

ESHB 1362 - S COMM AMD

By Committee on State Government & Elections

NOT CONSIDERED 05/17/2023

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

1 report of such review to the legislature on or before ((February))
2 March 1st of each year.

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

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

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

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

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

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

36 (6) The superintendent of public instruction must consult with
37 the secretary of state to provide registration methods that enable
38 the electronic collection of information on the number of students
39 who registered to vote on "Temperance and Good Citizenship Day," with

1 the goal of achieving at least fifty thousand new voter registrations
2 for seventeen and eighteen year olds annually, beginning in January
3 2020.

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

12 (8) For the purposes of this section:

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

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

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

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

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

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

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

1 (b) Analyze trends with respect to: (i) Employed staff and
2 contract staff; and (ii) the percentage of staff with a valid
3 educational staff associate certificate. These trends must be
4 disaggregated by assignment duty code, as well as analyzed year over
5 year and by school district size and geography.

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

10 (5) For the purposes of this section, "physical, social, and
11 emotional support staff" or "staff" has the same meaning as in RCW
12 28A.150.260(5)(b).

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

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

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

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

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

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

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

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

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

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

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

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

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

37 (b) The percentage of students performing at each level of the
38 assessment;

1 (c) Disaggregation of results by at least the following subgroups
2 of students: White, Black, Hispanic, American Indian/Alaskan Native,
3 Asian, Pacific Islander/Hawaiian Native, low income, transitional
4 bilingual, migrant, special education, and, beginning with the
5 2009-10 school year, students covered by section 504 of the federal
6 rehabilitation act of 1973, as amended (29 U.S.C. Sec. 794); and

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

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

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

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

20 ~~((6))~~) (5) The reports shall be posted on the superintendent of
21 public instruction's internet website.

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

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

34 **Sec. 7.** RCW 28A.655.260 and 2021 c 144 s 3 are each amended to
35 read as follows:

36 (1) The superintendent of public instruction shall collect the
37 following information from school districts: Which of the graduation
38 pathways under RCW 28A.655.250 are available to students at each of
39 the school districts; and the number of students using each

1 graduation pathway for graduation purposes. This information shall be
2 reported (~~annually~~) to the education committees of the legislature
3 beginning January 10, 2021, and by March 10th each year thereafter.
4 To the extent feasible, data on student participation in each of the
5 graduation pathways shall be disaggregated by race, ethnicity,
6 gender, and receipt of free or reduced-price lunch.

7 (2) Beginning August 1, 2019, the state board of education shall
8 survey interested parties regarding what additional graduation
9 pathways should be added to the existing graduation pathways
10 identified in RCW 28A.655.250 and whether modifications should be
11 made to any of the existing pathways. Interested parties shall
12 include at a minimum: High school students; recent high school
13 graduates; representatives from the state board for community and
14 technical colleges and four-year higher education institutions;
15 representatives from the apprenticeship and training council;
16 associations representing business; members of the educational
17 opportunity gap oversight and accountability committee; and
18 associations representing educators, school board members, school
19 administrators, superintendents, and parents. The state board of
20 education shall provide reports to the education committees of the
21 legislature by August 1, 2020, and December 10, 2022, summarizing the
22 information collected in the surveys.

23 (3) Using the data reported by the superintendent of public
24 instruction under subsection (1) of this section, the state board of
25 education shall survey a sampling of the school districts unable to
26 provide all of the graduation pathways under RCW 28A.655.250 in order
27 to identify the types of barriers to implementation school districts
28 have. Using the survey results from this subsection and the survey
29 results collected under subsection (2) of this section, the state
30 board of education shall review the existing graduation pathways,
31 suggested changes to those graduation pathways, and the options for
32 additional graduation pathways, and shall provide a report to the
33 education committees of the legislature by December 10, 2022, on the
34 following:

35 (a) Recommendations on whether changes to the existing pathways
36 should be made and what those changes should be;

37 (b) The barriers school districts have to offering all of the
38 graduation pathways and recommendations for ways to eliminate or
39 reduce those barriers for school districts;

1 (c) Whether all students have equitable access to all of the
2 graduation pathways and, if not, recommendations for reducing the
3 barriers students may have to accessing all of the graduation
4 pathways; and

5 (d) Whether additional graduation pathways should be included and
6 recommendations for what those pathways should be.

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

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

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

15 (a) Track the location and status of sexual assault kits
16 throughout the criminal justice process, including the initial
17 collection in examinations performed at medical facilities, receipt
18 and storage at law enforcement agencies, receipt and analysis at
19 forensic laboratories, and storage and any destruction after
20 completion of analysis;

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

22 (c) Indicate whether a sexual assault kit contains biological
23 materials collected for the purpose of forensic toxicological
24 analysis;

25 (d) Allow medical facilities performing sexual assault forensic
26 examinations, law enforcement agencies, prosecutors, the Washington
27 state patrol bureau of forensic laboratory services, and other
28 entities having custody of sexual assault kits to update and track
29 the status and location of sexual assault kits;

30 (e) Allow victims of sexual assault to anonymously track or
31 receive updates regarding the status of their sexual assault kits;
32 and

33 (f) Use electronic technology or technologies allowing continuous
34 access.

35 (3) The Washington state patrol may use a phased implementation
36 process in order to launch the system and facilitate entry and use of
37 the system for required participants. The Washington state patrol may
38 phase initial participation according to region, volume, or other
39 appropriate classifications. All entities having custody of sexual

1 assault kits shall fully participate in the system no later than June
2 1, 2018. The Washington state patrol shall submit a report on the
3 current status and plan for launching the system, including the plan
4 for phased implementation, to the joint legislative task force on
5 sexual assault forensic examination best practices, the appropriate
6 committees of the legislature, and the governor no later than January
7 1, 2017.

8 (4) The Washington state patrol shall submit (~~(a semiannual)~~) an
9 annual report on the statewide sexual assault kit tracking system to
10 the joint legislative task force on sexual assault forensic
11 examination best practices, the appropriate committees of the
12 legislature, and the governor. The Washington state patrol may
13 publish the current report on its website. The first report is due
14 (~~(July 31, 2018)~~) January 31, 2024, and subsequent reports are due
15 January 31st (~~(and July 31st)~~) of each year. The report must include
16 the following:

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

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

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

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

26 (e) The average and median length of time for sexual assault kits
27 to be submitted for forensic analysis after being added to the
28 system, including separate sets of data for all sexual assault kits
29 in the system statewide and by jurisdiction and for sexual assault
30 kits added to the system in the reporting period statewide and by
31 jurisdiction;

32 (f) The average and median length of time for forensic analysis
33 to be completed on sexual assault kits after being submitted for
34 analysis, including separate sets of data for all sexual assault kits
35 in the system statewide and by jurisdiction and for sexual assault
36 kits added to the system in the reporting period statewide and by
37 jurisdiction;

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

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

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

9 (5) For the purpose of reports under subsection (4) of this
10 section, a sexual assault kit must be assigned to the jurisdiction
11 associated with the law enforcement agency anticipated to receive the
12 sexual assault kit or otherwise having custody of the sexual assault
13 kit.

14 (6) Any public agency or entity, including its officials and
15 employees, and any hospital and its employees providing services to
16 victims of sexual assault may not be held civilly liable for damages
17 arising from any release of information or the failure to release
18 information related to the statewide sexual assault kit tracking
19 system, so long as the release was without gross negligence.

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

22 (8) For the purposes of this section:

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

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

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

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

33 (1) The department must work with the designated agencies to
34 identify, catalog, and recommend best use of under-utilized, state-
35 owned land and property suitable for the development of affordable
36 housing for very low-income, low-income or moderate-income
37 households. The designated agencies must provide an inventory of real
38 property that is owned or administered by each agency and is vacant
39 or available for lease or sale. The department must work with the

1 designated agencies to include in the inventories a consolidated list
2 of any property transactions executed by the agencies under the
3 authority of RCW 39.33.015, including the property appraisal, the
4 terms and conditions of sale, lease, or transfer, the value of the
5 public benefit, and the impact of transaction to the agency. The
6 inventories with revisions must be provided to the department by
7 November 1st of each year.

8 (2) The department must consolidate inventories into two groups:
9 Properties suitable for consideration in affordable housing
10 development; and properties not suitable for consideration in
11 affordable housing development. In making this determination, the
12 department must use industry accepted standards such as: Location,
13 approximate lot size, current land use designation, and current
14 zoning classification of the property. The department shall provide a
15 recommendation, based on this grouping, ~~((to the office of financial
16 management and appropriate policy and fiscal committees of the
17 legislature))~~ by posting the information on the department's website
18 by December 1st of each year.

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

22 (4) As used in this section:

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

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

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

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

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

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

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

7 (f) "Designated agencies" means the Washington state patrol, the
8 state parks and recreation commission, and the departments of natural
9 resources, social and health services, corrections, and enterprise
10 services.

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

13 (1) The department of commerce shall annually prepare and
14 (~~submit an annual report to the legislature~~) post, on the
15 department's website, the amount of revenue collected by local
16 jurisdictions under RCW 9.68A.105, 9A.88.120, or 9A.88.140 and the
17 expenditure of that revenue.

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

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

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

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

36 (b) With respect to the health plan or plan deemed by the
37 commissioner to have a short-term limited purpose or duration, or to
38 be a student-only plan that is guaranteed renewable while the covered

1 person is enrolled as a regular, full-time undergraduate student at
2 an accredited higher education institution, discriminate on the basis
3 of race, color, national origin, disability, age, sex, gender
4 identity, or sexual orientation.

5 (2) Nothing in this section may be construed to prevent a carrier
6 from appropriately utilizing reasonable medical management
7 techniques.

8 (3) For health plans issued or renewed on or after January 1,
9 2022:

10 (a) A health carrier may not deny or limit coverage for gender
11 affirming treatment when that treatment is prescribed to an
12 individual because of, related to, or consistent with a person's
13 gender expression or identity, as defined in RCW 49.60.040, is
14 medically necessary, and is prescribed in accordance with accepted
15 standards of care.

16 (b) A health carrier may not apply categorical cosmetic or
17 blanket exclusions to gender affirming treatment. When prescribed as
18 medically necessary gender affirming treatment, a health carrier may
19 not exclude as cosmetic services facial feminization surgeries and
20 other facial gender affirming treatment, such as tracheal shaves,
21 hair electrolysis, and other care such as mastectomies, breast
22 reductions, breast implants, or any combination of gender affirming
23 procedures, including revisions to prior treatment.

24 (c) A health carrier may not issue an adverse benefit
25 determination denying or limiting access to gender affirming
26 services, unless a health care provider with experience prescribing
27 or delivering gender affirming treatment has reviewed and confirmed
28 the appropriateness of the adverse benefit determination.

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

31 (4) For the purposes of this section, "gender affirming
32 treatment" means a service or product that a health care provider, as
33 defined in RCW 70.02.010, prescribes to an individual to treat any
34 condition related to the individual's gender identity and is
35 prescribed in accordance with generally accepted standards of care.
36 Gender affirming treatment must be covered in a manner compliant with
37 the federal mental health parity and addiction equity act of 2008 and
38 the federal affordable care act. Gender affirming treatment can be
39 prescribed to two spirit, transgender, nonbinary, intersex, and other
40 gender diverse individuals.

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

3 (6) By December 1, 2022, the commissioner, in consultation with
4 the health care authority and the department of health, must issue a
5 report on geographic access to gender affirming treatment across the
6 state. The report must include the number of gender affirming
7 providers offering care in each county, the carriers and medicaid
8 managed care organizations those providers have active contracts
9 with, and the types of services provided by each provider in each
10 region. The commissioner must update the report (~~biannually~~)
11 biennially and post the report on its website.

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

14 (8) Unless preempted by federal law, the commissioner shall adopt
15 any rules necessary to implement subsections (1) and (2) of this
16 section, consistent with federal rules and guidance in effect on
17 January 1, 2017, implementing the patient protection and affordable
18 care act.

19 **Sec. 12.** RCW 61.24.163 and 2018 c 306 s 6 are each amended to
20 read as follows:

21 (1) The foreclosure mediation program established in this section
22 applies only to borrowers who have been referred to mediation by a
23 housing counselor or attorney. The referral to mediation may be made
24 any time after a notice of default has been issued but no later than
25 twenty days after the date a notice of sale has been recorded. If the
26 borrower has failed to elect to mediate within the applicable time
27 frame, the borrower and the beneficiary may, but are under no duty
28 to, agree in writing to enter the foreclosure mediation program. The
29 mediation program under this section is not governed by chapter 7.07
30 RCW and does not preclude mediation required by a court or other
31 provision of law.

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

35 (3) Within ten days of receiving the notice, the department
36 shall:

37 (a) Send a notice to the beneficiary, the borrower, the housing
38 counselor or attorney who referred the borrower, and the trustee
39 stating that the parties have been referred to mediation. The notice

1 must include the statements and list of documents and information
2 described in subsections (4) and (5) of this section and a statement
3 explaining each party's responsibility to pay the mediator's fee; and

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

5 (4) Within twenty-three days of the department's notice that the
6 parties have been referred to mediation, the borrower shall transmit
7 the documents required for mediation to the mediator and the
8 beneficiary. The required documents include an initial homeowner
9 financial information worksheet as required by the department. The
10 worksheet must include, at a minimum, the following information:

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

12 (b) Debts and obligations;

13 (c) Assets;

14 (d) Expenses;

15 (e) Tax returns for the previous two years;

16 (f) Hardship information;

17 (g) Other applicable information commonly required by any
18 applicable federal mortgage relief program.

19 (5) Within twenty days of the beneficiary's receipt of the
20 borrower's documents, the beneficiary shall transmit the documents
21 required for mediation to the mediator and the borrower. The required
22 documents include:

23 (a) An accurate statement containing the balance of the loan
24 within thirty days of the date on which the beneficiary's documents
25 are due to the parties;

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

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

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

33 (e) An itemized list of the best estimate of fees and charges
34 outstanding;

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

38 (g) All borrower-related and mortgage-related input data used in
39 any net present values analysis. If no net present values analysis is
40 required by the applicable federal mortgage relief program, then the

1 input data required under the federal deposit insurance corporation
2 and published in the federal deposit insurance corporation loan
3 modification program guide, or if that calculation becomes
4 unavailable, substantially similar input data as determined by the
5 department;

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

9 (i) Appraisal or other broker price opinion most recently relied
10 upon by the beneficiary not more than ninety days old at the time of
11 the scheduled mediation; and

12 (j) The portion or excerpt of the pooling and servicing agreement
13 or other investor restriction that prohibits the beneficiary from
14 implementing a modification, if the beneficiary claims it cannot
15 implement a modification due to limitations in a pooling and
16 servicing agreement or other investor restriction, and documentation
17 or a statement detailing the efforts of the beneficiary to obtain a
18 waiver of the pooling and servicing agreement or other investor
19 restriction provisions.

20 (6) Within seventy days of receiving the referral from the
21 department, the mediator shall convene a mediation session in the
22 county where the property is located, unless the parties agree on
23 another location. The parties may agree to extend the time in which
24 to schedule the mediation session. If the parties agree to extend the
25 time, the beneficiary shall notify the trustee of the extension and
26 the date the mediator is expected to issue the mediator's
27 certification.

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

32 (b) The mediator must send written notice of the time, date, and
33 location of the mediation session to the borrower, the beneficiary,
34 and the department at least thirty days prior to the mediation
35 session. At a minimum, the notice must contain:

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

38 (ii) A statement that a person with authority to agree to a
39 resolution, including a proposed settlement, loan modification, or
40 dismissal or continuation of the foreclosure proceeding, must be

1 present either in person or on the telephone or videoconference
2 during the mediation session; and

3 (iii) A statement that the parties have a duty to mediate in good
4 faith and that failure to mediate in good faith may impair the
5 beneficiary's ability to foreclose on the property or the borrower's
6 ability to modify the loan or take advantage of other alternatives to
7 foreclosure.

8 (8) (a) The borrower, the beneficiary or authorized agent, and the
9 mediator must meet in person for the mediation session. However, a
10 person with authority to agree to a resolution on behalf of the
11 beneficiary may be present over the telephone or videoconference
12 during the mediation session.

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

16 (9) The participants in mediation must address the issues of
17 foreclosure that may enable the borrower and the beneficiary to reach
18 a resolution, including but not limited to reinstatement,
19 modification of the loan, restructuring of the debt, or some other
20 workout plan. To assist the parties in addressing issues of
21 foreclosure, the mediator may require the participants to consider
22 the following:

23 (a) The borrower's current and future economic circumstances,
24 including the borrower's current and future income, debts, and
25 obligations for the previous sixty days or greater time period as
26 determined by the mediator;

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

30 (c) Any affordable loan modification calculation and net present
31 value calculation when required under any federal mortgage relief
32 program and any modification program related to loans insured by the
33 federal housing administration, the veterans administration, and the
34 rural housing service. If such a calculation is not provided or
35 required, then the beneficiary must provide the net present value
36 data inputs established by the federal deposit insurance corporation
37 and published in the federal deposit insurance corporation loan
38 modification program guide or other net present value data inputs as
39 designated by the department. The mediator may run the calculation in

1 order for a productive mediation to occur and to comply with the
2 mediator certification requirement; and

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

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

8 (a) Failure to timely participate in mediation without good
9 cause;

10 (b) Failure of the borrower or the beneficiary to provide the
11 documentation required before mediation or pursuant to the mediator's
12 instructions;

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

16 (d) A request by a beneficiary that the borrower waive future
17 claims he or she may have in connection with the deed of trust, as a
18 condition of agreeing to a modification, except for rescission claims
19 under the federal truth in lending act. Nothing in this section
20 precludes a beneficiary from requesting that a borrower dismiss with
21 prejudice any pending claims against the beneficiary, its agents,
22 loan servicer, or trustee, arising from the underlying deed of trust,
23 as a condition of modification.

24 (11) If the mediator reasonably believes a borrower will not
25 attend a mediation session based on the borrower's conduct, such as
26 the lack of response to the mediator's communications, the mediator
27 may cancel a scheduled mediation session and send a written
28 cancellation to the department and the trustee and send copies to the
29 parties. The beneficiary may proceed with the foreclosure after
30 receipt of the mediator's written confirmation of cancellation.

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

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

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

37 (c) Whether a resolution was reached by the parties, including
38 whether the default was cured by reinstatement, modification, or
39 restructuring of the debt, or some other alternative to foreclosure
40 was agreed upon by the parties;

1 (d) Whether the parties participated in the mediation in good
2 faith; and

3 (e) If a written agreement was not reached, a description of any
4 net present value test used, along with a copy of the inputs,
5 including the result of any net present value test expressed in a
6 dollar amount.

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

10 (14)(a) The mediator's certification that the beneficiary failed
11 to act in good faith in mediation constitutes a defense to the
12 nonjudicial foreclosure action that was the basis for initiating the
13 mediation. In any action to enjoin the foreclosure, the beneficiary
14 is entitled to rebut the allegation that it failed to act in good
15 faith.

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

21 (c) If an affordable loan modification is not offered in the
22 mediation or a written agreement was not reached and the mediator's
23 certification shows that the net present value of the modified loan
24 exceeds the anticipated net recovery at foreclosure, that showing in
25 the certification constitutes a basis for the borrower to enjoin the
26 foreclosure.

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

30 (16)(a) If a borrower has been referred to mediation before a
31 notice of trustee sale has been recorded, a trustee may not record
32 the notice of sale until the trustee receives the mediator's
33 certification stating that the mediation has been completed. If the
34 trustee does not receive the mediator's certification, the trustee
35 may record the notice of sale after ten days from the date the
36 certification to the trustee was due. If, after a notice of sale is
37 recorded under this subsection (16)(a), the mediator subsequently
38 issues a certification finding that the beneficiary violated the duty
39 of good faith, the certification constitutes a basis for the borrower
40 to enjoin the foreclosure.

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

5 (17) A mediator may charge reasonable fees as authorized by this
6 subsection or as authorized by the department. Unless the fee is
7 waived, the parties agree otherwise, or the department otherwise
8 authorizes, a foreclosure mediator's fee may not exceed four hundred
9 dollars for preparing, scheduling, and conducting a mediation session
10 lasting between one hour and three hours. For a mediation session
11 exceeding three hours, the foreclosure mediator may charge a
12 reasonable fee, as authorized by the department. The mediator must
13 provide an estimated fee before the mediation, and payment of the
14 mediator's fee must be divided equally between the beneficiary and
15 the borrower. The beneficiary and the borrower must tender the loan
16 mediator's fee within thirty calendar days from receipt of the
17 department's letter referring the parties to mediation or pursuant to
18 the mediator's instructions.

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

22 (a) The performance of the program, including the numbers of
23 borrowers who are referred to mediation by a housing counselor or
24 attorney;

25 (b) The results of the mediation program, including the number of
26 mediations requested by housing counselors and attorneys, the number
27 of certifications of good faith issued, the number of borrowers and
28 beneficiaries who failed to mediate in good faith, and the reasons
29 for the failure to mediate in good faith, if known, the numbers of
30 loans restructured or modified, the change in the borrower's monthly
31 payment for principal and interest and the number of principal write-
32 downs and interest rate reductions, and, to the extent practical, the
33 number of borrowers who report a default within a year of
34 restructuring or modification;

35 (c) The information received by housing counselors regarding
36 outcomes of foreclosures; and

37 (d) Any recommendations for changes to the statutes regarding the
38 mediation program.

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

3 The department shall adopt rules to:

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

7 (a) Training curriculum;

8 (b) Training hours;

9 (c) Hands-on training;

10 (d) Trainee competency and proficiency;

11 (e) Training program quality control;

12 (f) Procedures for the reaccreditation of training programs;

13 (g) Procedures for the oversight of training programs; and

14 (h) Procedures for the suspension, revocation, or modification of
15 training program accreditations, or acceptance of training offered by
16 an accredited training provider in another state or Indian tribe
17 authorized by the environmental protection agency;

18 (2) Establish procedures for the purposes of certification, for
19 the acceptance of training offered by an accredited training provider
20 in a state or Indian tribe authorized by the environmental protection
21 agency;

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

26 (4) Establish procedures for recertification;

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

29 (6) Establish procedures for the suspension, revocation, or
30 modification of certifications;

31 (7) Establish requirements for the administration of third-party
32 certification exams;

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

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

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

38 (a) Warning letters, notices of noncompliance, notices of
39 violation, or the equivalent;

1 (b) Administrative or civil actions, including penalty authority,
2 including accreditation or certification suspension, revocation, or
3 modification; and

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

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

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

12 The secretary shall (~~report~~) annually (~~to the legislature~~)
13 post on the department's website on the number of offenders
14 considered for an extraordinary medical placement, the number of
15 offenders who were granted such a placement, the number of offenders
16 who were denied such a placement, the length of time between initial
17 consideration and the placement decision for each offender who was
18 granted an extraordinary medical placement, the number of offenders
19 granted an extraordinary medical placement who were later returned to
20 total confinement, and the cost savings realized by the state.

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

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

34 (2) If an emergency is declared pursuant to RCW 43.06.010(14),
35 the director may consult with the invasive species council to advise
36 the governor on emergency measures necessary under RCW 43.06.010(14)
37 and this section, and make subsequent recommendations to the
38 governor. The invasive species council must involve owners of the

1 affected water body or property, state and local governments, federal
2 agencies, tribes, public health interests, technical service
3 providers, and environmental organizations, as appropriate.

4 (3) Upon the governor's approval of emergency measures, the
5 director may implement these measures to prevent, contain, control,
6 or eradicate invasive species that are the subject of the emergency
7 order, notwithstanding the provisions of chapter 15.58 or 17.21 RCW
8 or any other statute. These measures, after evaluation of all other
9 alternatives, may include the surface and aerial application of
10 pesticides.

11 (4) The director must continually evaluate the effects of the
12 emergency measures and report these to the governor at (~~intervals of~~
13 ~~not less than~~) least every ten days, except for those measures taken
14 in response to emergency proclamation 22-02, green crab infestation.
15 The director must report the effects of the emergency measures taken
16 in response to emergency proclamation 22-02, green crab infestation,
17 to the governor at least monthly. The director must immediately
18 advise the governor if the director finds that the emergency no
19 longer exists or if certain emergency measures should be
20 discontinued.

21 **PART II**
22 **REPEAL OF REPORTS**

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

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

1 requirements of this section and shall clearly communicate to
2 districts their option to use other strategies chosen by the
3 district.

4 (2) Beginning with the 2008-09 school year, school districts
5 shall require students in the seventh or eighth grade, and the
6 ~~((eleventh))~~ 11th or ~~((twelfth))~~ 12th grade to each complete at least
7 one classroom-based assessment in civics. Beginning with the 2010-11
8 school year, school districts shall require students in the fourth or
9 fifth grade to complete at least one classroom-based assessment in
10 civics. The civics assessment may be selected from a list of
11 classroom-based assessments approved by the office of the
12 superintendent of public instruction. ~~((Beginning with the 2008-09
13 school year, school districts shall annually submit implementation
14 verification reports to the office of the superintendent of public
15 instruction documenting the use of the classroom-based assessments in
16 civics.~~

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

19 **Sec. 17.** RCW 28A.300.490 and 2019 c 333 s 15 are each amended to
20 read as follows:

21 (1) A task force on gangs in schools is created to examine
22 current adult and youth gang activities that are affecting school
23 safety. The task force shall work under the guidance of the office of
24 the superintendent of public instruction's school safety center, the
25 school safety and student well-being advisory committee established
26 in RCW 28A.300.635, and the Washington association of sheriffs and
27 police chiefs.

28 (2) The task force shall be comprised of representatives,
29 selected by the superintendent of public instruction, who possess
30 expertise relevant to gang activity in schools. The task force shall
31 outline methods for preventing new gangs, eliminating existing gangs,
32 gathering intelligence, and sharing information about gang
33 activities.

34 ~~((3) Beginning December 1, 2007, the task force shall annually
35 report its findings and recommendations to the education committees
36 of the legislature.))~~

37 **Sec. 18.** RCW 28A.300.530 and 2009 c 546 s 2 are each amended to
38 read as follows:

1 ~~((1))~~ Within available resources, the office of the
2 superintendent of public instruction, in consultation with the school
3 districts that participated in the Lorraine Wojahn dyslexia pilot
4 program, and with an international nonprofit organization dedicated
5 to supporting efforts to provide appropriate identification of and
6 instruction for individuals with dyslexia, shall:

7 ~~((a))~~ (1) Develop an educator training program to enhance the
8 reading, writing, and spelling skills of students with dyslexia. The
9 training program must provide research-based, multisensory literacy
10 intervention professional development in the areas of dyslexia and
11 intervention implementation. The program shall be posted on the
12 website of the office of the superintendent of public instruction.
13 The training program may be regionally delivered through the
14 educational service districts. The educational service districts may
15 seek assistance from the international nonprofit organization to
16 deliver the training; and

17 ~~((b))~~ (2) Develop a dyslexia handbook to be used as a reference
18 for teachers and parents of students with dyslexia. The handbook
19 shall be modeled after other state dyslexia handbooks, and shall
20 include guidelines for school districts to follow as they identify
21 and provide services for students with dyslexia. Additionally, the
22 handbook shall provide school districts, and parents and guardians
23 with information regarding the state's relevant statutes and their
24 relation to federal special education laws. The handbook shall be
25 posted on the website of the office of the superintendent of public
26 instruction.

27 ~~((2) Beginning September 1, 2009, and annually thereafter, each
28 educational service district shall report to the office of the
29 superintendent of public instruction the number of individuals who
30 participate in the training developed and offered by the educational
31 service district. The office of the superintendent of public
32 instruction shall report that information to the legislative
33 education committees.))~~

34 **Sec. 19.** RCW 28A.305.035 and 2006 c 263 s 103 are each amended
35 to read as follows:

36 ~~((1) By October 15th of each even-numbered year, the state board
37 of education and the professional educator standards board shall
38 submit a joint report to the legislative education committees, the
39 governor, and the superintendent of public instruction. The report~~

1 shall address the progress the boards have made and the obstacles
2 they have encountered, individually and collectively, in the work of
3 achieving the goals in RCW 28A.150.210.

4 (2)) The state board of education shall include the chairs and
5 ranking minority members of the legislative education committees in
6 board communications so that the legislature can be kept apprised of
7 the discussions and proposed actions of the board.

8 **Sec. 20.** RCW 28A.320.196 and 2022 c 75 s 4 are each amended to
9 read as follows:

10 (1) Subject to funds appropriated specifically for this purpose,
11 the academic acceleration incentive program is established as
12 provided in this section. The intent of the legislature is that the
13 funds awarded under the program be used to support teacher training,
14 curriculum, technology, examination fees, textbook fees, and other
15 costs associated with offering dual credit courses to high school
16 students, including transportation for running start students to and
17 from the institution of higher education as defined in RCW
18 28A.600.300.

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

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

1 base award for other students. A student who earns more than one dual
2 credit in the same school year counts only once for the purposes of
3 the incentive award.

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

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

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

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

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

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

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

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

30 **Sec. 21.** RCW 28B.77.220 and 2013 c 23 s 61 are each amended to
31 read as follows:

32 (1) The council must convene work groups to develop transfer
33 associate degrees that will satisfy lower division requirements at
34 public four-year institutions of higher education for specific
35 academic majors. Work groups must include representatives from the
36 state board for community and technical colleges and the council of
37 presidents, as well as faculty from two and four-year institutions.
38 Work groups may include representatives from independent four-year
39 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. 22.** RCW 35.90.020 and 2020 c 139 s 59 are each amended to
39 read as follows:

1 (1) Except as otherwise provided in subsection (7) of this
2 section, a city that requires a general business license of any
3 person that engages in business activities within that city must
4 partner with the department to have such license issued, and renewed
5 if the city requires renewal, through the business licensing service
6 in accordance with chapter 19.02 RCW.

7 (a) Except as otherwise provided in subsection (3) of this
8 section, the department must phase in the issuance and renewal of
9 general business licenses of cities that required a general business
10 license as of July 1, 2017, and are not already partnering with the
11 department, as follows:

12 (i) Between January 1, 2018, and December 31, 2021, the
13 department must partner with at least six cities per year;

14 (ii) Between January 1, 2022, and December 31, 2027, the
15 department must partner with the remaining cities; or

16 (iii) Between July 1, 2017 and December 31, 2022, the department
17 must partner with all cities requiring a general business license if
18 specific funding for the purposes of this subsection (1)(a)(iii) is
19 appropriated in the omnibus appropriations act.

20 (b) A city that imposes a general business license requirement
21 and does not partner with the department as of January 1, 2018, may
22 continue to issue and renew its general business licenses until the
23 city partners with the department as provided in subsection (4) of
24 this section.

25 (2)(a) A city that did not require a general business license as
26 of July 1, 2017, but imposes a new general business license
27 requirement after that date must advise the department in writing of
28 its intent to do so at least ninety days before the requirement takes
29 effect.

30 (b) If a city subject to (a) of this subsection (2) imposes a new
31 general business license requirement after July 1, 2017, the
32 department, in its sole discretion, may adjust resources to partner
33 with the imposing city as of the date that the new general business
34 licensing requirement takes effect. If the department cannot
35 reallocate resources, the city may issue and renew its general
36 business license until the department is able to partner with the
37 city.

38 (3) The department may delay assuming the duties of issuing and
39 renewing general business licenses beyond the dates provided in
40 subsection (1)(a) of this section if:

1 (a) Insufficient funds are appropriated for this specific
2 purpose;

3 (b) The department cannot ensure the business licensing system is
4 adequately prepared to handle all general business licenses due to
5 unforeseen circumstances;

6 (c) The department determines that a delay is necessary to ensure
7 that the transition to mandatory department issuance and renewal of
8 general business licenses is as seamless as possible; or

9 (d) The department receives a written notice from a city within
10 sixty days of the date that the city appears on the department's
11 biennial partnership plan, which includes an explanation of the
12 fiscal or technical challenges causing the city to delay joining the
13 system. A delay under this subsection (3)(d) may be for no more than
14 three years.

15 (4)(a) In consultation with affected cities and in accordance
16 with the priorities established in subsection (5) of this section,
17 the department must establish a biennial plan for partnering with
18 cities to assume the issuance and renewal of general business
19 licenses as required by this section. The plan must identify the
20 cities that the department will partner with and the dates targeted
21 for the department to assume the duties of issuing and renewing
22 general business licenses.

23 (b) By January 1, 2018, and January 1st of each even-numbered
24 year thereafter until the department has partnered with all cities
25 that currently impose a general business license requirement and that
26 have not declined to partner with the department under subsection (7)
27 of this section, the department must submit the partnering plan
28 required in (a) of this subsection (4) to the governor; legislative
29 fiscal committees; house local government committee; senate financial
30 institutions, economic development and trade committee; senate local
31 government committee; affected cities; association of Washington
32 cities; association of Washington business; national federation of
33 independent business; and Washington retail association.

34 (c) The department may, in its sole discretion, alter the plan
35 required in (a) of this subsection (4) with a minimum notice of
36 thirty days to affected cities.

37 (5) When determining the plan to partner with cities for the
38 issuance and renewal of general business licenses as required in
39 subsection (4) of this section, cities that notified the department

1 of their wish to partner with the department before January 1, 2017,
2 must be allowed to partner before other cities.

3 (6) A city that partners with the department for the issuance and
4 renewal of general business licenses through the business licensing
5 service in accordance with chapter 19.02 RCW may not issue and renew
6 those licenses.

7 (7) (a) Except as provided in (b) of this subsection, a city may
8 decline to partner with the department for the issuance and renewal
9 of a general business license as provided in subsection (1) of this
10 section if the city participates in the online local business license
11 and tax filing portal known as "FileLocal" as of July 1, 2020.

12 (b) A city that receives at least one million nine hundred fifty
13 thousand dollars in fiscal year 2020 for temporary streamlined sales
14 tax mitigation under the 2019 omnibus appropriations act, section
15 722, chapter 415, Laws of 2019, may decline to partner with the
16 department for the issuance and renewal of a general business license
17 as provided in subsection (1) of this section if the city
18 participates in FileLocal as of July 1, 2021.

19 (c) For the purposes of this subsection (7), a city is considered
20 to be a FileLocal participant as of the date that a business may
21 access FileLocal for purposes of applying for or renewing that city's
22 general business license and reporting and paying that city's local
23 business and occupation taxes. A city that ceases participation in
24 FileLocal after July 1, 2020, or July 1, 2021, in the case of a city
25 eligible for the extension under (b) of this subsection, must partner
26 with the department for the issuance and renewal of its general
27 business license as provided in subsection (1) of this section.

28 ~~((8) By January 1, 2019, and each January 1st thereafter through~~
29 ~~January 1, 2028, the department must submit a progress report to the~~
30 ~~legislature. The report required by this subsection must provide~~
31 ~~information about the progress of the department's efforts to partner~~
32 ~~with all cities that impose a general business license requirement~~
33 ~~and include:~~

34 ~~(a) A list of cities that have partnered with the department as~~
35 ~~required in subsection (1) of this section;~~

36 ~~(b) A list of cities that have not partnered with the department;~~

37 ~~(c) A list of cities that are scheduled to partner with the~~
38 ~~department during the upcoming calendar year;~~

39 ~~(d) A list of cities that have declined to partner with the~~
40 ~~department as provided in subsection (7) of this section;~~

1 ~~(e) An explanation of lessons learned and any process~~
2 ~~efficiencies incorporated by the department;~~

3 ~~(f) Any recommendations to further simplify the issuance and~~
4 ~~renewal of general business licenses by the department; and~~

5 ~~(g) Any other information the department considers relevant.)~~

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

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

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

20 ~~(b) The list must identify each agreement, the type of agreement,~~
21 ~~parties to the agreement, the effective date of the agreement, and a~~
22 ~~brief description of the agreement. The list must include all~~
23 ~~interagency agreements involving the department and other state~~
24 ~~agencies, local governments, special purpose districts, the federal~~
25 ~~government and federal government agencies, and the agencies of other~~
26 ~~states.~~

27 ~~(c) For the initial list, the department must by December 31,~~
28 ~~2017, list all grant agreements and federal agreements where~~
29 ~~information is readily extractable from the department's data~~
30 ~~systems. For those data systems that, because of their age, require~~
31 ~~programming support to extract and format data for publishing to the~~
32 ~~internet, the department must complete listing the required~~
33 ~~information according to the following schedule:~~

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

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

38 ~~(d) Beginning December 1, 2018, the department must annually~~
39 ~~update the website to include new interagency agreements that the~~

1 ~~department has entered into and must identify the agreements that~~
2 ~~have been updated within the past year.~~

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

6 ~~(f) For purposes of this section, the information posted on the~~
7 ~~department's website is considered to function as a report to the~~
8 ~~legislature because the report acts as a mechanism of keeping the~~
9 ~~legislature apprised of the department's interagency agreements.)~~

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

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

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

16 (a) Conducting outreach to, and providing assistance designed for
17 the unique needs of, veterans who are lesbian, gay, bisexual,
18 transgender, and queer, and to the spouses and dependents of such
19 veterans;

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

24 (c) Providing assistance in applying for and obtaining veterans'
25 benefits and benefits available through other programs that provide
26 services and resources to veterans who are lesbian, gay, bisexual,
27 transgender, and queer, and to the spouses and dependents of such
28 veterans;

29 (d) Providing assistance to veterans who are lesbian, gay,
30 bisexual, transgender, and queer in applying for, and in appealing
31 any denial of, federal and state veterans' benefits and aid that such
32 veterans, and the spouses and dependents of such veterans, may be
33 entitled to; and

34 (e) Developing and distributing informational materials to
35 veterans who are lesbian, gay, bisexual, transgender, and queer, and
36 to the spouses and dependents of such veterans, regarding veterans'
37 benefits and other benefit programs that provide services and
38 resources to veterans who are lesbian, gay, bisexual, transgender,
39 and queer, and to the spouses and dependents of such veterans.

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

8 ~~(a) The number of veterans served;~~

9 ~~(b) The type of assistance provided;~~

10 ~~(c) Recommendations for the improvement and expansion of the~~
11 ~~services provided by the coordinator; and~~

12 ~~(d) Recommendations for legislative changes.))~~

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

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

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

26 (1)(a) The department of commerce shall establish an advisory
27 committee to monitor, guide, and report on recommendations relating
28 to policies and programs for children and families with incarcerated
29 parents.

30 (b) The advisory committee shall include representatives of the
31 department of corrections, the department of social and health
32 services, the department of children, youth, and families, the office
33 of the superintendent of public instruction, representatives of the
34 private nonprofit and business sectors, child advocates,
35 representatives of Washington state Indian tribes as defined under
36 the federal Indian welfare act (25 U.S.C. Sec. 1901 et seq.), court
37 administrators, the administrative office of the courts, the
38 Washington association of sheriffs and police chiefs, jail

1 administrators, the office of the governor, and others who have an
2 interest in these issues.

3 (c) The advisory committee shall:

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

6 (ii) Monitor and provide consultation on the implementation of
7 recommendations contained in the 2006 children of incarcerated
8 parents report;

9 (iii) Identify areas of need and develop recommendations for the
10 legislature, the department of social and health services, the
11 department of corrections, the department of children, youth, and
12 families, and the office of the superintendent of public instruction
13 to better meet the needs of children and families of persons
14 incarcerated in department of corrections facilities; and

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

19 (A) The goals for geographic distribution of programs and
20 funding;

21 (B) The scope and purpose of eligible services and the priority
22 of such services;

23 (C) Grant award funding limits;

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

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

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

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

32 (2) The department of commerce shall select community programs or
33 services to receive funding that focus on children and families of
34 inmates incarcerated in a department of corrections facility and
35 sustaining the family during the period of the inmate's
36 incarceration.

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

1 (b) The department shall consider the recommendations of the
2 advisory committee regarding which services or programs the
3 department should fund.

4 (c) The programs selected shall collaborate with an agency, or
5 agencies, experienced in providing services to aid families and
6 victims of sexual assault and domestic violence to ensure that the
7 programs identify families who have a history of sexual assault or
8 domestic violence and ensure the services provided are appropriate
9 for the children and families.

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

12 (1) The office of privacy and data protection is created within
13 the office of the state chief information officer. The purpose of the
14 office of privacy and data protection is to serve as a central point
15 of contact for state agencies on policy matters involving data
16 privacy and data protection.

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

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

21 (a) To conduct an annual privacy review;

22 (b) To conduct an annual privacy training for state agencies and
23 employees;

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

25 (d) To coordinate data protection in cooperation with the agency;
26 and

27 (e) To participate with the office of the state chief information
28 officer in the review of major state agency projects involving
29 personally identifiable information.

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

33 (a) Developing and promoting the dissemination of best practices
34 for the collection and storage of personally identifiable
35 information, including establishing and conducting a training program
36 or programs for local governments; and

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

1 (5) By December 1, 2016, and every four years thereafter, the
2 office of privacy and data protection must prepare and submit to the
3 legislature a report evaluating its performance. The office of
4 privacy and data protection must establish performance measures in
5 its 2016 report to the legislature and, in each report thereafter,
6 demonstrate the extent to which performance results have been
7 achieved. These performance measures must include, but are not
8 limited to, the following:

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

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

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

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

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

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

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

1 (1) The secretary shall establish an office of transit mobility.
2 The purpose of the office is to facilitate the integration of
3 decentralized public transportation services with the state
4 transportation system. The goals of the office of transit mobility
5 are: (a) To facilitate connection and coordination of transit
6 services and planning; and (b) maximizing opportunities to use public
7 transportation to improve the efficiency of transportation corridors.

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

10 (a) Developing a statewide strategic plan that creates common
11 goals for transit agencies and reduces competing plans for cross-
12 jurisdictional service;

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

14 (c) Encouraging long-range transit planning;

15 (d) Providing public transportation expertise to improve linkages
16 between regional transportation planning organizations and transit
17 agencies;

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

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

24 (g) Producing recommendations for the public transportation
25 section of the Washington transportation plan; and

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

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

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

33 ~~((5) The office of transit mobility must report quarterly to the
34 secretary, and annually to the transportation committees of the
35 legislature, on the progress of the office in meeting the goals and
36 duties provided in this section.))~~

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

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

5 (2) (a) The amount of the payment must be determined jointly and
6 in good faith negotiation between the public utility district that
7 owns the property and the county or counties in which the property is
8 located.

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

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

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

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

39 ~~((5) By December 1, 2019, and annually thereafter, the~~
40 ~~department of revenue must submit a report to the appropriate~~

1 ~~legislative committees detailing the amount of payments made under~~
2 ~~this section and the amount of property tax that would be owed on the~~
3 ~~property comprising the broadband infrastructure used in providing~~
4 ~~retail telecommunications services.)~~)

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

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

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

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

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

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

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

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

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

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

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

36 (e) One-time and ongoing costs incurred for installing and
37 maintaining hardware;

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

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

6 (4) (~~By November 1st of each year, and in compliance with RCW~~
7 ~~43.01.036, the department shall report to the governor and~~
8 ~~legislature on contracts for telecommunication services and~~
9 ~~electronic media services under this section and the contractor's~~
10 ~~annual compliance with this section.~~

11 ~~(5))~~) This section applies to any contract in effect on June 11,
12 2020, and to any renegotiation, renewal, or extension of such
13 contract.

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

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

36 (2) Any moneys from surcharges remaining in the general fund—
37 local account after the 2007-2009 biennium must be transferred to the
38 biotoxin account created in subsection (3) of this section and be
39 credited to the appropriate institution. (~~The department of health~~

1 ~~and the University of Washington shall, by December 1st of each year,~~
2 ~~provide a letter to the relevant legislative policy and fiscal~~
3 ~~committees on the status of expenditures. This letter shall include,~~
4 ~~but is not limited to, the annual appropriation amount, the amount~~
5 ~~not expended, account fund balance, and reasons for not spending the~~
6 ~~full annual appropriation.))~~

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

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

18 (1) (a) (i) Moneys collected from the taxes imposed under RCW
19 82.14.465 may be used only for the following purposes:

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

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

25 (C) Payments for public improvement costs.

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

31 (b) Local public sources are dedicated to finance public
32 improvements if they: (i) Are actually expended to pay public
33 improvement costs or debt service on bonds issued for public
34 improvements; or (ii) are required by law or an agreement to be used
35 exclusively to pay public improvement costs or debt service on bonds
36 issued for public improvements.

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

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

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

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

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

13 (i) The amount of tax allocation revenues, taxes under RCW
14 82.14.465, and local public sources received by the local government
15 during the preceding calendar year, and a summary of how these
16 revenues were expended; and

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

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

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

30 ~~((1))~~ A sponsoring local government receiving a project award
31 under RCW 39.104.100 must provide a report to the department by March
32 1st of each year beginning March 1st after the project award has been
33 approved. The report must contain the following information:

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

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

1 ~~((e))~~ (3) The amount of local sales and use tax and other
2 revenue from local public sources dedicated by any participating
3 local government used for the payment of bonds under RCW 39.104.110
4 and public improvement costs within the revitalization area on a pay-
5 as-you-go basis in the preceding calendar year;

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

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

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

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

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

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

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

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

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

1 ~~((m))~~ (13) The amount of revenues from local public sources
2 that (i) were expended in prior years for the payment of bonds under
3 RCW 39.104.110 and public improvement costs within the revitalization
4 area on a pay-as-you-go basis in prior calendar years that were in
5 excess of the project award amount for that year and are carried
6 forward for dedication in future years, (ii) are deemed dedicated to
7 payment of bonds or public improvement costs in the calendar year for
8 which the report is prepared, and (iii) remain available for
9 dedication in future years; and

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

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

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

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

21 (2) RCW 19.02.055 (Agency duties—Information—Certification) and
22 2013 c 111 s 2;

23 (3) RCW 19.280.060 (Department's duties—Report to the
24 legislature) and 2015 3rd sp.s. c 19 s 10, 2013 c 149 s 4, & 2006 c
25 195 s 6;

26 (4) RCW 43.31.980 (Impact fee annual report) and 2015 c 241 s 4;
27 and

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

ESHB 1362 - S COMM AMD

By Committee on State Government & Elections

NOT CONSIDERED 05/17/2023

29 On page 1, line 4 of the title, after "reports;" strike the
30 remainder of the title and insert "amending RCW 28A.180.020,
31 28A.230.150, 28A.300.476, 28A.300.615, 28A.655.090, 28A.655.260,
32 43.43.545, 43.63A.510, 43.280.100, 48.43.0128, 61.24.163,
33 70A.420.050, 72.09.620, 77.135.090, 28A.230.095, 28A.300.490,

1 28A.300.530, 28A.305.035, 28A.320.196, 28B.77.220, 35.90.020,
2 43.21A.150, 43.60A.240, 43.61.040, 43.63A.068, 43.105.369, 47.01.330,
3 54.16.425, 72.09.765, 77.32.555, 82.14.470, and 82.32.765; creating a
4 new section; and repealing RCW 13.32A.045, 19.02.055, 19.280.060,
5 43.31.980, and 62A.9A-527."

EFFECT: Adjusts due dates for certain reports from the superintendent of public instruction;

Eliminates a requirement for a report from the State Board of Education and the Professional Educator Standards Board to the legislature;

Eliminates reports for certain projects which have ended, or information is already collected and reported elsewhere; and

Restores RCW 43.60A.101 to provide parity with SSB 5358.

--- END ---