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**SENATE BILL 5136**

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**State of Washington**

**67th Legislature**

**2021 Regular Session**

**By** Senators Wilson, C., Frockt, Nguyen, and Short

Prefiled 01/08/21. Read first time 01/11/21. Referred to Committee on Early Learning & K-12 Education.

1 AN ACT Relating to prohibiting fees for child care licenses;  
2 amending RCW 43.216.300; and creating new sections.

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

4 NEW SECTION. **Sec. 1.** The legislature recognizes that COVID-19  
5 has devastated the existing child care industry, making it  
6 challenging for providers to stay in business providing care to  
7 working families of Washington state. The legislature recognizes that  
8 a robust economic recovery is contingent upon access to affordable  
9 child care services. The legislature finds that the vast majority of  
10 child care providers are small businesses and nonprofit  
11 organizations. The legislature further finds that numerous child care  
12 providers have closed for business during the pandemic, either  
13 temporarily or permanently. The legislature finds that fees to become  
14 a child care provider have increased steadily in recent years. The  
15 legislature recognizes the pressing need for providers to enter the  
16 market and provide needed care services. Therefore, the legislature  
17 resolves to strengthen our economic recovery by prohibiting fees for  
18 child care licenses to incentivize new and returning providers to  
19 enter the market.

1       **Sec. 2.** RCW 43.216.300 and 2018 c 58 s 41 are each amended to  
2 read as follows:

3       ~~((1))~~ The secretary ~~((shall))~~ may not charge fees to the  
4 licensee for obtaining a child care license. ~~((The secretary may~~  
5 ~~waive the fees when, in the discretion of the secretary, the fees~~  
6 ~~would not be in the best interest of public health and safety, or~~  
7 ~~when the fees would be to the financial disadvantage of the state.~~

8       ~~(2) Fees charged shall be based on, but shall not exceed, the~~  
9 ~~cost to the department for the licensure of the activity or class of~~  
10 ~~activities and may include costs of necessary inspection.~~

11       ~~(3) The secretary shall establish the fees charged by rule.)~~

12       NEW SECTION.   **Sec. 3.** If specific funding for the purposes of  
13 this act, referencing this act by bill or chapter number, is not  
14 provided by June 30, 2021, in the omnibus appropriations act, this  
15 act is null and void.

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