, tribes, individuals, and units of state or local governments.

(2) By October 1, 2020, and annually thereafter, the society must submit to the governor and the legislature a ranked list of qualified eligible projects for which applications were received as part of a separate capital budget request. The list must include a description of the project, its estimated total cost, and the amount of state funds requested. The society may not sign contracts or otherwise financially obligate funds under this section until the legislature has approved a specific list of projects.

(3) In developing the ranked list, the society, in consultation with the civil rights trail advisory board, must evaluate and rank the applications for funding awards based on the following criteria:

(a) Relative civil rights significance or value of the site to the people of the state of Washington;

(b) Readiness of the applicant to initiate and complete the project; and

(c) Extent to which the project leverages other sources of financial assistance.

(4) The society must include provisions in the contracts for the awards that require the capital improvements to be held by the award recipient for a specified period of time appropriate to the amount of the award.

(5) The conditions in this subsection must be met by the award recipient in order to satisfy the public benefit requirements of the civil rights trail recognition award program.

(a) The award recipient must proactively maintain the investment for a specified amount of time.

(b) The award recipient must provide for public access to the exterior of properties that are not visible from a public right-of-way under reasonable terms and circumstances.

(6) If the award recipient is found to be out of compliance with provisions of the contract, the award recipient must repay to the state general fund the principal amount of the award plus interest calculated at the rate of interest on state of Washington general obligation bonds issued most closely to the date of authorization of the award.

NEW SECTION. **Sec.**  CIVIL RIGHTS TRAIL ADVISORY BOARD. (1) The Washington state civil rights trail advisory board is established with the following membership:

(a) The director of the Washington state historical society, or designee from the society appointed by the director;

(b) One member representing the Washington state commission on African American affairs;

(c) One member representing the Washington state commission on Hispanic affairs;

(d) One member representing the Washington state commission on Asian Pacific American affairs;

(e) One member representing the governor's office of Indian affairs;

(f) One member representing the Washington state women's commission;

(g) One member of the department of archaeology and historic preservation;

(h) One member from the eastern Washington state historical society;

(i) Two members appointed by the governor. These gubernatorial appointees must have civil rights expertise;

(j) One member from the LGBTQ commission;

(k) One member who is a University of Washington professor with expertise in civil rights, history, or the bill of rights in the United States Constitution; and

(l) One member representing the Pacific Northwest labor history association or another labor history organization.

(2) The director of the Washington state historical society or director's designee may serve as chair, or the director may appoint a member from the advisory board to serve as chair.

(3) The advisory board must provide advice to the director regarding:

(a) The criteria and process for a site to be recognized through the civil rights trail program;

(b) The criteria for determining eligibility for civil rights trail site awards, including contracting provisions between the society and award recipient; and

(c) The evaluation, selection, and ranking of projects for submission to the governor and legislature as required in section 3 of this act for funding through the civil rights trail award program.

(4) The public organizations of the advisory board members must assist in providing outreach to solicit applications for site recognition and awards.

NEW SECTION. **Sec.**  Sections 1 through 4 of this act are each added to chapter 27.34 RCW.

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