

HOUSE BILL REPORT

HB 1435

As Reported by House Committee On:
Housing, Community Development & Veterans

Title: An act relating to making statutory requirements and policies for cultural access programs the same in all counties of the state.

Brief Description: Making statutory requirements and policies for cultural access programs the same in all counties of the state.

Sponsors: Representatives Springer, Stokesbary, Walen, Fitzgibbon, Tarleton and Tharinger.

Brief History:

Committee Activity:

Housing, Community Development & Veterans: 2/5/19, 2/6/19 [DP].

Brief Summary of Bill

- Eliminates requirements for cultural access programs related to public school access and financial allocation that apply only to counties with a population more than 1.5 million.
- Applies requirements related to public school access and financial allocation for counties with a population of less than 1.5 million to all counties regardless of size.

HOUSE COMMITTEE ON HOUSING, COMMUNITY DEVELOPMENT & VETERANS

Majority Report: Do pass. Signed by 9 members: Representatives Ryu, Chair; Morgan, Vice Chair; Gildon, Ranking Minority Member; Barkis, Assistant Ranking Minority Member; Corry, Entenman, Frame, Leavitt and Reeves.

Staff: Alyssa Patrick (786-7296) and Cassie Jones (786-7303).

Background:

Cultural Access Program.

Counties and cities are authorized to establish a cultural access program (CAP) that allocates funds to cultural organizations providing programming or experiences to the general public.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

The funding must be used for a public benefit that generally relates to increasing access, outreach, and opportunities. The primary purpose of a qualifying cultural organization must be the advancement and preservation of: science or technology, the visual or performing arts, zoology, botany, anthropology, heritage, or natural history. Funding for the CAP is raised through a sales and use tax or a property tax (counties with a population over 1.5 million cannot use property tax). The tax must be authorized by a majority of votes through a proposition submitted to a general or special election.

Any county or contiguous group of counties are authorized to set up a CAP. A city may establish a CAP if the county in which it is located forfeits its option to create the program, or did not propose a CAP to voters prior to 2017.

Public School Access. Each CAP must also include a public school cultural access component that increases access to cultural experiences for public school students. In a county with a population over 1.5 million, every public school must be provided with specific benefits to increase student access to designated regional and community-based cultural organizations. The level and frequency of the benefits should be scaled based on the percentage of students at the school receiving free or reduced-price lunch. These benefits must include:

- transportation for students to participate in at least one CAP opportunity annually;
- a centralized service for cultural organizations to coordinate opportunities for students;
- coordination with organizations to maximize student access and increase cost efficiency;
- preparing and maintaining a readily accessible guide to opportunities;
- the development of tools to correlate activities with school curricula; and
- partnerships between schools and cultural organizations.

Funding Allocation. When voters approve a CAP for a county or city, the program must reserve funds for three areas before allocating to designated organizations. The three areas are startup costs, basic program and administrative costs, and public school access costs. The thresholds for cost allocations, requirements for eligible organizations, and guidelines for allocation differ by county population. The following table outlines these differences.

Allocation and Guidelines	Population Under 1.5M	Population Over 1.5M
Program and Administrative Costs	County determines the amount of funding to reserve for program and direct administrative costs.	Up to 1.25 percent of total costs may be allocated as administrative costs.
Public School Cultural Access Program	County determines percentage of total funds reserved annually for the required public school component.	10 percent of funds must go to this program annually.

Remaining Funds	All remaining funds go to the entity designated by the county to allocate among eligible cultural organizations that meet guidelines and criteria established by the county or city.	<p>Regional Cultural Organization 70 percent of funds are distributed proportionally to eligible regional cultural organizations based on combined annual revenue and attendance.</p> <p>Community-Based Organizations 30 percent of funds are distributed to eligible community-based cultural organizations or a community preservation and development authority.</p>
Report Public Benefits	Organizations that receive funds for a project must report the public benefits realized to the designated entity.	Funded regional cultural organizations must provide annual reports of public benefits provided and participation, as well as projections for the following year.

Summary of Bill:

The public school access program and fiscal allocation requirements for CAPs that apply only to a county with a population of more than 1.5 million are eliminated. The public school access program and fiscal allocation requirements for counties with a population of less than 1.5 million now apply to all counties regardless of population size.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) The simplification of the CAP requirements for King County will lead to greater equity in who accesses art, heritage, and nonprofit science opportunities. The original bill that created CAPs had much more prescriptive requirements for King County, which made

developing the first proposition to voters difficult. Cultural organizations eligible for the funds found the language confusing and prohibitive. Rather than focusing on the impact a CAP could have on communities, the issue became divisive because of the allocation requirements. The impact of the prescriptive requirements is further evidenced by Tacoma's proposal, which recently passed with 60 percent of the vote. Tacoma had more flexibility in how it developed its CAP.

This bill would level the playing field for all counties and give King County more flexibility on how it can allocate CAP funds and report on activities. King County has a statewide reach so changing these requirements will impact people across the state. This bill changes program requirements without touching the taxing authority. King County can still only use a sales and use tax to fund a CAP, while all other counties can choose between a sales and use tax or a property tax.

(Opposed) None.

Persons Testifying: Representative Springer, prime sponsor; Becky Bogard, Cultural Access Washington; Manny Cawaling, Cultural Access Washington; Josh LaBelle, Seattle Theatre Group; and Mac Nicholson, King County.

Persons Signed In To Testify But Not Testifying: None.