
SENATE BILL 5405

State of Washington

67th Legislature

2021 Regular Session

By Senators Hasegawa, Conway, Liias, Nguyen, Saldaña, and Wilson, C.

Read first time 02/02/21. Referred to Committee on State Government & Elections.

1 AN ACT Relating to racial equity analysis for the joint
2 legislative audit and review committee work; amending RCW 44.28.005;
3 and adding a new section to chapter 44.28 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 44.28
6 RCW to read as follows:

7 The joint committee shall incorporate a racial equity analysis
8 into performance audits, sunset reviews, and other audits or reports
9 conducted by the joint committee. The joint committee shall note in
10 its audits, reviews, and reports if a racial equity analysis is not
11 necessary or appropriate. The joint committee may work with the
12 office of equity and the ethnic commissions to design the racial
13 equity analysis required under this section.

14 **Sec. 2.** RCW 44.28.005 and 1996 c 288 s 2 are each amended to
15 read as follows:

16 Unless the context clearly requires otherwise, the definitions in
17 this section apply throughout this chapter.

18 (1) "Legislative auditor" means the executive officer of the
19 joint legislative audit and review committee.

1 (2) "Economy and efficiency audits" means performance audits that
2 establish: (a) Whether a state agency or unit of local government
3 receiving state funds is acquiring, protecting, and using its
4 resources such as personnel, property, and space economically and
5 efficiently; (b) the causes of inefficiencies or uneconomical
6 practices; and (c) whether the state agency or local government has
7 complied with significant laws and rules in acquiring, protecting,
8 and using its resources.

9 (3) "Ethnic commissions" means the Washington state commission on
10 African American affairs established in chapter 43.113 RCW, the
11 Washington state commission on Asian Pacific American affairs
12 established in chapter 43.117 RCW, and the Washington state
13 commission on Hispanic affairs established in chapter 43.115 RCW.

14 (4) "Final compliance report" means a written document, as
15 approved by the joint committee, that states the specific actions a
16 state agency or unit of local government receiving state funds has
17 taken to implement recommendations contained in the final performance
18 audit report and the preliminary compliance report. Any
19 recommendations, including proposed legislation and changes in the
20 agency's rules and practices or the local government's practices,
21 based on testimony received, must be included in the final compliance
22 report.

23 ((+4)) (5) "Final performance audit report" means a written
24 document adopted by the joint legislative audit and review committee
25 that contains the findings and proposed recommendations made in the
26 preliminary performance audit report, the final recommendations
27 adopted by the joint committee, any comments to the preliminary
28 performance audit report by the joint committee, and any comments to
29 the preliminary performance audit report by the state agency or local
30 government that was audited.

31 ((+5)) (6) "Joint committee" means the joint legislative audit
32 and review committee.

33 ((+6)) (7) "Local government" means a city, town, county,
34 special purpose district, political subdivision, municipal
35 corporation, or quasi-municipal corporation, including a public
36 corporation created by such an entity.

37 ((+7)) (8) "Performance audit" means an objective and systematic
38 assessment of a state agency or any of its programs, functions, or
39 activities, or a unit of local government receiving state funds, by
40 an independent evaluator in order to help public officials improve

1 efficiency, effectiveness, and accountability. Performance audits
2 include economy and efficiency audits and program audits. A
3 performance audit of a local government may only be made to determine
4 whether the local government is using state funds for their intended
5 purpose in an efficient and effective manner.

6 ~~((8))~~ (9) "Performance measures" are a composite of key
7 indicators of a program's or activity's inputs, outputs, outcomes,
8 productivity, timeliness, and/or quality. They are means of
9 evaluating policies and programs by measuring results against agreed
10 upon program goals or standards.

11 ~~((9))~~ (10) "Preliminary compliance report" means a written
12 document that states the specific actions a state agency or unit of
13 local government receiving state funds has taken to implement any
14 recommendations contained in the final performance audit report.

15 ~~((10))~~ (11) "Preliminary performance audit report" means a
16 written document prepared for review and comment by the joint
17 legislative audit and review committee after the completion of a
18 performance audit. The preliminary performance audit report must
19 contain the audit findings and any proposed recommendations to
20 improve the efficiency, effectiveness, or accountability of the state
21 agency or local government audited.

22 ~~((11))~~ (12) "Program audits" means performance audits that
23 determine: (a) The extent to which desired outcomes or results are
24 being achieved; (b) the causes for not achieving intended outcomes or
25 results; and (c) compliance with significant laws and rules
26 applicable to the program.

27 ~~((12))~~ (13) "State agency" or "agency" means a state agency,
28 department, office, officer, board, commission, bureau, division,
29 institution, or institution of higher education. "State agency"
30 includes all elective offices in the executive branch of state
31 government.

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