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**SUBSTITUTE HOUSE BILL 1406**

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**State of Washington**

**68th Legislature**

**2023 Regular Session**

**By** House Human Services, Youth, & Early Learning (originally sponsored by Representatives Cortes, Senn, Berry, Ortiz-Self, Goodman, Thai, Alvarado, Simmons, Orwall, Taylor, Bateman, Lekanoff, Peterson, Ramel, Macri, Bergquist, Pollet, Reed, Ormsby, Doglio, and Davis)

READ FIRST TIME 02/07/23.

1 AN ACT Relating to youth seeking housing assistance and other  
2 related services; amending RCW 13.32A.040, 13.32A.082, 43.185C.010,  
3 and 43.185C.265; and adding a new section to chapter 43.330 RCW.

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

5 **Sec. 1.** RCW 13.32A.040 and 2020 c 51 s 2 are each amended to  
6 read as follows:

7 (1) The department, or a designated contractor of the department,  
8 shall (~~offer~~):

9 (a) Offer family reconciliation services to families or youth who  
10 are experiencing conflict and who may be in need of services upon  
11 request from the family or youth and subject to the availability of  
12 funding appropriated for this specific purpose; and

13 (b) Offer family reconciliation services to families or youth  
14 after receiving a report that a youth is away from a lawfully  
15 prescribed residence or home without parental permission under RCW  
16 13.32A.082(1). If the family or youth is being served by the  
17 community support team created under section 5 of this act, the  
18 department or designated contractor of the department must:

19 (i) Still offer family reconciliation services; and

20 (ii) Coordinate with the community support team created in  
21 section 5 of this act.

1 (2) The department may involve a local multidisciplinary team in  
2 its response in determining the services to be provided and in  
3 providing those services. Such services shall be provided to  
4 alleviate personal or family situations which present a serious and  
5 imminent threat to the health or stability of the child or family and  
6 to maintain families intact wherever possible.

7 **Sec. 2.** RCW 13.32A.082 and 2013 c 4 s 2 are each amended to read  
8 as follows:

9 (1)(a) Except as provided in (b) of this subsection, any person,  
10 unlicensed youth shelter, or runaway and homeless youth program that,  
11 without legal authorization, provides shelter to a minor and that  
12 knows at the time of providing the shelter that the minor is away  
13 from a lawfully prescribed residence or home without parental  
14 permission, shall promptly report the location of the child to the  
15 parent, the law enforcement agency of the jurisdiction in which the  
16 person lives, or the department.

17 (b)(i) If a licensed overnight youth shelter, or another licensed  
18 organization with a stated mission to provide services to homeless or  
19 runaway youth and their families, shelters a child and knows at the  
20 time of providing the shelter that the child is away from a lawfully  
21 prescribed residence or home without parental permission, it must  
22 contact the youth's parent within (~~(seventy-two)~~) 72 hours, but  
23 preferably within (~~(twenty-four)~~) 24 hours, following the time that  
24 the youth is admitted to the shelter or other licensed organization's  
25 program. The notification must include the whereabouts of the youth,  
26 a description of the youth's physical and emotional condition, and  
27 the circumstances surrounding the youth's contact with the shelter or  
28 organization. If there are compelling reasons not to notify the  
29 parent, the shelter or organization must instead notify the  
30 department. When a minor remains in a licensed overnight youth  
31 shelter or with another licensed organization with a stated mission  
32 to provide services to homeless or runaway youth and their families  
33 under subsection (1)(b)(i)(A) and (B) of this section, the shelter or  
34 organization must also notify the department. A minor may provide  
35 authorization to remain in a licensed overnight youth shelter or with  
36 another licensed organization with a stated mission to provide  
37 services to homeless or runaway youth and their families, subject to  
38 any limits established by those licensed shelters or organizations,  
39 for up to 90 days if:

1 (A) The licensed overnight youth shelter or other licensed  
2 organization with a stated mission to provide services to homeless or  
3 runaway youth and their families is unable to make contact with a  
4 parent despite their notification efforts required under this  
5 section; or

6 (B) The licensed overnight youth shelter or other licensed  
7 organization with a stated mission to provide services to homeless or  
8 runaway youth and their families makes contact with a parent, but the  
9 parent does not request that the child return home even if the parent  
10 does not provide consent for the minor remaining in the licensed  
11 overnight youth shelter or other licensed organization with a stated  
12 mission to provide services to homeless or runaway youth.

13 (ii) At least once every eight hours after learning that a youth  
14 receiving services or shelter under this section is away from home  
15 without permission, the shelter or organization staff must consult  
16 the information that the Washington state patrol makes publicly  
17 available under RCW 43.43.510(2). If the youth is publicly listed as  
18 missing, the shelter or organization must immediately notify the  
19 department of its contact with the youth listed as missing. The  
20 notification must include a description of the minor's physical and  
21 emotional condition and the circumstances surrounding the youth's  
22 contact with the shelter or organization.

23 (c) Reports required under this section may be made by telephone  
24 or any other reasonable means.

25 (2) Unless the context clearly requires otherwise, the  
26 definitions in this subsection apply throughout this section.

27 (a) "Shelter" means the person's home or any structure over which  
28 the person has any control.

29 (b) "Promptly report" means to report within eight hours after  
30 the person has knowledge that the minor is away from a lawfully  
31 prescribed residence or home without parental permission.

32 (c) "Compelling reasons" include, but are not limited to,  
33 circumstances that indicate that notifying the parent or legal  
34 guardian will subject the minor to abuse or neglect as defined in RCW  
35 26.44.020.

36 (3) When the department receives a report under subsection (1) of  
37 this section, it shall make a good faith attempt to notify the parent  
38 that a report has been received and offer services to the youth and  
39 the family designed to resolve the conflict, including offering  
40 family reconciliation services, and accomplish a reunification of the

1 family. The department shall offer services under this subsection as  
2 soon as possible, but no later than three days, excluding weekends  
3 and holidays, following the receipt of a report under subsection (1)  
4 of this section.

5 (4) Nothing in this section prohibits any person, unlicensed  
6 youth shelter, or runaway and homeless youth program from immediately  
7 reporting the identity and location of any minor who is away from a  
8 lawfully prescribed residence or home without parental permission  
9 more promptly than required under this section.

10 **Sec. 3.** RCW 43.185C.010 and 2019 c 124 s 2 are each amended to  
11 read as follows:

12 The definitions in this section apply throughout this chapter  
13 unless the context clearly requires otherwise.

14 (1) "Administrator" means the individual who has the daily  
15 administrative responsibility of a crisis residential center.

16 (2) "Child in need of services petition" means a petition filed  
17 in juvenile court by a parent, child, or the department of children,  
18 youth, and families seeking adjudication of placement of the child.

19 (3) "Community action agency" means a nonprofit private or public  
20 organization established under the economic opportunity act of 1964.

21 (4) "Crisis residential center" means a secure or semi-secure  
22 facility established pursuant to chapter 74.13 RCW.

23 (5) "Department" means the department of commerce.

24 (6) "Director" means the director of the department of commerce.

25 (7) "Home security fund account" means the state treasury account  
26 receiving the state's portion of income from revenue from the sources  
27 established by RCW 36.22.179 and 36.22.1791, and all other sources  
28 directed to the homeless housing and assistance program.

29 (8) "Homeless housing grant program" means the vehicle by which  
30 competitive grants are awarded by the department, utilizing moneys  
31 from the home security fund account, to local governments for  
32 programs directly related to housing homeless individuals and  
33 families, addressing the root causes of homelessness, preventing  
34 homelessness, collecting data on homeless individuals, and other  
35 efforts directly related to housing homeless persons.

36 (9) "Homeless housing plan" means the five-year plan developed by  
37 the county or other local government to address housing for homeless  
38 persons.

1 (10) "Homeless housing program" means the program authorized  
2 under this chapter as administered by the department at the state  
3 level and by the local government or its designated subcontractor at  
4 the local level.

5 (11) "Homeless housing strategic plan" means the five-year plan  
6 developed by the department, in consultation with the interagency  
7 council on homelessness, the affordable housing advisory board, and  
8 the state advisory council on homelessness.

9 (12) "Homeless person" means an individual living outside or in a  
10 building not meant for human habitation or which they have no legal  
11 right to occupy, in an emergency shelter, or in a temporary housing  
12 program which may include a transitional and supportive housing  
13 program if habitation time limits exist. This definition includes  
14 substance abusers, people with mental illness, and sex offenders who  
15 are homeless.

16 (13) "HOPE center" means an agency licensed by the secretary of  
17 the department of children, youth, and families to provide temporary  
18 residential placement and other services to street youth. A street  
19 youth may remain in a HOPE center for (~~thirty~~) 90 days while  
20 services are arranged and permanent placement is coordinated. No  
21 street youth may stay longer than (~~thirty~~) 90 days unless approved  
22 by the department and any additional days approved by the department  
23 must be based on the unavailability of a long-term placement option.  
24 A street youth whose parent wants him or her returned to home may  
25 remain in a HOPE center until his or her parent arranges return of  
26 the youth, not longer. All other street youth must have court  
27 approval under chapter 13.34 or 13.32A RCW to remain in a HOPE center  
28 up to (~~thirty~~) 90 days.

29 (14) "Housing authority" means any of the public corporations  
30 created by chapter 35.82 RCW.

31 (15) "Housing continuum" means the progression of individuals  
32 along a housing-focused continuum with homelessness at one end and  
33 homeownership at the other.

34 (16) "Interagency council on homelessness" means a committee  
35 appointed by the governor and consisting of, at least, policy level  
36 representatives of the following entities: (a) The department of  
37 commerce; (b) the department of corrections; (c) the department of  
38 children, youth, and families; (d) the department of veterans  
39 affairs; and (e) the department of health.

1 (17) "Local government" means a county government in the state of  
2 Washington or a city government, if the legislative authority of the  
3 city affirmatively elects to accept the responsibility for housing  
4 homeless persons within its borders.

5 (18) "Local homeless housing task force" means a voluntary local  
6 committee created to advise a local government on the creation of a  
7 local homeless housing plan and participate in a local homeless  
8 housing program. It must include a representative of the county, a  
9 representative of the largest city located within the county, at  
10 least one homeless or formerly homeless person, such other members as  
11 may be required to maintain eligibility for federal funding related  
12 to housing programs and services and if feasible, a representative of  
13 a private nonprofit organization with experience in low-income  
14 housing.

15 (19) "Long-term private or public housing" means subsidized and  
16 unsubsidized rental or owner-occupied housing in which there is no  
17 established time limit for habitation of less than two years.

18 (20) "Performance measurement" means the process of comparing  
19 specific measures of success against ultimate and interim goals.

20 (21) "Secure facility" means a crisis residential center, or  
21 portion thereof, that has locking doors, locking windows, or a  
22 secured perimeter, designed and operated to prevent a child from  
23 leaving without permission of the facility staff.

24 (22) "Semi-secure facility" means any facility including, but not  
25 limited to, crisis residential centers or specialized foster family  
26 homes, operated in a manner to reasonably assure that youth placed  
27 there will not run away. Pursuant to rules established by the  
28 facility administrator, the facility administrator shall establish  
29 reasonable hours for residents to come and go from the facility such  
30 that no residents are free to come and go at all hours of the day and  
31 night. To prevent residents from taking unreasonable actions, the  
32 facility administrator, where appropriate, may condition a resident's  
33 leaving the facility upon the resident being accompanied by the  
34 administrator or the administrator's designee and the resident may be  
35 required to notify the administrator or the administrator's designee  
36 of any intent to leave, his or her intended destination, and the  
37 probable time of his or her return to the center.

38 (23) "Staff secure facility" means a structured group care  
39 facility licensed under rules adopted by the department of children,

1 youth, and families with a ratio of at least one adult staff member  
2 to every two children.

3 (24) "Street outreach services" means a program that provides  
4 services and resources either directly or through referral to street  
5 youth and unaccompanied young adults as defined in RCW 43.330.702.  
6 Services including crisis intervention, emergency supplies, case  
7 management, and referrals may be provided through community-based  
8 outreach or drop-in centers.

9 (25) "Washington homeless census" means an annual statewide  
10 census conducted as a collaborative effort by towns, cities,  
11 counties, community-based organizations, and state agencies, with the  
12 technical support and coordination of the department, to count and  
13 collect data on all homeless individuals in Washington.

14 (26) "Washington homeless client management information system"  
15 means a database of information about homeless individuals in the  
16 state used to coordinate resources to assist homeless clients to  
17 obtain and retain housing and reach greater levels of self-  
18 sufficiency or economic independence when appropriate, depending upon  
19 their individual situations.

20 **Sec. 4.** RCW 43.185C.265 and 2019 c 312 s 16 are each amended to  
21 read as follows:

22 (1) An officer taking a child into custody under RCW  
23 43.185C.260(1) (a) or (b) shall inform the child of the reason for  
24 such custody and shall:

25 (a) Transport the child to his or her home or to a parent at his  
26 or her place of employment, if no parent is at home. The parent may  
27 request that the officer take the child to the home of an adult  
28 extended family member, responsible adult, crisis residential center,  
29 the department of children, youth, and families, or a licensed youth  
30 shelter. In responding to the request of the parent, the officer  
31 shall take the child to a requested place which, in the officer's  
32 belief, is within a reasonable distance of the parent's home. The  
33 officer releasing a child into the custody of a parent, an adult  
34 extended family member, responsible adult, or a licensed youth  
35 shelter shall inform the person receiving the child of the reason for  
36 taking the child into custody and inform all parties of the nature  
37 and location of appropriate services available in the community; or

38 (b) After attempting to notify the parent, take the child to a  
39 designated crisis residential center's secure facility or a center's

1 semi-secure facility if a secure facility is full, not available, or  
2 not located within a reasonable distance if:

3 (i) The child expresses fear or distress at the prospect of being  
4 returned to his or her home which leads the officer to believe there  
5 is a possibility that the child is experiencing some type of abuse or  
6 neglect;

7 (ii) It is not practical to transport the child to his or her  
8 home or place of the parent's employment; or

9 (iii) There is no parent available to accept custody of the  
10 child; or

11 (c) After attempting to notify the parent, if a crisis  
12 residential center is full, not available, or not located within a  
13 reasonable distance, request the department of children, youth, and  
14 families to accept custody of the child. If the department of  
15 children, youth, and families determines that an appropriate  
16 placement is currently available, the department of children, youth,  
17 and families shall accept custody and place the child in an out-of-  
18 home placement. Upon accepting custody of a child from the officer,  
19 the department of children, youth, and families may place the child  
20 in an out-of-home placement for up to seventy-two hours, excluding  
21 Saturdays, Sundays, and holidays, without filing a child in need of  
22 services petition, obtaining parental consent, or obtaining an order  
23 for placement under chapter 13.34 RCW. Upon transferring a child to  
24 the department of children, youth, and families' custody, the officer  
25 shall provide written documentation of the reasons and the statutory  
26 basis for taking the child into custody. If the department of  
27 children, youth, and families declines to accept custody of the  
28 child, the officer may release the child after attempting to take the  
29 child to the following, in the order listed: The home of an adult  
30 extended family member; a responsible adult; or a licensed youth  
31 shelter. The officer shall immediately notify the department of  
32 children, youth, and families if no placement option is available and  
33 the child is released.

34 (2) An officer taking a child into custody under RCW  
35 43.185C.260(1)(c) shall inform the child of the reason for custody.  
36 An officer taking a child into custody under RCW 43.185C.260(1)(c)  
37 may release the child to the supervising agency, may return the child  
38 to the placement authorized by the supervising agency, or shall take  
39 the child to a designated crisis residential center.



1 (3) Every officer taking a child into custody shall provide the  
2 child and his or her parent or parents or responsible adult with a  
3 copy of the statement specified in RCW 43.185C.290(6).

4 (4) Whenever an officer transfers custody of a child to a crisis  
5 residential center or the department of children, youth, and  
6 families, the child may reside in the crisis residential center or  
7 may be placed by the department of children, youth, and families in  
8 an out-of-home placement for an aggregate total period of time not to  
9 exceed seventy-two hours excluding Saturdays, Sundays, and holidays.  
10 Thereafter, the child may continue in out-of-home placement only if  
11 the (~~parents have consented~~) parent has not requested that the  
12 child return home, a child in need of services petition has been  
13 filed, or an order for placement has been entered under chapter 13.34  
14 RCW.

15 (5) The department of children, youth, and families shall ensure  
16 that all law enforcement authorities are informed on a regular basis  
17 as to the location of all designated secure and semi-secure  
18 facilities within centers in their jurisdiction, where children taken  
19 into custody under RCW 43.185C.260 may be taken.

20 NEW SECTION. **Sec. 5.** A new section is added to chapter 43.330  
21 RCW to read as follows:

22 (1) Subject to the amounts appropriated for this specific  
23 purpose, the office of homeless youth prevention and protection  
24 programs shall provide additional funding and assistance to  
25 contracted youth service providers or other entities who convene a  
26 community support team as described in this section. The purpose of  
27 the community support team is to help identify supports for a youth  
28 focused on resolving family conflict and obtaining or maintaining  
29 long-term and stable housing.

30 (a) The community support team is required to prioritize  
31 reunification between the youth and the youth's family to the extent  
32 possible without endangering the health, safety, or welfare of the  
33 child.

34 (b) The community support team may not engage with a family  
35 member other than the youth if the parent, guardian, or legal  
36 custodian objects to the support or assistance that is offered or  
37 provided.

38 (2) A community support team under this section must include:

39 (a) The youth; and

- 1 (b) Supportive adults identified by the youth, which may include:  
2 (i) Licensed shelter staff;  
3 (ii) A case manager;  
4 (iii) Individuals from the youth's school;  
5 (iv) Juvenile court staff;  
6 (v) The youth's attorney;  
7 (vi) Behavioral health providers;  
8 (vii) Community support providers;  
9 (viii) Family members;  
10 (ix) Mentors;  
11 (x) Peer support;  
12 (xi) Housing navigation;  
13 (xii) Legal assistance; or  
14 (xiii) Other community members.

15 (3) The community support team described in this section shall  
16 develop a process that allows youth who enter a licensed overnight  
17 youth shelter, or another licensed organization with a stated mission  
18 to provide services to homeless or runaway youth and their families  
19 to request assistance from the community support team.

20 (4) Any youth who enters a licensed overnight youth shelter, or  
21 another licensed organization with a stated mission to provide  
22 services to homeless or runaway youth and their families in an area  
23 served by the community support team is eligible for the community  
24 support team.

25 (5) The community support team described in this section shall  
26 coordinate efforts, if appropriate, with:

27 (a) The department or the designated contractor of the department  
28 providing family reconciliation services to a youth or family;

29 (b) Multidisciplinary teams established under RCW 43.185C.250 and  
30 43.185C.255; and

31 (c) Other nearby youth homelessness assistance programs that may  
32 provide assistance to the youth.

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