
SENATE BILL 5847

State of Washington

67th Legislature

2022 Regular Session

By Senators Lias, Randall, Das, Hasegawa, Keiser, Kuderer, Lovick, Nguyen, Nobles, Saldaña, and C. Wilson

Read first time 01/13/22. Referred to Committee on Higher Education & Workforce Development.

1 AN ACT Relating to providing information to public service
2 employees about the public service loan forgiveness program; adding a
3 new section to chapter 28B.77 RCW; adding a new section to chapter
4 43.41 RCW; adding a new section to chapter 41.04 RCW; creating a new
5 section; and declaring an emergency.

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

7 NEW SECTION. **Sec. 1.** (1) The legislature recognizes that our
8 country faces a student loan debt crisis. Nationally, Americans owe
9 \$1.73 trillion in student loans. In Washington state, about 767,300
10 student loan borrowers owe nearly \$27.4 billion of outstanding debt,
11 more than \$35,700 per borrower on average.

12 (2) Student loan debt is a multigenerational issue that affects
13 borrowers of all ages and jeopardizes millions of families' long-term
14 financial security. While student loan balances have risen for all
15 age groups, older borrowers have seen the largest increase. Student
16 loan defaults rise with the borrower's age, and parents and
17 grandparents take on debt to help their children and grandchildren
18 pay for their education. Borrowers are increasingly defaulting on
19 their debts, resulting in income garnishment and deductions from
20 federal tax refunds or social security payments.

1 (3) The legislature further recognizes that the federal
2 government offers and provides loan forgiveness for individuals who
3 have worked in a public service job full time and have made
4 qualifying payments towards their student loans. Unfortunately, the
5 eligibility criteria to qualify for this program has been complex,
6 leading to low approval rates for individuals who would otherwise
7 qualify. By providing more public awareness of this program, the
8 legislature intends to help alleviate the student loan debt burden of
9 those who have committed their lives to public service.

10 (4) It is the intent of the legislature to do the following:

11 (a) Develop materials to increase awareness of the federal public
12 service loan forgiveness program;

13 (b) Create a program for state agencies and other public service
14 employers to certify employment for the purpose of the public service
15 loan forgiveness program; and

16 (c) Acknowledge the work done outside the classroom by part-time
17 academic employees, allowing for those hours to be counted towards
18 the definition of full time for the public service loan forgiveness
19 program as set forth in 34 C.F.R. Sec. 685.219.

20 NEW SECTION. **Sec. 2.** A new section is added to chapter 28B.77
21 RCW to read as follows:

22 (1) The student loan advocate, established in RCW 28B.77.007,
23 shall develop, and update annually as necessary, materials designed
24 to increase awareness of the public service loan forgiveness program.
25 Materials include, at minimum:

26 (a) A standardized letter for public service employers to send to
27 their employees briefly summarizing the public service loan
28 forgiveness program, information about what eligible employees are
29 required to do in order to benefit from the program, and how an
30 eligible employee may contact their student loan servicer for
31 additional resources;

32 (b) A detailed fact sheet describing the public service loan
33 forgiveness program, including the official website address
34 maintained by the United States department of education for the
35 program and contact information for the student loan advocate; and

36 (c) A document containing frequently asked questions about the
37 public service loan forgiveness program.

38 (2) The student loan advocate shall coordinate with the office of
39 financial management, the secretary of state, local governmental

1 entities, and other relevant agencies and public service employer
2 entities to ensure that public service employers receive materials
3 developed in subsection (1) of this section.

4 (3) For purposes of this section, the definitions in this
5 subsection apply:

6 (a) "Public service employer" includes the following:

7 (i) Any governmental entity including state, county, city, or
8 other local government entity including political subdivisions, such
9 as office, department, independent agency, school district, public
10 college or university system, public library system, authority, or
11 other body including the legislature and the judiciary;

12 (ii) Any employer that has received designation as a tax-exempt
13 organization pursuant to Title 26 U.S.C. Sec. 501(c)(3) of the
14 federal internal revenue code of 1986, as amended;

15 (iii) Any other entities identified as a public service job in
16 Title 20 U.S.C. Sec. 1087e(m).

17 (b) "Public service loan forgiveness program" means the federal
18 loan forgiveness program established pursuant to Title 20 U.S.C. Sec.
19 1087e(m) and 34 C.F.R Sec. 685.219.

20 NEW SECTION. **Sec. 3.** A new section is added to chapter 43.41
21 RCW to read as follows:

22 (1) The office of financial management shall develop a program
23 for state agencies and other public service employers to certify
24 employment for the purposes of the public service loan forgiveness
25 program and assist the student loan advocate in creating and
26 distributing materials designed to increase awareness of the public
27 service loan forgiveness program set forth in section 1 of this act.

28 (2) For purposes of this section, the definitions in this
29 subsection apply:

30 (a) "Certifying employment" means either completing the employer
31 sections of the public service loan forgiveness form or sharing data
32 directly with the United States department of education that
33 corresponds to the information required for the public service loan
34 forgiveness form.

35 (b) "Public service employer" includes the following:

36 (i) Any governmental entity including state, county, city, or
37 other local government entity including political subdivisions, such
38 as office, department, independent agency, school district, public

1 college or university system, public library system, authority, or
2 other body including the legislature and the judiciary;

3 (ii) Any employer that has received designation as a tax-exempt
4 organization pursuant to Title 26 U.S.C. Sec. 501(c)(3) of the
5 federal internal revenue code of 1986, as amended;

6 (iii) Any other entities identified as a public service job in
7 Title 20 U.S.C. Sec. 1087e(m).

8 (c) "Public service loan forgiveness program" means the federal
9 loan forgiveness program established pursuant to Title 20 U.S.C. Sec.
10 1087e(m) and 34 C.F.R. Sec. 685.219.

11 (d) "State agency" or "agency" means departments, offices,
12 agencies, or institutions of state government, the legislature,
13 institutions of higher education, school districts, and educational
14 service districts.

15 NEW SECTION. **Sec. 4.** A new section is added to chapter 41.04
16 RCW to read as follows:

17 (1) A public service employer shall provide the materials
18 described in section 2 of this act in written or electronic form to:

19 (a) All employees annually;

20 (b) Newly hired employees within 30 days of the employee's first
21 day of employment.

22 (2) Public service employers must certify employment for the
23 purposes of the public service loan forgiveness program in accordance
24 with the program established in section 3 of this act.

25 (a) If a public service employer does not directly certify
26 employment with the United States department of education, the public
27 service employer must annually provide notice of renewal and a copy
28 of the public service loan forgiveness form with employer information
29 and employment certification sections of the form already completed
30 reflecting at least the last 12 months of employment to:

31 (i) An employee who requests a public service loan forgiveness
32 form;

33 (ii) Any current employee for whom the public service employer
34 has previously certified employment; and

35 (iii) An employee who has separated from service or employment.

36 (b) A public service employer shall not unreasonably delay in
37 certifying employment.

38 (c) A public service employer may seek permission from its
39 employees prior to certifying their employment.

1 (d) For the purpose of determining whether a part-time academic
2 employee is considered full time for certifying employment for the
3 public service loan forgiveness program, duties performed in support
4 of, or in addition to, contractually assigned in-class teaching hours
5 must be included. To calculate this, each hour of in-class teaching
6 time shall be multiplied by 3.35 hours. This subsection shall not
7 supersede any calculation or adjustment established by a collective
8 bargaining agreement or employer policy for additional work done
9 outside of in-class teaching. A state agency shall not treat any
10 adjusted total hours worked differently from hours worked without an
11 adjustment when determining whether an employee is full time.

12 (e) A public service employer may send the information necessary
13 for public service loan forgiveness employment certification to the
14 United States department of education, or its agents, if the United
15 States department of education permits public service employers to
16 certify employment for past or present individual employees or groups
17 of employees directly, notwithstanding other provisions of law.

18 (3) For purposes of this section, the definitions in this
19 subsection apply:

20 (a) "Certifying employment" means either completing the employer
21 sections of the public service loan forgiveness form or sharing data
22 directly with the United States department of education that
23 corresponds to the information required for the public service loan
24 forgiveness form.

25 (b) "Full time" has the same meaning as set forth in 34 C.F.R.
26 Sec. 685.219.

27 (c) "Public service employer" includes the following:

28 (i) Any governmental entity including state, county, city, or
29 other local government entity including political subdivisions, such
30 as office, department, independent agency, school district, public
31 college or university system, public library system, authority, or
32 other body including the legislature and the judiciary;

33 (ii) Any employer that has received designation as a tax-exempt
34 organization pursuant to Title 26 U.S.C. Sec. 501(c)(3) of the
35 federal internal revenue code of 1986, as amended;

36 (iii) Any other entities identified as a public service job in
37 Title 20 U.S.C. Sec. 1087e(m).

38 (d) "Public service loan forgiveness program" means the federal
39 loan forgiveness program established pursuant to Title 20 U.S.C. Sec.
40 1087e(m) and 34 C.F.R. Sec. 685.219.

1 (e) "State agency" or "agency" means departments, offices,
2 agencies, or institutions of state government, the legislature,
3 institutions of higher education, school districts, and educational
4 service districts.

5 NEW SECTION. **Sec. 5.** This act is necessary for the immediate
6 preservation of the public peace, health, or safety, or support of
7 the state government and its existing public institutions, and takes
8 effect immediately.

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