

ESHB 1362 - H AMD 795

By Representative Stearns

ADOPTED 01/31/2024

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** INTENT AND FINDINGS. (1) The legislature
4 finds that requiring state agencies to report to the legislature is
5 an important method of providing information and keeping the
6 legislature informed on the implementation and impacts of
7 legislation. Some reports provide information that is no longer
8 relevant or useful to the legislature, which can be discerned by the
9 lack of interest in the report. There are other reports that are
10 redundant as the information is provided through other means. In
11 addition, preparing reports is time consuming, and there may be
12 better, more efficient mechanisms for sharing information with
13 legislators as well as the public, such as posting the information on
14 agency websites. Finally, some reports are required on a more
15 frequent basis than is necessary, as the information does not change
16 to an extent that merits the increased frequency.

17 (2) In order to improve agency efficiency and still ensure that
18 information is publicly available and provided to the legislature as
19 needed, it is the intent of this act to eliminate reports that no
20 longer serve a relevant purpose, change reporting frequency where
21 warranted, and provide alternative mechanisms in place of submitting
22 reports where appropriate.

23 **PART I**

24 **MODIFICATIONS TO REPORTS**

25 **Sec. 2.** RCW 28A.180.020 and 2017 c 123 s 1 are each amended to
26 read as follows:

27 The superintendent of public instruction shall review annually
28 the transitional bilingual instruction program and shall submit a
29 report of such review to the legislature on or before (~~February~~)
30 March 1st of each year.

1 **Sec. 3.** RCW 28A.230.150 and 2018 c 109 s 3 are each amended to
2 read as follows:

3 (1) On January 16th of each year or the preceding Friday when
4 January 16th falls on a nonschool day, there shall be observed within
5 each public school "Temperance and Good Citizenship Day." Annually
6 the state superintendent of public instruction shall duly prepare and
7 publish for circulation among the teachers of the state a program for
8 use on such day embodying topics pertinent thereto and may from year
9 to year designate particular laws for special observance.

10 (2) Each year on "Temperance and Good Citizenship Day," social
11 studies teachers must, as resources allow, coordinate a voter
12 registration event in each history or social studies class attended
13 by high school seniors. This event is part of the future voter
14 program. Teachers must make voter sign up and registration available
15 to all students.

16 (3) County auditors may, as resources allow, help coordinate
17 elements of the future voter program, and participate in voter
18 registration events for students on "Temperance and Good Citizenship
19 Day."

20 (4) On each temperance and good citizenship day all students who
21 will be eighteen years of age or older by the time of the next
22 general election will be given the opportunity to register to vote
23 online in the classroom. Paper registration must also be made
24 available in the classroom. Students who do not possess a state
25 identicard or driver's license must be provided a paper registration
26 form. The event must include adequate time for students to complete
27 the registration process in class.

28 (5) The superintendent of public instruction, in consultation
29 with the secretary of state, must update and distribute youth voter
30 registration materials annually, by December 1st, for eligible
31 students to register to vote at school. Electronic notification of
32 the availability of the materials must be distributed to high school
33 principals and secondary social studies and history teachers.

34 (6) The superintendent of public instruction must consult with
35 the secretary of state to provide registration methods that enable
36 the electronic collection of information on the number of students
37 who registered to vote on "Temperance and Good Citizenship Day," with
38 the goal of achieving at least fifty thousand new voter registrations
39 for seventeen and eighteen year olds annually, beginning in January
40 2020.

1 (7) Beginning March 1, 2020, and annually thereafter by May 1st,
2 the superintendent of public instruction must report on yearly
3 progress toward the goal established in subsection (~~((5))~~) (6) of
4 this section, including the number of (~~seventeen~~) 17 and
5 (~~eighteen~~) 18 year olds registered to vote by county and
6 recommendations for increasing youth voter registration, to the
7 governor and the appropriate standing committees of the legislature
8 in accordance with RCW 43.01.036.

9 (8) For the purposes of this section:

10 (a) "Future voter program" refers to the information that may be
11 collected by a number of processes about a future voter. Information
12 that is otherwise disclosable under chapter 29A.08 RCW cannot be
13 disclosed on the future voter until the person reaches age eighteen,
14 except for the purpose of processing and delivering ballots.

15 (b) "Sign up" means the act of providing information relevant to
16 eventual official voter registration, prior to such time that he or
17 she will be eighteen years of age by the next election.

18 **Sec. 4.** RCW 28A.300.476 and 2022 c 109 s 2 are each amended to
19 read as follows:

20 (1) By February 1, 2023, and by (~~February~~) March 1st every odd-
21 numbered year thereafter, the office of the superintendent of public
22 instruction shall submit, in accordance with RCW 43.01.036, to the
23 appropriate committees of the legislature a report analyzing the
24 implementation of RCW 28A.150.260(5)(b), related to physical, social,
25 and emotional support staff.

26 (2) For the analysis, the office of the superintendent of public
27 instruction must use personnel data reported on or around October 1st
28 of the report year and the prior year, and any other relevant data.

29 (3) Except as provided in subsection (4) of this section, the
30 report must:

31 (a) Compare the staffing units provided for nurses, social
32 workers, psychologists, counselors, classified staff providing
33 student and staff safety, and parent involvement coordinators under
34 RCW 28A.150.260(5) to the actual school district staffing levels for
35 physical, social, and emotional support staff, disaggregate by school
36 district; and

37 (b) Analyze trends with respect to: (i) Employed staff and
38 contract staff; and (ii) the percentage of staff with a valid
39 educational staff associate certificate. These trends must be

1 disaggregated by assignment duty code, as well as analyzed year over
2 year and by school district size and geography.

3 (4) For the report due February 1, 2023, the office of the
4 superintendent of public instruction is required to complete the
5 analysis described in subsection (3) of this section only to the
6 extent that relevant data are available.

7 (5) For the purposes of this section, "physical, social, and
8 emotional support staff" or "staff" has the same meaning as in RCW
9 28A.150.260(5)(b).

10 (6) This section expires June 30, 2030.

11 **Sec. 5.** RCW 28A.300.615 and 2020 c 8 s 3 are each amended to
12 read as follows:

13 (1) By (~~October~~) March 1st of each year, a school district must
14 report to the office of the superintendent of public instruction:

15 (a) The number of substitute teachers hired per school year;

16 (b) The number of hours worked by each substitute teacher;

17 (c) The number of substitute teachers that received benefits
18 under the school employees' benefits board;

19 (d) The full daily compensation rate per substitute teacher; and

20 (e) The reason for hiring the substitute teacher.

21 (2) By (~~January~~) May 1st of each year, the office of the
22 superintendent of public instruction must post on its website the
23 information identified in subsection (1) of this section.

24 **Sec. 6.** RCW 28A.655.090 and 2019 c 252 s 120 are each amended to
25 read as follows:

26 (1) By September 10, 1998, and by (~~September 10th~~) October 1st
27 each year thereafter, the superintendent of public instruction shall
28 report to schools, school districts, and the legislature on the
29 results of the statewide student assessment.

30 (2) The reports shall include the assessment results by school
31 and school district, and include changes over time. For the statewide
32 student assessment, results shall be reported as follows:

33 (a) The percentage of students meeting the standards;

34 (b) The percentage of students performing at each level of the
35 assessment;

36 (c) Disaggregation of results by at least the following subgroups
37 of students: White, Black, Hispanic, American Indian/Alaskan Native,
38 Asian, Pacific Islander/Hawaiian Native, low income, transitional

1 bilingual, migrant, special education, and, beginning with the
2 2009-10 school year, students covered by section 504 of the federal
3 rehabilitation act of 1973, as amended (29 U.S.C. Sec. 794); and

4 (d) A learning improvement (~~(index)~~) indicator that shows changes
5 in student performance within the different levels of student
6 learning reported on the statewide student assessment.

7 (3) The reports shall contain data regarding the different
8 characteristics of schools, such as poverty levels, percent of
9 English as a second language students, dropout rates, attendance,
10 percent of students in special education, and student mobility so
11 that districts and schools can learn from the improvement efforts of
12 other schools and districts with similar characteristics.

13 ~~(4) ((The reports shall contain student scores on mandated tests
14 by comparable Washington schools of similar characteristics.~~

15 ~~(5))~~) The reports shall contain information on public school
16 choice options available to students, including vocational education.

17 ~~((6))~~ (5) The reports shall be posted on the superintendent of
18 public instruction's internet website.

19 ~~((7))~~ (6) To protect the privacy of students, the results of
20 schools and districts that test fewer than ten students in a grade
21 level shall not be reported. In addition, in order to ensure that
22 results are reported accurately, the superintendent of public
23 instruction shall maintain the confidentiality of statewide data
24 files until the superintendent determines that the data are complete
25 and accurate.

26 ~~((8))~~ (7) The superintendent of public instruction shall
27 monitor the percentage and number of special education and limited
28 English-proficient students exempted from taking the assessments by
29 schools and school districts to ensure the exemptions are in
30 compliance with exemption guidelines.

31 **Sec. 7.** RCW 28A.655.260 and 2023 c 349 s 3 are each amended to
32 read as follows:

33 (1) The superintendent of public instruction shall collect the
34 following information from school districts: Which of the graduation
35 pathways under RCW 28A.655.250 are available to students at each of
36 the school districts; and the number of students using each
37 graduation pathway for graduation purposes. This information shall be
38 reported (~~(annually)~~) to the education committees of the legislature
39 beginning January 10, 2021, and by March 10th each year thereafter.

1 To the extent feasible, data on student participation in each of the
2 graduation pathways shall be disaggregated by race, ethnicity,
3 gender, and receipt of free or reduced-price lunch.

4 (2) The state board of education shall review and monitor the
5 implementation of the graduation pathway options to ensure school
6 district compliance with requirements established under RCW
7 28A.655.250 and subsection (3) of this section. The reviews and
8 monitoring required by this subsection may be conducted concurrently
9 with other oversight and monitoring conducted by the state board of
10 education. The information shall be collected annually and reported
11 to the education committees of the legislature by January 10, 2025,
12 and biennially thereafter.

13 (3)(a) At least annually, school districts shall examine data on
14 student groups participating in and completing each graduation
15 pathway option offered by the school district. At a minimum, the data
16 on graduation pathway participation and completion must be
17 disaggregated by the student groups described in RCW 28A.300.042 (1)
18 and (3), and by:

19 (i) Gender;

20 (ii) Students who are the subject of a dependency proceeding
21 pursuant to chapter 13.34 RCW;

22 (iii) Students who are experiencing homelessness as defined in
23 RCW 28A.300.542(~~(4)~~) (6); and

24 (iv) Multilingual/English learners.

25 (b) If the results of the analysis required under (a) of this
26 subsection show disproportionate participation and completion rates
27 by student groups, then the school district shall identify reasons
28 for the observed disproportionality and implement strategies as
29 appropriate to ensure the graduation pathway options are equitably
30 available to all students in the school district.

31 **Sec. 8.** RCW 43.43.545 and 2020 c 26 s 6 are each amended to read
32 as follows:

33 (1) The Washington state patrol shall create and operate a
34 statewide sexual assault kit tracking system. The Washington state
35 patrol may contract with state or nonstate entities including, but
36 not limited to, private software and technology providers, for the
37 creation, operation, and maintenance of the system.

38 (2) The statewide sexual assault kit tracking system must:

1 (a) Track the location and status of sexual assault kits
2 throughout the criminal justice process, including the initial
3 collection in examinations performed at medical facilities, receipt
4 and storage at law enforcement agencies, receipt and analysis at
5 forensic laboratories, and storage and any destruction after
6 completion of analysis;

7 (b) Designate sexual assault kits as unreported or reported;

8 (c) Indicate whether a sexual assault kit contains biological
9 materials collected for the purpose of forensic toxicological
10 analysis;

11 (d) Allow medical facilities performing sexual assault forensic
12 examinations, law enforcement agencies, prosecutors, the Washington
13 state patrol bureau of forensic laboratory services, and other
14 entities having custody of sexual assault kits to update and track
15 the status and location of sexual assault kits;

16 (e) Allow victims of sexual assault to anonymously track or
17 receive updates regarding the status of their sexual assault kits;
18 and

19 (f) Use electronic technology or technologies allowing continuous
20 access.

21 (3) The Washington state patrol may use a phased implementation
22 process in order to launch the system and facilitate entry and use of
23 the system for required participants. The Washington state patrol may
24 phase initial participation according to region, volume, or other
25 appropriate classifications. All entities having custody of sexual
26 assault kits shall fully participate in the system no later than June
27 1, 2018. The Washington state patrol shall submit a report on the
28 current status and plan for launching the system, including the plan
29 for phased implementation, to the joint legislative task force on
30 sexual assault forensic examination best practices, the appropriate
31 committees of the legislature, and the governor no later than January
32 1, 2017.

33 (4) The Washington state patrol shall submit (~~(a semiannual)~~) an
34 annual report on the statewide sexual assault kit tracking system to
35 the joint legislative task force on sexual assault forensic
36 examination best practices, the appropriate committees of the
37 legislature, and the governor. The Washington state patrol may
38 publish the current report on its website. The first report is due
39 (~~(July 31, 2018)~~) January 31, 2025, and subsequent reports are due

1 January 31st (~~and July 31st~~) of each year. The report must include
2 the following:

3 (a) The total number of sexual assault kits in the system
4 statewide and by jurisdiction;

5 (b) The total and semiannual number of sexual assault kits where
6 forensic analysis has been completed statewide and by jurisdiction;

7 (c) The number of sexual assault kits added to the system in the
8 reporting period statewide and by jurisdiction;

9 (d) The total and semiannual number of sexual assault kits where
10 forensic analysis has been requested but not completed statewide and
11 by jurisdiction;

12 (e) The average and median length of time for sexual assault kits
13 to be submitted for forensic analysis after being added to the
14 system, including separate sets of data for all sexual assault kits
15 in the system statewide and by jurisdiction and for sexual assault
16 kits added to the system in the reporting period statewide and by
17 jurisdiction;

18 (f) The average and median length of time for forensic analysis
19 to be completed on sexual assault kits after being submitted for
20 analysis, including separate sets of data for all sexual assault kits
21 in the system statewide and by jurisdiction and for sexual assault
22 kits added to the system in the reporting period statewide and by
23 jurisdiction;

24 (g) The total and semiannual number of sexual assault kits
25 destroyed or removed from the system statewide and by jurisdiction;

26 (h) The total number of sexual assault kits, statewide and by
27 jurisdiction, where forensic analysis has not been completed and six
28 months or more have passed since those sexual assault kits were added
29 to the system; and

30 (i) The total number of sexual assault kits, statewide and by
31 jurisdiction, where forensic analysis has not been completed and one
32 year or more has passed since those sexual assault kits were added to
33 the system.

34 (5) For the purpose of reports under subsection (4) of this
35 section, a sexual assault kit must be assigned to the jurisdiction
36 associated with the law enforcement agency anticipated to receive the
37 sexual assault kit or otherwise having custody of the sexual assault
38 kit.

39 (6) Any public agency or entity, including its officials and
40 employees, and any hospital and its employees providing services to

1 victims of sexual assault may not be held civilly liable for damages
2 arising from any release of information or the failure to release
3 information related to the statewide sexual assault kit tracking
4 system, so long as the release was without gross negligence.

5 (7) The Washington state patrol shall adopt rules as necessary to
6 implement this section.

7 (8) For the purposes of this section:

8 (a) "Reported sexual assault kit" means a sexual assault kit
9 where a law enforcement agency has received a related report or
10 complaint alleging a sexual assault or other crime has occurred;

11 (b) "Sexual assault kit" includes all evidence collected during a
12 sexual assault medical forensic examination; and

13 (c) "Unreported sexual assault kit" means a sexual assault kit
14 where a law enforcement agency has not received a related report or
15 complaint alleging a sexual assault or other crime has occurred.

16 **Sec. 9.** RCW 43.63A.510 and 2018 c 217 s 1 are each amended to
17 read as follows:

18 (1) The department must work with the designated agencies to
19 identify, catalog, and recommend best use of under-utilized, state-
20 owned land and property suitable for the development of affordable
21 housing for very low-income, low-income or moderate-income
22 households. The designated agencies must provide an inventory of real
23 property that is owned or administered by each agency and is vacant
24 or available for lease or sale. The department must work with the
25 designated agencies to include in the inventories a consolidated list
26 of any property transactions executed by the agencies under the
27 authority of RCW 39.33.015, including the property appraisal, the
28 terms and conditions of sale, lease, or transfer, the value of the
29 public benefit, and the impact of transaction to the agency. The
30 inventories with revisions must be provided to the department by
31 November 1st of each year.

32 (2) The department must consolidate inventories into two groups:
33 Properties suitable for consideration in affordable housing
34 development; and properties not suitable for consideration in
35 affordable housing development. In making this determination, the
36 department must use industry accepted standards such as: Location,
37 approximate lot size, current land use designation, and current
38 zoning classification of the property. The department shall provide a
39 recommendation, based on this grouping, (~~to the office of financial~~

1 ~~management and appropriate policy and fiscal committees of the~~
2 ~~legislature)) by posting the information on the department's website~~
3 ~~by December 1st of each year.~~

4 (3) Upon written request, the department shall provide a copy of
5 the inventory of state-owned and publicly owned lands and buildings
6 to parties interested in developing the sites for affordable housing.

7 (4) As used in this section:

8 (a) "Affordable housing" means residential housing that is rented
9 or owned by a person who qualifies as a very low-income, low-income,
10 or moderate-income household or who is from a special needs
11 population, and whose monthly housing costs, including utilities
12 other than telephone, do not exceed thirty percent of the household's
13 monthly income.

14 (b) "Very low-income household" means a single person, family, or
15 unrelated persons living together whose income is at or below fifty
16 percent of the median income, adjusted for household size, for the
17 county where the affordable housing is located.

18 (c) "Low-income household" means a single person, family, or
19 unrelated persons living together whose income is more than fifty
20 percent but is at or below eighty percent of the median income where
21 the affordable housing is located.

22 (d) "Moderate-income household" means a single person, family, or
23 unrelated persons living together whose income is more than eighty
24 percent but is at or below one hundred fifteen percent of the median
25 income where the affordable housing is located.

26 (e) "Affordable housing development" means state-owned real
27 property appropriate for sale, transfer, or lease to an affordable
28 housing developer capable of:

29 (i) Receiving the property within one hundred eighty days; and

30 (ii) Creating affordable housing units for occupancy within
31 thirty-six months from the time of transfer.

32 (f) "Designated agencies" means the Washington state patrol, the
33 state parks and recreation commission, and the departments of natural
34 resources, social and health services, corrections, and enterprise
35 services.

36 **Sec. 10.** RCW 43.280.100 and 2013 c 121 s 7 are each amended to
37 read as follows:

38 (1) The department of commerce shall annually prepare and
39 (~~submit an annual report to the legislature~~) post, on the

1 department's website, the amount of revenue collected by local
2 jurisdictions under RCW 9.68A.105, 9A.88.120, or 9A.88.140 and the
3 expenditure of that revenue.

4 (2) Any funds remitted to the department of commerce pursuant to
5 RCW 9.68A.105, 9A.88.120, or 9A.88.140 shall be spent on the
6 fulfillment of the duties described in subsection (1) of this
7 section. Any remaining funds may be spent on the administration of
8 grants for services for victims of the commercial sex trade,
9 consistent with this chapter.

10 **Sec. 11.** RCW 48.43.0128 and 2021 c 280 s 3 are each amended to
11 read as follows:

12 (1) A health carrier offering a nongrandfathered health plan or a
13 plan deemed by the commissioner to have a short-term limited purpose
14 or duration, or to be a student-only plan that is guaranteed
15 renewable while the covered person is enrolled as a regular, full-
16 time undergraduate student at an accredited higher education
17 institution may not:

18 (a) In its benefit design or implementation of its benefit
19 design, discriminate against individuals because of their age,
20 expected length of life, present or predicted disability, degree of
21 medical dependency, quality of life, or other health conditions; and

22 (b) With respect to the health plan or plan deemed by the
23 commissioner to have a short-term limited purpose or duration, or to
24 be a student-only plan that is guaranteed renewable while the covered
25 person is enrolled as a regular, full-time undergraduate student at
26 an accredited higher education institution, discriminate on the basis
27 of race, color, national origin, disability, age, sex, gender
28 identity, or sexual orientation.

29 (2) Nothing in this section may be construed to prevent a carrier
30 from appropriately utilizing reasonable medical management
31 techniques.

32 (3) For health plans issued or renewed on or after January 1,
33 2022:

34 (a) A health carrier may not deny or limit coverage for gender-
35 affirming treatment when that treatment is prescribed to an
36 individual because of, related to, or consistent with a person's
37 gender expression or identity, as defined in RCW 49.60.040, is
38 medically necessary, and is prescribed in accordance with accepted
39 standards of care.

1 (b) A health carrier may not apply categorical cosmetic or
2 blanket exclusions to gender-affirming treatment. When prescribed as
3 medically necessary gender-affirming treatment, a health carrier may
4 not exclude as cosmetic services facial feminization surgeries and
5 other facial gender-affirming treatment, such as tracheal shaves,
6 hair electrolysis, and other care such as mastectomies, breast
7 reductions, breast implants, or any combination of gender-affirming
8 procedures, including revisions to prior treatment.

9 (c) A health carrier may not issue an adverse benefit
10 determination denying or limiting access to gender-affirming
11 services, unless a health care provider with experience prescribing
12 or delivering gender-affirming treatment has reviewed and confirmed
13 the appropriateness of the adverse benefit determination.

14 (d) Health carriers must comply with all network access rules and
15 requirements established by the commissioner.

16 (4) For the purposes of this section, "gender-affirming
17 treatment" means a service or product that a health care provider, as
18 defined in RCW 70.02.010, prescribes to an individual to treat any
19 condition related to the individual's gender identity and is
20 prescribed in accordance with generally accepted standards of care.
21 Gender-affirming treatment must be covered in a manner compliant with
22 the federal mental health parity and addiction equity act of 2008 and
23 the federal affordable care act. Gender-affirming treatment can be
24 prescribed to two spirit, transgender, nonbinary, intersex, and other
25 gender diverse individuals.

26 (5) Nothing in this section may be construed to mandate coverage
27 of a service that is not medically necessary.

28 (6) By December 1, 2022, the commissioner, in consultation with
29 the health care authority and the department of health, must issue a
30 report on geographic access to gender-affirming treatment across the
31 state. The report must include the number of gender-affirming
32 providers offering care in each county, the carriers and medicaid
33 managed care organizations those providers have active contracts
34 with, and the types of services provided by each provider in each
35 region. The commissioner must update the report (~~(biannually)~~)
36 biennially and post the report on its website.

37 (7) The commissioner shall adopt any rules necessary to implement
38 subsections (3), (4), and (5) of this section.

39 (8) Unless preempted by federal law, the commissioner shall adopt
40 any rules necessary to implement subsections (1) and (2) of this

1 section, consistent with federal rules and guidance in effect on
2 January 1, 2017, implementing the patient protection and affordable
3 care act.

4 **Sec. 12.** RCW 61.24.163 and 2023 c 206 s 5 are each amended to
5 read as follows:

6 (1) The foreclosure mediation program established in this section
7 applies only to borrowers who have been referred to mediation by a
8 housing counselor or attorney. The referral to mediation may be made
9 any time after a notice of default has been issued but no later than
10 90 days prior to the date of sale listed in the notice of trustee's
11 sale. If an amended notice of trustee's sale is recorded after the
12 trustee sale has been stayed pursuant to RCW 61.24.130, the borrower
13 may be referred to mediation no later than 25 days prior to the date
14 of sale listed in the amended notice of trustee's sale. If the
15 borrower has failed to elect to mediate within the applicable time
16 frame, the borrower and the beneficiary may, but are under no duty
17 to, agree in writing to enter the foreclosure mediation program. The
18 mediation program under this section is not governed by chapter 7.07
19 RCW and does not preclude mediation required by a court or other
20 provision of law.

21 (2) A housing counselor or attorney referring a borrower to
22 mediation shall send a notice to the borrower and the department,
23 stating that mediation is appropriate.

24 (3) Within 10 days of receiving the notice, the department shall:

25 (a) Send a notice to the beneficiary, the borrower, the housing
26 counselor or attorney who referred the borrower, and the trustee
27 stating that the parties have been referred to mediation. The notice
28 must include the statements and list of documents and information
29 described in subsections (4) and (5) of this section and a statement
30 explaining each party's responsibility to pay the mediator's fee; and

31 (b) Select a mediator and notify the parties of the selection.

32 (4) Within 23 days of the department's notice that the parties
33 have been referred to mediation, the borrower shall transmit the
34 documents required for mediation to the mediator and the beneficiary.
35 The required documents include an initial homeowner financial
36 information worksheet as required by the department. The worksheet
37 must include, at a minimum, the following information:

38 (a) The borrower's current and future income;

39 (b) Debts and obligations;

- 1 (c) Assets;
- 2 (d) Expenses;
- 3 (e) Tax returns for the previous two years;
- 4 (f) Hardship information;
- 5 (g) Other applicable information commonly required by any
- 6 applicable federal mortgage relief program.

7 (5) Within 20 days of the beneficiary's receipt of the borrower's
8 documents, the beneficiary shall transmit the documents required for
9 mediation to the mediator and the borrower. The required documents
10 include:

11 (a) An accurate statement containing the balance of the loan
12 within 30 days of the date on which the beneficiary's documents are
13 due to the parties;

14 (b) Copies of the note and deed of trust;

15 (c) Proof that the entity claiming to be the beneficiary is the
16 owner of any promissory note or obligation secured by the deed of
17 trust. Sufficient proof may be a copy of the declaration described in
18 RCW 61.24.030(7)(a);

19 (d) The best estimate of any arrearage and an itemized statement
20 of the arrearages;

21 (e) An itemized list of the best estimate of fees and charges
22 outstanding;

23 (f) The payment history and schedule for the preceding twelve
24 months, or since default, whichever is longer, including a breakdown
25 of all fees and charges claimed;

26 (g) All borrower-related and mortgage-related input data used in
27 any net present values analysis. If no net present values analysis is
28 required by the applicable federal mortgage relief program, then the
29 input data required under the federal deposit insurance corporation
30 and published in the federal deposit insurance corporation loan
31 modification program guide, or if that calculation becomes
32 unavailable, substantially similar input data as determined by the
33 department;

34 (h) An explanation regarding any denial for a loan modification,
35 forbearance, or other alternative to foreclosure in sufficient detail
36 for a reasonable person to understand why the decision was made;

37 (i) Appraisal or other broker price opinion most recently relied
38 upon by the beneficiary not more than 90 days old at the time of the
39 scheduled mediation; and

1 (j) The portion or excerpt of the pooling and servicing agreement
2 or other investor restriction that prohibits the beneficiary from
3 implementing a modification, if the beneficiary claims it cannot
4 implement a modification due to limitations in a pooling and
5 servicing agreement or other investor restriction, and documentation
6 or a statement detailing the efforts of the beneficiary to obtain a
7 waiver of the pooling and servicing agreement or other investor
8 restriction provisions.

9 (6) Within 70 days of receiving the referral from the department,
10 the mediator shall convene a mediation session in the county where
11 the property is located, unless the parties agree on another
12 location. The parties may agree to extend the time in which to
13 schedule the mediation session. If the parties agree to extend the
14 time, the beneficiary shall notify the trustee of the extension and
15 the date the mediator is expected to issue the mediator's
16 certification.

17 (7) (a) The mediator may schedule phone conferences, consultations
18 with the parties individually, and other communications to ensure
19 that the parties have all the necessary information and documents to
20 engage in a productive mediation.

21 (b) The mediator must send written notice of the time, date, and
22 location of the mediation session to the borrower, the beneficiary,
23 and the department at least 30 days prior to the mediation session.
24 At a minimum, the notice must contain:

25 (i) A statement that the borrower may be represented in the
26 mediation session by an attorney or other advocate;

27 (ii) A statement that a person with authority to agree to a
28 resolution, including a proposed settlement, loan modification, or
29 dismissal or continuation of the foreclosure proceeding, must be
30 present either in person or on the telephone or videoconference
31 during the mediation session; and

32 (iii) A statement that the parties have a duty to mediate in good
33 faith and that failure to mediate in good faith may impair the
34 beneficiary's ability to foreclose on the property or the borrower's
35 ability to modify the loan or take advantage of other alternatives to
36 foreclosure.

37 (8) (a) The borrower, the beneficiary or authorized agent, and the
38 mediator must meet in person for the mediation session. However, a
39 person with authority to agree to a resolution on behalf of the

1 beneficiary may be present over the telephone or videoconference
2 during the mediation session.

3 (b) After the mediation session commences, the mediator may
4 continue the mediation session once, and any further continuances
5 must be with the consent of the parties.

6 (9) The participants in mediation must address the issues of
7 foreclosure that may enable the borrower and the beneficiary to reach
8 a resolution, including but not limited to reinstatement,
9 modification of the loan, restructuring of the debt, or some other
10 workout plan. To assist the parties in addressing issues of
11 foreclosure, the mediator may require the participants to consider
12 the following:

13 (a) The borrower's current and future economic circumstances,
14 including the borrower's current and future income, debts, and
15 obligations for the previous 60 days or greater time period as
16 determined by the mediator;

17 (b) The net present value of receiving payments pursuant to a
18 modified mortgage loan as compared to the anticipated net recovery
19 following foreclosure;

20 (c) Any affordable loan modification calculation and net present
21 value calculation when required under any federal mortgage relief
22 program and any modification program related to loans insured by the
23 federal housing administration, the veterans administration, and the
24 rural housing service. If such a calculation is not provided or
25 required, then the beneficiary must provide the net present value
26 data inputs established by the federal deposit insurance corporation
27 and published in the federal deposit insurance corporation loan
28 modification program guide or other net present value data inputs as
29 designated by the department. The mediator may run the calculation in
30 order for a productive mediation to occur and to comply with the
31 mediator certification requirement; and

32 (d) Any other loss mitigation guidelines to loans insured by the
33 federal housing administration, the veterans administration, and the
34 rural housing service, if applicable.

35 (10) A violation of the duty to mediate in good faith as required
36 under this section may include:

37 (a) Failure to timely participate in mediation without good
38 cause;

1 (b) Failure of the borrower or the beneficiary to provide the
2 documentation required before mediation or pursuant to the mediator's
3 instructions;

4 (c) Failure of a party to designate representatives with adequate
5 authority to fully settle, compromise, or otherwise reach resolution
6 with the borrower in mediation; and

7 (d) A request by a beneficiary that the borrower waive future
8 claims he or she may have in connection with the deed of trust, as a
9 condition of agreeing to a modification, except for rescission claims
10 under the federal truth in lending act. Nothing in this section
11 precludes a beneficiary from requesting that a borrower dismiss with
12 prejudice any pending claims against the beneficiary, its agents,
13 loan servicer, or trustee, arising from the underlying deed of trust,
14 as a condition of modification.

15 (11) If the mediator reasonably believes a borrower will not
16 attend a mediation session based on the borrower's conduct, such as
17 the lack of response to the mediator's communications, the mediator
18 may cancel a scheduled mediation session and send a written
19 cancellation to the department and the trustee and send copies to the
20 parties. The beneficiary may proceed with the foreclosure after
21 receipt of the mediator's written confirmation of cancellation.

22 (12) Within seven business days after the conclusion of the
23 mediation session, the mediator must send a written certification to
24 the department and the trustee and send copies to the parties of:

25 (a) The date, time, and location of the mediation session;

26 (b) The names of all persons attending in person and by telephone
27 or videoconference, at the mediation session;

28 (c) Whether a resolution was reached by the parties, including
29 whether the default was cured by reinstatement, modification, or
30 restructuring of the debt, or some other alternative to foreclosure
31 was agreed upon by the parties;

32 (d) Whether the parties participated in the mediation in good
33 faith; and

34 (e) If a written agreement was not reached, a description of any
35 net present value test used, along with a copy of the inputs,
36 including the result of any net present value test expressed in a
37 dollar amount.

38 (13) If the parties are unable to reach an agreement, the
39 beneficiary may proceed with the foreclosure after receipt of the
40 mediator's written certification.

1 (14) (a) The mediator's certification that the beneficiary failed
2 to act in good faith in mediation constitutes a defense to the
3 nonjudicial foreclosure action that was the basis for initiating the
4 mediation. In any action to enjoin the foreclosure, the beneficiary
5 is entitled to rebut the allegation that it failed to act in good
6 faith.

7 (b) The mediator's certification that the beneficiary failed to
8 act in good faith during mediation does not constitute a defense to a
9 judicial foreclosure or a future nonjudicial foreclosure action if a
10 modification of the loan is agreed upon and the borrower subsequently
11 defaults.

12 (c) If an affordable loan modification is not offered in the
13 mediation or a written agreement was not reached and the mediator's
14 certification shows that the net present value of the modified loan
15 exceeds the anticipated net recovery at foreclosure, that showing in
16 the certification constitutes a basis for the borrower to enjoin the
17 foreclosure.

18 (15) The mediator's certification that the borrower failed to act
19 in good faith in mediation authorizes the beneficiary to proceed with
20 the foreclosure.

21 (16) (a) If a borrower has been referred to mediation before a
22 notice of trustee sale has been recorded, a trustee may not record
23 the notice of sale until the trustee receives the mediator's
24 certification stating that the mediation has been completed. If the
25 trustee does not receive the mediator's certification, the trustee
26 may record the notice of sale after 10 days from the date the
27 certification to the trustee was due. If, after a notice of sale is
28 recorded under this subsection (16) (a), the mediator subsequently
29 issues a certification finding that the beneficiary violated the duty
30 of good faith, the certification constitutes a basis for the borrower
31 to enjoin the foreclosure.

32 (b) If a borrower has been referred to mediation after the notice
33 of sale was recorded, the sale may not occur until the trustee
34 receives the mediator's certification stating that the mediation has
35 been completed.

36 (17) A mediator may charge reasonable fees as authorized by this
37 subsection or as authorized by the department. Unless the fee is
38 waived, the parties agree otherwise, or the department otherwise
39 authorizes, a foreclosure mediator's fee may not exceed \$400 for
40 preparing, scheduling, and conducting a mediation session lasting

1 between one hour and three hours. For a mediation session exceeding
2 three hours, the foreclosure mediator may charge a reasonable fee, as
3 authorized by the department. The mediator must provide an estimated
4 fee before the mediation, and payment of the mediator's fee must be
5 divided equally between the beneficiary and the borrower. The
6 beneficiary and the borrower must tender the loan mediator's fee
7 within 30 calendar days from receipt of the department's letter
8 referring the parties to mediation or pursuant to the mediator's
9 instructions.

10 (18) (~~Beginning December 1, 2012, and every year thereafter,~~
11 ~~the~~) The department shall report annually ((to the legislature on))
12 by posting the following information on the department's website:

13 (a) The performance of the program, including the numbers of
14 borrowers who are referred to mediation by a housing counselor or
15 attorney;

16 (b) The results of the mediation program, including the number of
17 mediations requested by housing counselors and attorneys, the number
18 of certifications of good faith issued, the number of borrowers and
19 beneficiaries who failed to mediate in good faith, and the reasons
20 for the failure to mediate in good faith, if known, the numbers of
21 loans restructured or modified, the change in the borrower's monthly
22 payment for principal and interest and the number of principal write-
23 downs and interest rate reductions, and, to the extent practical, the
24 number of borrowers who report a default within a year of
25 restructuring or modification;

26 (c) The information received by housing counselors regarding
27 outcomes of foreclosures; and

28 (d) Any recommendations for changes to the statutes regarding the
29 mediation program.

30 (19) This section does not apply to certain federally insured
31 depository institutions, as specified in RCW 61.24.166.

32 **Sec. 13.** RCW 70A.420.050 and 2020 c 20 s 1274 are each amended
33 to read as follows:

34 The department shall adopt rules to:

35 (1) Establish procedures and requirements for the accreditation
36 of lead-based paint activities training programs including, but not
37 limited to, the following:

38 (a) Training curriculum;

39 (b) Training hours;

1 (c) Hands-on training;
2 (d) Trainee competency and proficiency;
3 (e) Training program quality control;
4 (f) Procedures for the reaccreditation of training programs;
5 (g) Procedures for the oversight of training programs; and
6 (h) Procedures for the suspension, revocation, or modification of
7 training program accreditations, or acceptance of training offered by
8 an accredited training provider in another state or Indian tribe
9 authorized by the environmental protection agency;

10 (2) Establish procedures for the purposes of certification, for
11 the acceptance of training offered by an accredited training provider
12 in a state or Indian tribe authorized by the environmental protection
13 agency;

14 (3) Certify individuals involved in lead-based paint activities
15 to ensure that certified individuals are trained by an accredited
16 training program and possess appropriate educational or experience
17 qualifications for certification;

18 (4) Establish procedures for recertification;

19 (5) Require the conduct of lead-based paint activities in
20 accordance with work practice standards;

21 (6) Establish procedures for the suspension, revocation, or
22 modification of certifications;

23 (7) Establish requirements for the administration of third-party
24 certification exams;

25 (8) Use laboratories accredited under the environmental
26 protection agency's national lead laboratory accreditation program;

27 (9) Establish work practice standards for the conduct of lead-
28 based paint activities, as defined in RCW 70A.420.020;

29 (10) Establish an enforcement response policy that shall include:

30 (a) Warning letters, notices of noncompliance, notices of
31 violation, or the equivalent;

32 (b) Administrative or civil actions, including penalty authority,
33 including accreditation or certification suspension, revocation, or
34 modification; and

35 (c) Authority to apply criminal sanctions or other criminal
36 authority using existing state laws as applicable.

37 The department shall prepare and (~~submit~~) post on the
38 department's website, on a biennial (~~report to the legislature~~
39 ~~regarding~~) basis, the program's status, its costs, and the number of
40 persons certified by the program.

1 **Sec. 14.** RCW 72.09.620 and 1999 c 324 s 7 are each amended to
2 read as follows:

3 The secretary shall (~~report~~) annually (~~to the legislature~~)
4 post on the department's website on the number of offenders
5 considered for an extraordinary medical placement, the number of
6 offenders who were granted such a placement, the number of offenders
7 who were denied such a placement, the length of time between initial
8 consideration and the placement decision for each offender who was
9 granted an extraordinary medical placement, the number of offenders
10 granted an extraordinary medical placement who were later returned to
11 total confinement, and the cost savings realized by the state.

12 **Sec. 15.** RCW 77.135.090 and 2014 c 202 s 111 are each amended to
13 read as follows:

14 (1) If the director finds that there exists an imminent danger of
15 a prohibited level 1 or level 2 species detection that seriously
16 endangers or threatens the environment, economy, human health, or
17 well-being of the state of Washington, the director must ask the
18 governor to order, under RCW 43.06.010(14), emergency measures to
19 prevent or abate the prohibited species. The director's findings must
20 contain an evaluation of the effect of the emergency measures on
21 environmental factors such as fish listed under the endangered
22 species act, economic factors such as public and private access,
23 human health factors such as water quality, or well-being factors
24 such as cultural resources.

25 (2) If an emergency is declared pursuant to RCW 43.06.010(14),
26 the director may consult with the invasive species council to advise
27 the governor on emergency measures necessary under RCW 43.06.010(14)
28 and this section, and make subsequent recommendations to the
29 governor. The invasive species council must involve owners of the
30 affected water body or property, state and local governments, federal
31 agencies, tribes, public health interests, technical service
32 providers, and environmental organizations, as appropriate.

33 (3) Upon the governor's approval of emergency measures, the
34 director may implement these measures to prevent, contain, control,
35 or eradicate invasive species that are the subject of the emergency
36 order, notwithstanding the provisions of chapter 15.58 or 17.21 RCW
37 or any other statute. These measures, after evaluation of all other
38 alternatives, may include the surface and aerial application of
39 pesticides.

1 (4) The director must continually evaluate the effects of the
2 emergency measures and report these to the governor at (~~intervals of~~
3 ~~not less than~~) least every ten days, except for those measures taken
4 in response to emergency proclamation 22-02, green crab infestation.
5 The director must report the effects of the emergency measures taken
6 in response to emergency proclamation 22-02, green crab infestation,
7 to the governor at least monthly. The director must immediately
8 advise the governor if the director finds that the emergency no
9 longer exists or if certain emergency measures should be
10 discontinued.

11 **PART II**
12 **REPEAL OF REPORTS**

13 **Sec. 16.** RCW 28A.230.095 and 2011 c 185 s 5 are each amended to
14 read as follows:

15 (1) By the end of the 2008-09 school year, school districts shall
16 have in place in elementary schools, middle schools, and high schools
17 assessments or other strategies chosen by the district to assure that
18 students have an opportunity to learn the (~~essential academic~~
19 ~~learning requirements~~) state learning standards in social studies,
20 the arts, and health and fitness. Social studies includes history,
21 geography, civics, economics, and social studies skills. Health and
22 fitness includes, but is not limited to, mental health and suicide
23 prevention education. (~~Beginning with the 2008-09 school year,~~
24 ~~school districts shall annually submit an implementation verification~~
25 ~~report to the office of the superintendent of public instruction.~~)
26 The office of the superintendent of public instruction may not
27 require school districts to use a classroom-based assessment in
28 social studies, the arts, and health and fitness to meet the
29 requirements of this section and shall clearly communicate to
30 districts their option to use other strategies chosen by the
31 district.

32 (2) Beginning with the 2008-09 school year, school districts
33 shall require students in the seventh or eighth grade, and the
34 (~~eleventh~~) 11th or (~~twelfth~~) 12th grade to each complete at least
35 one classroom-based assessment in civics. Beginning with the 2010-11
36 school year, school districts shall require students in the fourth or
37 fifth grade to complete at least one classroom-based assessment in
38 civics. The civics assessment may be selected from a list of

1 classroom-based assessments approved by the office of the
2 superintendent of public instruction. (~~Beginning with the 2008-09~~
3 ~~school year, school districts shall annually submit implementation~~
4 ~~verification reports to the office of the superintendent of public~~
5 ~~instruction documenting the use of the classroom-based assessments in~~
6 ~~cities.~~

7 ~~(3) Verification reports shall require school districts to report~~
8 ~~only the information necessary to comply with this section.)~~

9 **Sec. 17.** RCW 28A.300.530 and 2009 c 546 s 2 are each amended to
10 read as follows:

11 ~~((1))~~ Within available resources, the office of the
12 superintendent of public instruction, in consultation with the school
13 districts that participated in the Lorraine Wojahn dyslexia pilot
14 program, and with an international nonprofit organization dedicated
15 to supporting efforts to provide appropriate identification of and
16 instruction for individuals with dyslexia, shall:

17 ~~((a))~~ (1) Develop an educator training program to enhance the
18 reading, writing, and spelling skills of students with dyslexia. The
19 training program must provide research-based, multisensory literacy
20 intervention professional development in the areas of dyslexia and
21 intervention implementation. The program shall be posted on the
22 website of the office of the superintendent of public instruction.
23 The training program may be regionally delivered through the
24 educational service districts. The educational service districts may
25 seek assistance from the international nonprofit organization to
26 deliver the training; and

27 ~~((b))~~ (2) Develop a dyslexia handbook to be used as a reference
28 for teachers and parents of students with dyslexia. The handbook
29 shall be modeled after other state dyslexia handbooks, and shall
30 include guidelines for school districts to follow as they identify
31 and provide services for students with dyslexia. Additionally, the
32 handbook shall provide school districts, and parents and guardians
33 with information regarding the state's relevant statutes and their
34 relation to federal special education laws. The handbook shall be
35 posted on the website of the office of the superintendent of public
36 instruction.

37 ~~((2) Beginning September 1, 2009, and annually thereafter, each~~
38 ~~educational service district shall report to the office of the~~
39 ~~superintendent of public instruction the number of individuals who~~

1 ~~participate in the training developed and offered by the educational~~
2 ~~service district. The office of the superintendent of public~~
3 ~~instruction shall report that information to the legislative~~
4 ~~education committees.))~~

5 **Sec. 18.** RCW 28A.305.035 and 2006 c 263 s 103 are each amended
6 to read as follows:

7 ~~((1) By October 15th of each even-numbered year, the state board~~
8 ~~of education and the professional educator standards board shall~~
9 ~~submit a joint report to the legislative education committees, the~~
10 ~~governor, and the superintendent of public instruction. The report~~
11 ~~shall address the progress the boards have made and the obstacles~~
12 ~~they have encountered, individually and collectively, in the work of~~
13 ~~achieving the goals in RCW 28A.150.210.~~

14 ~~(2))~~ The state board of education shall include the chairs and
15 ranking minority members of the legislative education committees in
16 board communications so that the legislature can be kept apprised of
17 the discussions and proposed actions of the board.

18 **Sec. 19.** RCW 28A.305.130 and 2021 c 111 s 10 are each amended to
19 read as follows:

20 The purpose of the state board of education is to provide
21 advocacy and strategic oversight of public education; implement a
22 standards-based accountability framework that creates a unified
23 system of increasing levels of support for schools in order to
24 improve student academic achievement; provide leadership in the
25 creation of a system that personalizes education for each student and
26 respects diverse cultures, abilities, and learning styles; and
27 promote achievement of the goals of RCW 28A.150.210. In addition to
28 any other powers and duties as provided by law, the state board of
29 education shall:

30 (1) Hold regularly scheduled meetings at such time and place
31 within the state as the board shall determine and may hold such
32 special meetings as may be deemed necessary for the transaction of
33 public business;

34 (2) Form committees as necessary to effectively and efficiently
35 conduct the work of the board;

36 (3) Seek advice from the public and interested parties regarding
37 the work of the board;

38 (4) For purposes of statewide accountability:

1 (a) Adopt and revise performance improvement goals in reading,
2 writing, science, and mathematics, by subject and grade level, once
3 assessments in these subjects are required statewide; academic and
4 technical skills, as appropriate, in secondary career and technical
5 education programs; and student attendance, as the board deems
6 appropriate to improve student learning. The goals shall be
7 consistent with student privacy protection provisions of RCW
8 28A.655.090(~~(+7)~~) (6) and shall not conflict with requirements
9 contained in Title I of the federal elementary and secondary
10 education act of 1965, or the requirements of the Carl D. Perkins
11 vocational education act of 1998, each as amended. The goals may be
12 established for all students, economically disadvantaged students,
13 limited English proficient students, students with disabilities, and
14 students who are not meeting academic standards as defined in RCW
15 28A.165.015, disaggregated as described in RCW 28A.300.042(1) for
16 student-level data. The board may establish school and school
17 district goals addressing high school graduation rates and dropout
18 reduction goals for students in grades seven through twelve. The
19 board shall adopt the goals by rule. However, before each goal is
20 implemented, the board shall present the goal to the education
21 committees of the house of representatives and the senate for the
22 committees' review and comment in a time frame that will permit the
23 legislature to take statutory action on the goal if such action is
24 deemed warranted by the legislature;

25 (b) (i) (A) Identify the scores students must achieve in order to
26 meet the standard on the statewide student assessment, and the SAT or
27 the ACT if used to demonstrate career and college readiness under RCW
28 28A.655.250. The board shall also determine student scores that
29 identify levels of student performance below and beyond the standard.
30 The board shall set such performance standards and levels in
31 consultation with the superintendent of public instruction and after
32 consideration of any recommendations that may be developed by any
33 advisory committees that may be established for this purpose;

34 (B) To permit the legislature to take any statutory action it
35 deems warranted before modified or newly established scores are
36 implemented, the board shall notify the education committees of the
37 house of representatives and the senate of any scores that are
38 modified or established under (b) (i) (A) of this subsection on or
39 after July 28, 2019. The notifications required by this subsection
40 (4) (b) (i) (B) must be provided by November 30th of the year proceeding

1 the beginning of the school year in which the modified or established
2 scores will take effect;

3 (ii) The legislature intends to continue the implementation of
4 chapter 22, Laws of 2013 2nd sp. sess. when the legislature expressed
5 the intent for the state board of education to identify the student
6 performance standard that demonstrates a student's career and college
7 readiness for the eleventh grade consortium-developed assessments.
8 Therefore, by December 1, 2018, the state board of education, in
9 consultation with the superintendent of public instruction, must
10 identify and report to the governor and the education policy and
11 fiscal committees of the legislature on the equivalent student
12 performance standard that a tenth grade student would need to achieve
13 on the state assessments to be on track to be career and college
14 ready at the end of the student's high school experience;

15 (iii) The legislature shall be advised of the initial performance
16 standards and any changes made to the elementary, middle, and high
17 school level performance standards. The board must provide an
18 explanation of and rationale for all initial performance standards
19 and any changes, for all grade levels of the statewide student
20 assessment. If the board changes the performance standards for any
21 grade level or subject, the superintendent of public instruction must
22 recalculate the results from the previous ten years of administering
23 that assessment regarding students below, meeting, and beyond the
24 state standard, to the extent that this data is available, and post a
25 comparison of the original and recalculated results on the
26 superintendent's website; and

27 (c) Annually review the assessment reporting system to ensure
28 fairness, accuracy, timeliness, and equity of opportunity, especially
29 with regard to schools with special circumstances and unique
30 populations of students, and a recommendation to the superintendent
31 of public instruction of any improvements needed to the system(~~;~~and

32 ~~(d) Include in the biennial report required under RCW~~
33 ~~28A.305.035, information on the progress that has been made in~~
34 ~~achieving goals adopted by the board));~~

35 (5) Accredited, subject to such accreditation standards and
36 procedures as may be established by the state board of education, all
37 private schools that apply for accreditation, and approve, subject to
38 the provisions of RCW 28A.195.010, private schools carrying out a
39 program for any or all of the grades kindergarten through twelve.
40 However, no private school may be approved that operates a

1 kindergarten program only and no private school shall be placed upon
2 the list of accredited schools so long as secret societies are
3 knowingly allowed to exist among its students by school officials;

4 (6) Articulate with the institutions of higher education,
5 workforce representatives, and early learning policymakers and
6 providers to coordinate and unify the work of the public school
7 system;

8 (7) Hire an executive director and an administrative assistant to
9 reside in the office of the superintendent of public instruction for
10 administrative purposes. Any other personnel of the board shall be
11 appointed as provided by RCW 28A.300.020. The board may delegate to
12 the executive director by resolution such duties as deemed necessary
13 to efficiently carry on the business of the board including, but not
14 limited to, the authority to employ necessary personnel and the
15 authority to enter into, amend, and terminate contracts on behalf of
16 the board. The executive director, administrative assistant, and all
17 but one of the other personnel of the board are exempt from civil
18 service, together with other staff as now or hereafter designated as
19 exempt in accordance with chapter 41.06 RCW; and

20 (8) Adopt a seal that shall be kept in the office of the
21 superintendent of public instruction.

22 **Sec. 20.** RCW 28A.410.210 and 2017 3rd sp.s. c 26 s 2 are each
23 amended to read as follows:

24 The purpose of the Washington professional educator standards
25 board is to establish policies and requirements for the preparation
26 and certification of educators that provide standards for competency
27 in professional knowledge and practice in the areas of certification;
28 a foundation of skills, knowledge, and attitudes necessary to help
29 students with diverse needs, abilities, cultural experiences, and
30 learning styles meet or exceed the learning goals outlined in RCW
31 28A.150.210; knowledge of research-based practice; and professional
32 development throughout a career. The Washington professional educator
33 standards board shall:

34 (1) Establish policies and practices for the approval of programs
35 of courses, requirements, and other activities leading to educator
36 certification including teacher, school administrator, and
37 educational staff associate certification;

38 (2) Establish policies and practices for the approval of the
39 character of work required to be performed as a condition of entrance

1 to and graduation from any educator preparation program including
2 teacher, school administrator, and educational staff associate
3 preparation program as provided in subsection (1) of this section;

4 (3) Establish a list of accredited institutions of higher
5 education of this and other states whose graduates may be awarded
6 educator certificates as teacher, school administrator, and
7 educational staff associate and establish criteria and enter into
8 agreements with other states to acquire reciprocal approval of
9 educator preparation programs and certification, including teacher
10 certification from the national board for professional teaching
11 standards;

12 (4) Establish policies for approval of nontraditional educator
13 preparation programs;

14 (5) Conduct a review of educator program approval standards at
15 least every five years, beginning in 2006, to reflect research
16 findings and assure continued improvement of preparation programs for
17 teachers, administrators, and school specialized personnel;

18 (6) Specify the types and kinds of educator certificates to be
19 issued and conditions for certification in accordance with subsection
20 (1) of this section, RCW 28A.410.251, and 28A.410.010;

21 (7) Apply for and receive federal or other funds on behalf of the
22 state for purposes related to the duties of the board;

23 (8) Adopt rules under chapter 34.05 RCW that are necessary for
24 the effective and efficient implementation of this chapter;

25 (9) Maintain data concerning educator preparation programs and
26 their quality, educator certification, educator employment trends and
27 needs, and other data deemed relevant by the board;

28 (10) Serve as an advisory body to the superintendent of public
29 instruction on issues related to educator recruitment, hiring,
30 mentoring and support, professional growth, retention, educator
31 evaluation including but not limited to peer evaluation, and
32 revocation and suspension of licensure;

33 ~~(11) ((Submit, by October 15th of each even-numbered year and in
34 accordance with RCW 43.01.036, a joint report with the state board of
35 education to the legislative education committees, the governor, and
36 the superintendent of public instruction. The report shall address
37 the progress the boards have made and the obstacles they have
38 encountered, individually and collectively, in the work of achieving
39 the goals set out in RCW 28A.150.210;~~

1 ~~(12))~~) Establish the prospective teacher assessment system for
2 basic skills and subject knowledge that shall be required to obtain
3 residency certification pursuant to RCW 28A.410.220 through
4 28A.410.240; and

5 ~~((13))~~) (12) Conduct meetings under the provisions of chapter
6 42.30 RCW.

7 **Sec. 21.** RCW 28A.320.196 and 2022 c 75 s 4 are each amended to
8 read as follows:

9 (1) Subject to funds appropriated specifically for this purpose,
10 the academic acceleration incentive program is established as
11 provided in this section. The intent of the legislature is that the
12 funds awarded under the program be used to support teacher training,
13 curriculum, technology, examination fees, textbook fees, and other
14 costs associated with offering dual credit courses to high school
15 students, including transportation for running start students to and
16 from the institution of higher education as defined in RCW
17 28A.600.300.

18 (2) The office of the superintendent of public instruction shall
19 allocate half of the funds appropriated for the purposes of this
20 section on a competitive basis to provide one-time grants for high
21 schools to expand the availability of dual credit courses. To be
22 eligible for a grant, a school district must have adopted an academic
23 acceleration policy as provided under RCW 28A.320.195. In making
24 grant awards, the office of the superintendent of public instruction
25 must give priority to grants for high schools with a high proportion
26 of low-income students and high schools seeking to develop new
27 capacity for dual credit courses rather than proposing marginal
28 expansion of current capacity.

29 (3) The office of the superintendent of public instruction shall
30 allocate half of the funds appropriated for the purposes of this
31 section to school districts as an incentive award for each student
32 who earned dual high school and college credit, as described under
33 subsection (4) of this section, for courses offered by the district's
34 high schools during the previous school year. School districts must
35 distribute the award to the high schools that generated the funds.
36 The award amount for low-income students eligible to participate in
37 the federal free and reduced-price meals program who earn dual
38 credits must be set at ~~((one hundred twenty-five))~~ 125 percent of the
39 base award for other students. A student who earns more than one dual

1 credit in the same school year counts only once for the purposes of
2 the incentive award.

3 (4) For the purposes of this section, the following students are
4 considered to have earned dual high school and college credit in a
5 course offered by a high school:

6 (a) Students who achieve a score of three or higher on an AP
7 examination;

8 (b) Students who achieve a score of four or higher on an
9 examination of the international baccalaureate diploma programme;

10 (c) Students who successfully complete a Cambridge advanced
11 international certificate of education examination;

12 (d) Students who successfully complete a course through the
13 college in the high school program under RCW 28A.600.287 and are
14 awarded credit by the partnering institution of higher education; and

15 (e) Students who satisfy the dual enrollment and class
16 performance requirements to earn college credit through a career and
17 technical education course.

18 (5) If a high school provides access to online courses for
19 students to earn dual high school and college credit at no cost to
20 the student, such a course is considered to be offered by the high
21 school.

22 ~~((6) The office of the superintendent of public instruction
23 shall report to the education policy committees and the fiscal
24 committees of the legislature, by January 1st of each year,
25 information about the demographics of the students earning dual
26 credits in the schools receiving grants under this section for the
27 prior school year. Demographic data shall be disaggregated pursuant
28 to RCW 28A.300.042.))~~

29 **Sec. 22.** RCW 28B.77.220 and 2013 c 23 s 61 are each amended to
30 read as follows:

31 (1) The council must convene work groups to develop transfer
32 associate degrees that will satisfy lower division requirements at
33 public four-year institutions of higher education for specific
34 academic majors. Work groups must include representatives from the
35 state board for community and technical colleges and the council of
36 presidents, as well as faculty from two and four-year institutions.
37 Work groups may include representatives from independent four-year
38 institutions.

1 (2) Each transfer associate degree developed under this section
2 must enable a student to complete the lower-division courses or
3 competencies for general education requirements and preparation for
4 the major that a direct-entry student would typically complete in the
5 first-year student and sophomore years for that academic major.

6 (3) Completion of a transfer associate degree does not guarantee
7 a student admission into an institution of higher education or
8 admission into a major, minor, or professional program at an
9 institution of higher education that has competitive admission
10 standards for the program based on grade point average or other
11 performance criteria.

12 (4) During the 2004-05 academic year, the work groups must
13 develop transfer degrees for elementary education, engineering, and
14 nursing. As necessary based on demand or identified need, the council
15 must convene additional groups to identify and develop additional
16 transfer degrees. The council must give priority to majors in high
17 demand by transfer students and majors that the general direct
18 transfer agreement associate degree does not adequately prepare
19 students to enter automatically upon transfer.

20 (5) The council, in collaboration with the intercolleage relations
21 commission, must collect and maintain lists of courses offered by
22 each community and technical college and public four-year institution
23 of higher education that fall within each transfer associate degree.

24 (6) The council must monitor implementation of transfer associate
25 degrees by public four-year institutions to ensure compliance with
26 subsection (2) of this section.

27 ~~((7) Beginning January 10, 2005, the council must submit a
28 progress report on the development of transfer associate degrees to
29 the higher education committees of the house of representatives and
30 the senate. The first progress report must include measurable
31 benchmark indicators to monitor the effectiveness of the initiatives
32 in improving transfer and baseline data for those indicators before
33 the implementation of the initiatives. Subsequent reports must be
34 submitted by January 10th of each odd-numbered year and must monitor
35 progress on the indicators, describe development of additional
36 transfer associate degrees, and provide other data on improvements in
37 transfer efficiency.))~~

38 **Sec. 23.** RCW 43.21A.150 and 2017 c 47 s 2 are each amended to
39 read as follows:

1 ~~((1))~~ The director, whenever it is lawful and feasible to do
2 so, shall consult and cooperate with the federal government, as well
3 as with other states and Canadian provinces, in the study and control
4 of environmental problems. On behalf of the department, the director
5 is authorized to accept, receive, disburse, and administer grants or
6 other funds or gifts from any source, including private individuals
7 or agencies, the federal government, and other public agencies, for
8 the purpose of carrying out the provisions of this chapter.

9 ~~((2)(a) Beginning December 31, 2017, the director must list on
10 the department's website information regarding the current
11 interagency agreements to which the department is a party or in which
12 the department is a participant.~~

13 ~~(b) The list must identify each agreement, the type of agreement,
14 parties to the agreement, the effective date of the agreement, and a
15 brief description of the agreement. The list must include all
16 interagency agreements involving the department and other state
17 agencies, local governments, special purpose districts, the federal
18 government and federal government agencies, and the agencies of other
19 states.~~

20 ~~(c) For the initial list, the department must by December 31,
21 2017, list all grant agreements and federal agreements where
22 information is readily extractable from the department's data
23 systems. For those data systems that, because of their age, require
24 programming support to extract and format data for publishing to the
25 internet, the department must complete listing the required
26 information according to the following schedule:~~

27 ~~(i) By June 30, 2018, all contract, loan, and grant agreements;~~

28 ~~(ii) By December 31, 2018, all agreements pertaining to funds
29 receivable for work performed by the department, leases, and
30 nonfinancial interagency agreements.~~

31 ~~(d) Beginning December 1, 2018, the department must annually
32 update the website to include new interagency agreements that the
33 department has entered into and must identify the agreements that
34 have been updated within the past year.~~

35 ~~(e) For the purposes of this section, the term "interagency
36 agreement" includes but is not limited to memoranda of understanding,
37 grant contracts, and advisory or nonbinding agreements.~~

38 ~~(f) For purposes of this section, the information posted on the
39 department's website is considered to function as a report to the~~

1 ~~legislature because the report acts as a mechanism of keeping the~~
2 ~~legislature apprised of the department's interagency agreements.))~~

3 **Sec. 24.** RCW 43.60A.240 and 2020 c 56 s 2 are each amended to
4 read as follows:

5 (1) The position of lesbian, gay, bisexual, transgender, and
6 queer coordinator is created within the department.

7 (2) The duties of the lesbian, gay, bisexual, transgender, and
8 queer coordinator include, but are not limited to:

9 (a) Conducting outreach to, and providing assistance designed for
10 the unique needs of, veterans who are lesbian, gay, bisexual,
11 transgender, and queer, and to the spouses and dependents of such
12 veterans;

13 (b) Providing assistance to veterans who are lesbian, gay,
14 bisexual, transgender, and queer in applying for an upgrade to the
15 character of a discharge from service or a change in the narrative
16 reason for a discharge from service;

17 (c) Providing assistance in applying for and obtaining veterans'
18 benefits and benefits available through other programs that provide
19 services and resources to veterans who are lesbian, gay, bisexual,
20 transgender, and queer, and to the spouses and dependents of such
21 veterans;

22 (d) Providing assistance to veterans who are lesbian, gay,
23 bisexual, transgender, and queer in applying for, and in appealing
24 any denial of, federal and state veterans' benefits and aid that such
25 veterans, and the spouses and dependents of such veterans, may be
26 entitled to; and

27 (e) Developing and distributing informational materials to
28 veterans who are lesbian, gay, bisexual, transgender, and queer, and
29 to the spouses and dependents of such veterans, regarding veterans'
30 benefits and other benefit programs that provide services and
31 resources to veterans who are lesbian, gay, bisexual, transgender,
32 and queer, and to the spouses and dependents of such veterans.

33 ~~((3) No later than December 15, 2021, the department must~~
34 ~~prepare and submit a report to the governor, the joint committee on~~
35 ~~veterans' and military affairs, and the appropriate standing~~
36 ~~committees of the legislature regarding the implementation and status~~
37 ~~of the position of lesbian, gay, bisexual, transgender, and queer~~
38 ~~coordinator created under subsection (1) of this section. The report~~
39 ~~must include, at a minimum, information regarding the following:~~

- 1 ~~(a) The number of veterans served;~~
2 ~~(b) The type of assistance provided;~~
3 ~~(c) Recommendations for the improvement and expansion of the~~
4 ~~services provided by the coordinator; and~~
5 ~~(d) Recommendations for legislative changes.)~~

6 **Sec. 25.** RCW 43.61.040 and 1977 c 75 s 60 are each amended to
7 read as follows:

8 The director of veterans affairs shall make such rules and
9 regulations as may be necessary to carry out the purposes of this
10 chapter. The department shall furnish information, advice, and
11 assistance to veterans and coordinate all programs and services in
12 the field of veterans' claims service, education, health, vocational
13 guidance and placement, and services not provided by some other
14 agency of the state or by the federal government. ~~((The director~~
15 ~~shall submit a report of the departments' activities hereunder each~~
16 ~~year to the governor.))~~

17 **Sec. 26.** RCW 43.63A.068 and 2018 c 58 s 3 are each amended to
18 read as follows:

19 (1)(a) The department of commerce shall establish an advisory
20 committee to monitor, guide, and report on recommendations relating
21 to policies and programs for children and families with incarcerated
22 parents.

23 (b) The advisory committee shall include representatives of the
24 department of corrections, the department of social and health
25 services, the department of children, youth, and families, the office
26 of the superintendent of public instruction, representatives of the
27 private nonprofit and business sectors, child advocates,
28 representatives of Washington state Indian tribes as defined under
29 the federal Indian welfare act (25 U.S.C. Sec. 1901 et seq.), court
30 administrators, the administrative office of the courts, the
31 Washington association of sheriffs and police chiefs, jail
32 administrators, the office of the governor, and others who have an
33 interest in these issues.

34 (c) The advisory committee shall:

35 (i) Gather the data collected by the departments as required in
36 RCW 72.09.495, 74.04.800, 43.216.060, and 28A.300.520;

1 (ii) Monitor and provide consultation on the implementation of
2 recommendations contained in the 2006 children of incarcerated
3 parents report;

4 (iii) Identify areas of need and develop recommendations for the
5 legislature, the department of social and health services, the
6 department of corrections, the department of children, youth, and
7 families, and the office of the superintendent of public instruction
8 to better meet the needs of children and families of persons
9 incarcerated in department of corrections facilities; and

10 (iv) Advise the department of commerce regarding community
11 programs the department should fund with moneys appropriated for this
12 purpose in the operating budget. The advisory committee shall provide
13 recommendations to the department regarding the following:

14 (A) The goals for geographic distribution of programs and
15 funding;

16 (B) The scope and purpose of eligible services and the priority
17 of such services;

18 (C) Grant award funding limits;

19 (D) Entities eligible to apply for the funding;

20 (E) Whether the funding should be directed towards starting or
21 supporting new programs, expanding existing programs, or whether the
22 funding should be open to all eligible services and providers; and

23 (F) Other areas the advisory committee determines appropriate.

24 ~~((d) The children of incarcerated parents advisory committee
25 shall update the legislature and governor biennially on committee
26 activities, with the first update due by January 1, 2010.))~~

27 (2) The department of commerce shall select community programs or
28 services to receive funding that focus on children and families of
29 inmates incarcerated in a department of corrections facility and
30 sustaining the family during the period of the inmate's
31 incarceration.

32 (a) Programs or services which meet the needs of the children of
33 incarcerated parents should be the greatest consideration in the
34 programs that are identified by the department.

35 (b) The department shall consider the recommendations of the
36 advisory committee regarding which services or programs the
37 department should fund.

38 (c) The programs selected shall collaborate with an agency, or
39 agencies, experienced in providing services to aid families and
40 victims of sexual assault and domestic violence to ensure that the

1 programs identify families who have a history of sexual assault or
2 domestic violence and ensure the services provided are appropriate
3 for the children and families.

4 **Sec. 27.** RCW 43.105.369 and 2016 c 195 s 2 are each amended to
5 read as follows:

6 (1) The office of privacy and data protection is created within
7 the office of the state chief information officer. The purpose of the
8 office of privacy and data protection is to serve as a central point
9 of contact for state agencies on policy matters involving data
10 privacy and data protection.

11 (2) The director shall appoint the chief privacy officer, who is
12 the director of the office of privacy and data protection.

13 (3) The primary duties of the office of privacy and data
14 protection with respect to state agencies are:

15 (a) To conduct an annual privacy review;

16 (b) To conduct an annual privacy training for state agencies and
17 employees;

18 (c) To articulate privacy principles and best practices;

19 (d) To coordinate data protection in cooperation with the agency;
20 and

21 (e) To participate with the office of the state chief information
22 officer in the review of major state agency projects involving
23 personally identifiable information.

24 (4) The office of privacy and data protection must serve as a
25 resource to local governments and the public on data privacy and
26 protection concerns by:

27 (a) Developing and promoting the dissemination of best practices
28 for the collection and storage of personally identifiable
29 information, including establishing and conducting a training program
30 or programs for local governments; and

31 (b) Educating consumers about the use of personally identifiable
32 information on mobile and digital networks and measures that can help
33 protect this information.

34 (5) By December 1, 2016, and every four years thereafter, the
35 office of privacy and data protection must prepare and submit to the
36 legislature a report evaluating its performance. The office of
37 privacy and data protection must establish performance measures in
38 its 2016 report to the legislature and, in each report thereafter,
39 demonstrate the extent to which performance results have been

1 achieved. These performance measures must include, but are not
2 limited to, the following:

3 (a) The number of state agencies and employees who have
4 participated in the annual privacy training;

5 (b) A report on the extent of the office of privacy and data
6 protection's coordination with international and national experts in
7 the fields of data privacy, data protection, and access equity;

8 (c) A report on the implementation of data protection measures by
9 state agencies attributable in whole or in part to the office of
10 privacy and data protection's coordination of efforts; and

11 (d) A report on consumer education efforts, including but not
12 limited to the number of consumers educated through public outreach
13 efforts, as indicated by how frequently educational documents were
14 accessed, the office of privacy and data protection's participation
15 in outreach events, and inquiries received back from consumers via
16 telephone or other media.

17 (6) Within one year of June 9, 2016, the office of privacy and
18 data protection must submit to the joint legislative audit and review
19 committee for review and comment the performance measures developed
20 under subsection (5) of this section and a data collection plan.

21 ~~((7) The office of privacy and data protection shall submit a
22 report to the legislature on the: (a) Extent to which
23 telecommunications providers in the state are deploying advanced
24 telecommunications capability; and (b) existence of any inequality in
25 access to advanced telecommunications infrastructure experienced by
26 residents of tribal lands, rural areas, and economically distressed
27 communities. The report may be submitted at a time within the
28 discretion of the office of privacy and data protection, at least
29 once every four years, and only to the extent the office of privacy
30 and data protection is able to gather and present the information
31 within existing resources.))~~

32 **Sec. 28.** RCW 47.01.330 and 2005 c 318 s 2 are each amended to
33 read as follows:

34 (1) The secretary shall establish an office of transit mobility.
35 The purpose of the office is to facilitate the integration of
36 decentralized public transportation services with the state
37 transportation system. The goals of the office of transit mobility
38 are: (a) To facilitate connection and coordination of transit

1 services and planning; and (b) maximizing opportunities to use public
2 transportation to improve the efficiency of transportation corridors.

3 (2) The duties of the office include, but are not limited to, the
4 following:

5 (a) Developing a statewide strategic plan that creates common
6 goals for transit agencies and reduces competing plans for cross-
7 jurisdictional service;

8 (b) Developing a park and ride lot program;

9 (c) Encouraging long-range transit planning;

10 (d) Providing public transportation expertise to improve linkages
11 between regional transportation planning organizations and transit
12 agencies;

13 (e) Strengthening policies for inclusion of transit and
14 transportation demand management strategies in route development,
15 corridor plan standards, and budget proposals;

16 (f) Recommending best practices to integrate transit and demand
17 management strategies with regional and local land use plans in order
18 to reduce traffic and improve mobility and access;

19 (g) Producing recommendations for the public transportation
20 section of the Washington transportation plan; and

21 (h) Participating in all aspects of corridor planning, including
22 freight planning, ferry system planning, and passenger rail planning.

23 (3) In forming the office, the secretary shall use existing
24 resources to the greatest extent possible.

25 (4) The office of transit mobility shall establish measurable
26 performance objectives for evaluating the success of its initiatives
27 and progress toward accomplishing the overall goals of the office.

28 ~~((5) The office of transit mobility must report quarterly to the
29 secretary, and annually to the transportation committees of the
30 legislature, on the progress of the office in meeting the goals and
31 duties provided in this section.))~~

32 **Sec. 29.** RCW 54.16.425 and 2021 c 294 s 4 are each amended to
33 read as follows:

34 (1) Property owned by a public utility district that is exempt
35 from property tax under RCW 84.36.010 is subject to an annual payment
36 in lieu of property taxes if the property consists of a broadband
37 infrastructure used in providing retail telecommunications services.

38 (2) (a) The amount of the payment must be determined jointly and
39 in good faith negotiation between the public utility district that

1 owns the property and the county or counties in which the property is
2 located.

3 (b) The amount agreed upon may not exceed the property tax amount
4 that would be owed on the property comprising the broadband
5 infrastructure used in providing retail telecommunications services
6 as calculated by the department of revenue. The public utility
7 district must provide information necessary for the department of
8 revenue to make the required valuation under this subsection. The
9 department of revenue must provide the amount of property tax that
10 would be owed on the property to the county or counties in which the
11 broadband infrastructure is located on an annual basis.

12 (c) If the public utility district and a county cannot agree on
13 the amount of the payment in lieu of taxes, either party may invoke
14 binding arbitration by providing written notice to the other party.
15 In the event that the amount of payment in lieu of taxes is submitted
16 to binding arbitration, the arbitrators must consider the government
17 services available to the public utility district's broadband
18 infrastructure used in providing retail telecommunications services.
19 The public utility district and county must each select one
20 arbitrator, the two of whom must pick a third arbitrator. Costs of
21 the arbitration, including compensation for the arbitrators'
22 services, must be borne equally by the parties participating in the
23 arbitration.

24 (3) By April 30th of each year, a public utility district must
25 remit the annual payment to the county treasurer of each county in
26 which the public utility district's broadband infrastructure used in
27 providing retail telecommunications services is located in a form and
28 manner required by the county treasurer.

29 (4) The county must distribute the amounts received under this
30 section to all property taxing districts, including the state, in
31 appropriate tax code areas in the same proportion as it would
32 distribute property taxes from taxable property.

33 ~~((5) By December 1, 2019, and annually thereafter, the~~
34 ~~department of revenue must submit a report to the appropriate~~
35 ~~legislative committees detailing the amount of payments made under~~
36 ~~this section and the amount of property tax that would be owed on the~~
37 ~~property comprising the broadband infrastructure used in providing~~
38 ~~retail telecommunications services.))~~

1 **Sec. 30.** RCW 72.09.765 and 2020 c 319 s 4 are each amended to
2 read as follows:

3 (1) Any contract to provide inmates with access to
4 telecommunication services and electronic media services in state
5 correctional facilities shall be made publicly available and posted
6 on the department's website.

7 (2) The information in this subsection from the contract shall be
8 prominently displayed on the department's public website:

9 (a) Rates for facilitating telecommunication services including,
10 but not limited to, phone calls, video visitation, videograms and
11 video clips, emails, and accessing music and entertainment;

12 (b) Fees charged for money transfers and transactions,
13 maintenance of financial accounts, and any other fee charged to the
14 user to facilitate the money transfer or online deposit account; and

15 (c) All fees or costs charged to the inmate or customer in
16 exchange for use of telecommunication or electronic media services
17 through the contract.

18 (3) By July 1st of each year, the contractor that provides
19 inmates with access to telecommunication services and electronic
20 media services under subsection (1) of this section shall report to
21 the department the following information:

22 (a) A summary of services offered at each correctional facility;

23 (b) Rates charged for, or associated with, providing each type of
24 service including, but not limited to, monthly financial account
25 maintenance fees, transaction fees associated with money transfers,
26 per call and connection surcharges, bill statement fees, and refund
27 fees;

28 (c) A total accounting of commissions provided to the department
29 or correctional facility;

30 (d) A summary and accounting of services used by inmates
31 categorized as indigent;

32 (e) One-time and ongoing costs incurred for installing and
33 maintaining hardware;

34 (f) Average customer service response time rates per facility and
35 the average time taken to resolve an issue or provide a refund for
36 defective services; and

37 (g) An accounting of all revenues or losses incurred by the
38 contractor by quarter.

39 (4) ~~((By November 1st of each year, and in compliance with RCW
40 43.01.036, the department shall report to the governor and~~

1 ~~legislature on contracts for telecommunication services and~~
2 ~~electronic media services under this section and the contractor's~~
3 ~~annual compliance with this section.~~

4 (5)) This section applies to any contract in effect on June 11,
5 2020, and to any renegotiation, renewal, or extension of such
6 contract.

7 **Sec. 31.** RCW 77.32.555 and 2015 c 254 s 1 are each amended to
8 read as follows:

9 (1) In addition to the fees authorized in this chapter, the
10 department shall include a surcharge to fund biotoxin testing and
11 monitoring by the department of health of beaches used for
12 recreational shellfishing, and to fund monitoring by the Olympic
13 region harmful algal bloom program of the Olympic natural resources
14 center at the University of Washington. The surcharge on recreational
15 shellfish licenses cannot be increased more than one dollar and can
16 only be increased when the surcharge for commercial shellfish
17 licenses is increased. A surcharge of four dollars applies to
18 resident and nonresident shellfish and seaweed licenses as authorized
19 by RCW 77.32.520(3) (a) and (b); a surcharge of three dollars applies
20 to resident and nonresident adult combination licenses as authorized
21 by RCW 77.32.470(2)(a); a surcharge of three dollars applies to
22 annual resident and nonresident razor clam licenses as authorized by
23 RCW 77.32.520(4); and a surcharge of two dollars applies to the
24 three-day razor clam license authorized by RCW 77.32.520(5). Amounts
25 collected from these surcharges must be deposited in the biotoxin
26 account created in subsection (3) of this section. The department may
27 not use any amounts collected from these surcharges to pay for its
28 administrative costs.

29 (2) Any moneys from surcharges remaining in the general fund—
30 local account after the 2007-2009 biennium must be transferred to the
31 biotoxin account created in subsection (3) of this section and be
32 credited to the appropriate institution. (~~The department of health~~
33 ~~and the University of Washington shall, by December 1st of each year,~~
34 ~~provide a letter to the relevant legislative policy and fiscal~~
35 ~~committees on the status of expenditures. This letter shall include,~~
36 ~~but is not limited to, the annual appropriation amount, the amount~~
37 ~~not expended, account fund balance, and reasons for not spending the~~
38 ~~full annual appropriation.))~~

1 (3) The biotoxin account is created in the state treasury to be
2 administered by the department of health. All moneys received under
3 subsection (1) of this section must be deposited in the account and
4 used by the department of health and the University of Washington as
5 required by subsection (1) of this section. Of the moneys deposited
6 into the account, one hundred fifty thousand dollars per year must be
7 made available to the University of Washington to implement
8 subsection (1) of this section. Moneys in the account may be spent
9 only after appropriation.

10 **Sec. 32.** RCW 82.14.470 and 2011 c 363 s 4 are each amended to
11 read as follows:

12 (1)(a)(i) Moneys collected from the taxes imposed under RCW
13 82.14.465 may be used only for the following purposes:

14 (A) Principal and interest payments on bonds issued to finance or
15 refinance public improvements in a benefit zone under the authority
16 of RCW 39.100.060;

17 (B) Principal and interest payments on other bonds issued by the
18 local government to finance public improvements; or

19 (C) Payments for public improvement costs.

20 (ii) Moneys collected and used as provided in (a)(i) of this
21 subsection must be matched with an amount from local public sources
22 dedicated, as further provided in RCW 82.14.465 (4)(c)(ii) and
23 (7)(k), through December 31st of the previous calendar year to
24 finance public improvements authorized under chapter 39.100 RCW.

25 (b) Local public sources are dedicated to finance public
26 improvements if they: (i) Are actually expended to pay public
27 improvement costs or debt service on bonds issued for public
28 improvements; or (ii) are required by law or an agreement to be used
29 exclusively to pay public improvement costs or debt service on bonds
30 issued for public improvements.

31 (c) A city, town, or county is not required to expend taxes
32 imposed under RCW 82.14.465 in the fiscal year in which the taxes are
33 received.

34 (2) A local government must inform the department by the first
35 day of March of the amount of local public sources allocated to the
36 preceding calendar year to finance public improvements authorized
37 under chapter 39.100 RCW.

1 (3) If a local government fails to comply with subsection (2) of
2 this section, no tax may be imposed under RCW 82.14.465 in the
3 subsequent fiscal year.

4 (4) (a) A local government must provide a report to the department
5 and the state auditor by March 1st of each year. A local government
6 must make a good faith effort to provide information required for the
7 report.

8 (b) The report must contain the following information:

9 (i) The amount of tax allocation revenues, taxes under RCW
10 82.14.465, and local public sources received by the local government
11 during the preceding calendar year, and a summary of how these
12 revenues were expended; and

13 (ii) The names of any businesses known to the local government
14 that have located within the benefit zone as a result of the public
15 improvements undertaken by the local government and financed in whole
16 or in part with hospital benefit zone financing.

17 ~~((5) The department must make a report available to the public
18 and the legislature by June 1st of each year. The report must include
19 a list of public improvements undertaken by local governments and
20 financed in whole or in part with hospital benefit zone financing,
21 and it must also include a summary of the information provided to the
22 department by local governments under subsection (4) of this
23 section.))~~

24 **Sec. 33.** RCW 82.32.765 and 2016 c 207 s 5 are each amended to
25 read as follows:

26 ~~((1))~~ A sponsoring local government receiving a project award
27 under RCW 39.104.100 must provide a report to the department by March
28 1st of each year beginning March 1st after the project award has been
29 approved. The report must contain the following information:

30 ~~((a))~~ (1) The amounts of local property tax allocation revenues
31 received in the preceding calendar year broken down by sponsoring
32 local government and participating taxing district;

33 ~~((b))~~ (2) The amount of state property tax allocation revenues
34 estimated to have been received by the state in the preceding
35 calendar year;

36 ~~((c))~~ (3) The amount of local sales and use tax and other
37 revenue from local public sources dedicated by any participating
38 local government used for the payment of bonds under RCW 39.104.110

1 and public improvement costs within the revitalization area on a pay-
2 as-you-go basis in the preceding calendar year;

3 ~~((d))~~ (4) The amount of local sales and use tax dedicated by
4 the sponsoring local government, as it relates to the sponsoring
5 local government's local sales and use tax increment, used for the
6 payment of bonds under RCW 39.104.110 and public improvement costs
7 within the revitalization area on a pay-as-you-go basis;

8 ~~((e))~~ (5) The amounts, other than those listed in ~~((a) through~~
9 ~~(d) of this))~~ subsections (1) through (4) of this section, from local
10 public sources, broken down by type or source, used for payment of
11 bonds under RCW 39.104.110 or public improvement costs within the
12 revitalization area on a pay-as-you-go basis in the preceding
13 calendar year;

14 ~~((f))~~ (6) The anticipated date when bonds under RCW 39.104.110
15 are expected to be retired;

16 ~~((g))~~ (7) The names of any businesses locating within the
17 revitalization area as a result of the public improvements undertaken
18 by the sponsoring local government and financed in whole or in part
19 with local revitalization financing;

20 ~~((h))~~ (8) An estimate of the cumulative number of permanent
21 jobs created in the revitalization area as a result of the public
22 improvements undertaken by the sponsoring local government and
23 financed in whole or in part with local revitalization financing;

24 ~~((i))~~ (9) An estimate of the average wages and benefits
25 received by all employees of businesses locating within the
26 revitalization area as a result of the public improvements undertaken
27 by the sponsoring local government and financed in whole or in part
28 with local revitalization financing;

29 ~~((j))~~ (10) A list of public improvements financed by bonds
30 issued under RCW 39.104.110 and the date on which the bonds are
31 anticipated to be retired;

32 ~~((k))~~ (11) That the sponsoring local government is in
33 compliance with RCW 39.104.030;

34 ~~((l))~~ (12) At least once every three years, updated estimates
35 of the amounts of state and local sales and use tax increments
36 estimated to have been received since the approval of the project
37 award under RCW 39.104.100;

38 ~~((m))~~ (13) The amount of revenues from local public sources
39 that (i) were expended in prior years for the payment of bonds under
40 RCW 39.104.110 and public improvement costs within the revitalization

1 area on a pay-as-you-go basis in prior calendar years that were in
2 excess of the project award amount for that year and are carried
3 forward for dedication in future years, (ii) are deemed dedicated to
4 payment of bonds or public improvement costs in the calendar year for
5 which the report is prepared, and (iii) remain available for
6 dedication in future years; and

7 ~~((n))~~ (14) Any other information required by the department to
8 enable the department to fulfill its duties under this chapter and
9 RCW 82.14.510.

10 ~~((2) The department must make a report available to the public
11 and the legislature by June 1st of each year. The report must include
12 a summary of the information provided to the department by sponsoring
13 local governments under subsection (1) of this section.)~~

14 NEW SECTION. **Sec. 34.** The following acts or parts of acts are
15 each repealed:

16 (1) RCW 13.32A.045 (Family reconciliation services—Data) and 2020
17 c 51 s 4;

18 (2) RCW 19.02.055 (Agency duties—Information—Certification) and
19 2013 c 111 s 2;

20 (3) RCW 19.280.060 (Department's duties—Report to the
21 legislature) and 2015 3rd sp.s. c 19 s 10, 2013 c 149 s 4, & 2006 c
22 195 s 6;

23 (4) RCW 43.31.980 (Impact fee annual report) and 2015 c 241 s 4;
24 and

25 (5) RCW 62A.9A-527 (Duty to report) and 2000 c 250 s 9A-527."

26 Correct the title.

EFFECT: Eliminates or adjusts due dates for certain reports from
the Office of the Superintendent of Public Instruction. Eliminates a
joint report to the Legislature from the State Board of Education and
the Professional Educator Standards Board. Removes a provision that
repealed the Department of Veterans Affairs' report about the Veteran
Peer-to-Peer Training and Support Program. Updates certain amendatory
sections to reflect changes made in legislation enacted in 2023.

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