
HOUSE BILL 2101

State of Washington

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2024 Regular Session

By Representatives Rule, Timmons, Senn, Leavitt, Cheney, Tharinger, Riccelli, Reeves, and Shavers

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1 AN ACT Relating to eliminating child care licensing fees; and
2 amending RCW 43.216.300 and 43.216.305.

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

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

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

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

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

15 **Sec. 2.** RCW 43.216.305 and 2021 c 304 s 14 are each amended to
16 read as follows:

17 (1) Each agency shall make application for a license or the
18 continuation of a full license to the department using a method
19 prescribed by the department. Upon receipt of such application, the
20 department shall either grant or deny a license or continuation of a

1 full license within ninety days. A license or continuation shall be
2 granted if the agency meets the minimum requirements set forth in
3 this chapter and the departmental requirements consistent with this
4 chapter, except that an initial license may be issued as provided in
5 RCW 43.216.315. The department shall consider whether an agency is in
6 good standing, as defined in subsection (4)(b) of this section,
7 before granting a continuation of a full license. Full licenses
8 provided for in this chapter shall continue to remain valid so long
9 as the licensee meets the requirements for a nonexpiring license in
10 subsection (2) of this section and may be transferred to a new
11 licensee in the event of a transfer of ownership of a child care
12 operation. The licensee, however, shall advise the secretary of any
13 material change in circumstances which might constitute grounds for
14 reclassification of license as to category. The license issued under
15 this chapter applies only to the licensee and the location stated in
16 the application. For licensed family day care homes having an
17 acceptable history of child care, the license may remain in effect
18 for two weeks after a move.

19 (2) In order to qualify for a nonexpiring full license, a
20 licensee must meet the following requirements on an annual basis as
21 established from the date of initial licensure:

22 (a) (~~Submit the annual licensing fee;~~
23 ~~(b)~~) Submit a declaration to the department indicating the
24 licensee's intent to continue operating a licensed child care
25 program, or the intent to cease operation on a date certain;

26 (~~(c)~~) (b) Submit a declaration of compliance with all licensing
27 rules; and

28 (~~(d)~~) (c) For all current employees of the agency and as
29 defined by department rule, submit background check applications into
30 the department's electronic workforce registry on the schedule
31 established by the department.

32 (3) If a licensee fails to meet the requirements in subsection
33 (2) of this section for continuation of a full license the license
34 expires and the licensee must submit a new application for licensure
35 under this chapter.

36 (4)(a) Nothing about the nonexpiring license process may
37 interfere with the department's established monitoring practice.

38 (b) For the purpose of this section, an agency is considered to
39 be in good standing if in the intervening period between monitoring
40 visits the agency does not have any of the following:

1 (i) Valid complaints;
2 (ii) A history of noncompliance related to those valid complaints
3 or pending from prior monitoring visits; or
4 (iii) Other information that when evaluated would result in a
5 finding of noncompliance with this section.
6 (c) The department shall consider whether an agency is in good
7 standing when determining the most appropriate approach and process
8 for monitoring visits, for the purposes of administrative efficiency
9 while protecting children, consistent with this chapter. If the
10 department determines that an agency is not in good standing, the
11 department may issue a probationary license, as provided in RCW
12 43.216.320.

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