
SUBSTITUTE SENATE BILL 5793

State of Washington

67th Legislature

2022 Regular Session

By Senate State Government & Elections (originally sponsored by Senators C. Wilson, Trudeau, Das, Dhingra, Hasegawa, Lovelett, Nguyen, Nobles, and Saldaña; by request of Attorney General)

READ FIRST TIME 01/24/22.

1 AN ACT Relating to allowing compensation for lived experience on
2 boards, commissions, councils, committees, and other similar groups;
3 reenacting and amending RCW 43.03.220; adding a new section to
4 chapter 43.03 RCW; and creating a new section.

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

6 NEW SECTION. **Sec. 1.** The legislature finds that equitable
7 public policy discussions should include individuals directly
8 impacted by that policy. In order to do so, the legislature supports
9 removing barriers to that participation. The legislature finds that
10 asking community members with lower financial means to volunteer
11 their time and expertise while state employees and representatives of
12 advocacy organizations receive compensation from their respective
13 agency or organization for their time and experience ultimately
14 hinders full and open public participation. As a result, the
15 legislature finds that removing financial barriers for those
16 individuals fosters increased access to government and enriches
17 public policy discussions and decisions, ultimately leading to more
18 equitable and sustainable policy outcomes.

19 **Sec. 2.** RCW 43.03.220 and 2011 1st sp.s. c 21 s 55 and 2011 c 5
20 s 902 are each reenacted and amended to read as follows:

1 (1) Any part-time board, commission, council, committee, or other
2 similar group which is established by the executive, legislative, or
3 judicial branch to participate in state government and which
4 functions primarily in an advisory, coordinating, or planning
5 capacity shall be identified as a class one group. Unless otherwise
6 identified in law, all newly formed and existing groups are a class
7 one group.

8 (2) Absent any other provision of law to the contrary, no money
9 beyond the customary reimbursement or allowance for expenses may be
10 paid by or through the state to members of class one groups for
11 attendance at meetings of such groups, except as provided in this
12 subsection.

13 (a) Subject to available funding, an agency may provide a stipend
14 to individuals who are low income or have lived experience to support
15 their participation in class one groups when the agency determines
16 such participation is desirable in order to implement the principles
17 of equity described in RCW 43.06D.020, provided that the individuals
18 are not otherwise compensated for their attendance at meetings.

19 (b) Stipends shall not exceed \$200 for each day during which the
20 member attends an official meeting or performs statutorily prescribed
21 duties approved by the chairperson of the group.

22 (c) Individuals eligible for stipends under this section are
23 eligible for reasonable allowances for child and adult care
24 reimbursement, lodging, and travel expenses as provided in RCW
25 43.03.050 and 43.03.060 in addition to stipend amounts.

26 (d) Nothing in this subsection creates an employment
27 relationship, or any membership or qualification in any state or
28 other publicly supported retirement system, for this or any other
29 title due to the payment of a stipend, lodging and travel expenses,
30 or child care expenses provided under this section where such a
31 relationship, membership, or qualification did not already exist.

32 (e) Stipends and reimbursements do not count as income or assets
33 when calculating an individual's eligibility for state benefits.

34 (3) ~~((a) No person designated as a member of a class one board,~~
35 ~~commission, council, committee, or similar group may receive an~~
36 ~~allowance for subsistence, lodging, or travel expenses if the~~
37 ~~allowance cost is funded by the state general fund. Exceptions may be~~
38 ~~granted under RCW 43.03.049.))~~ Class one groups, when feasible, shall
39 use an alternative means of conducting a meeting that does not
40 require travel while still maximizing member and public participation

1 and may use a meeting format that requires members to be physically
2 present at one location only when necessary or required by law.

3 ~~((b))~~ (4) Class one groups that are funded by sources other
4 than the state general fund are encouraged to reduce travel, lodging,
5 and other costs associated with conducting the business of the group
6 including use of other meeting formats that do not require travel.

7 (5) For purposes of this section, "low income" means an
8 individual whose income is not more than 400 percent of the federal
9 poverty level, adjusted for family size.

10 NEW SECTION. Sec. 3. A new section is added to chapter 43.03
11 RCW to read as follows:

12 (1) An agency exercising its authority to provide stipends under
13 RCW 43.03.220(2) must report to the Washington state office of equity
14 not later than August 30, 2023, as follows:

15 (a) A brief description of the groups for which stipends have
16 been made available;

17 (b) An accounting of the stipends provided; and

18 (c) An analysis of whether and how the availability of stipends
19 has reduced barriers to participation and increased the diversity of
20 group participants.

21 (2) The Washington state office of equity shall:

22 (a) Compile and analyze the information received from agencies
23 under this section;

24 (b) Consult with stakeholder communities; and

25 (c) Prepare a report to the governor and legislature by August
26 30, 2024. The report must include an overall evaluation of the
27 stipend process authorized in RCW 43.03.220(2), recommendations for
28 improving the process, and recommendations to further decrease
29 barriers to participation and increase the diversity of group
30 applicants.

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