

**2SSB 5968** - H COMM AMD

By Committee on State Government & Tribal Relations

**NOT CONSIDERED 03/12/2026**

1 Strike everything after the enacting clause and insert the  
2 following:

3 **"Sec. 1.** RCW 43.42A.005 and 2014 c 68 s 1 are each amended to  
4 read as follows:

5 (~~On December 30, 2013, the Washington state auditor's office~~  
6 ~~issued a performance audit report, finding that state agencies could~~  
7 ~~shorten the time it takes to submit, review, and make decisions on~~  
8 ~~business permit applications through simple improvements. In response~~  
9 ~~to the performance audit findings, the legislature intends to improve~~  
10 ~~the predictability and efficiency of permit decisions by making~~  
11 ~~information about permitting assistance and timelines more readily~~  
12 ~~available to the public.)) The legislature finds that providing  
13 ((citizens and businesses)) those applying for credentials with  
14 better information about ((~~permit~~)) credential decisions will assist  
15 their planning and decision making((~~, promoting~~)) and promote  
16 economic development. Making ((~~permit~~)) credential performance data  
17 readily accessible to ((~~citizens~~)) applicants helps them hold  
18 government accountable to a high level of customer service and  
19 timeliness. Finally, requiring agencies to track the time it takes to  
20 issue ((~~permits~~)) credentials equips agency leaders with key  
21 information that can assist them in improving overall project  
22 schedules, better allocating resources, and identifying additional  
23 opportunities to better serve the public.~~

24 **Sec. 2.** RCW 43.42A.010 and 2014 c 68 s 2 are each amended to  
25 read as follows:

26 The definitions in this section apply throughout this chapter  
27 unless the context clearly requires otherwise.

28 (1) "Agency" means the following executive branch agencies and  
29 offices of statewide elected officials:

30 (a) Department of agriculture;

31 (b) Department of archaeology and historic preservation;

1 (c) Department of ecology;  
2 (d) Department of fish and wildlife;  
3 (e) Gambling commission;  
4 (f) Department of health;  
5 (g) Department of labor and industries;  
6 (h) Department of licensing;  
7 (i) Liquor (~~control~~) and cannabis board;  
8 (j) Department of natural resources;  
9 (k) Parks and recreation commission;  
10 (l) Department of revenue;  
11 (m) Department of transportation; (~~and~~)  
12 (n) Utilities and transportation commission;  
13 (o) Department of children, youth, and families;  
14 (p) Department of enterprise services;  
15 (q) Department of financial institutions;  
16 (r) Department of social and health services;  
17 (s) Employment security department;  
18 (t) Energy facility site evaluation council;  
19 (u) Washington medical commission;  
20 (v) Washington state board of nursing;  
21 (w) Washington state health care authority;  
22 (x) Washington state office of financial management;  
23 (y) Washington state patrol;  
24 (z) Washington state pollution liability insurance agency;  
25 (aa) Washington student achievement council;  
26 (bb) State lottery commission;  
27 (cc) Workforce training and education coordinating board;  
28 (dd) Chiropractic quality assurance commission; and  
29 (ee) Any other cabinet agency designated by the governor as  
30 issuing credentials.

31 (2) "Backlog applications" means completed applications for  
32 credentials that, as of the last day of the reporting period, have  
33 not received a final decision within the published decision time  
34 established by the issuing agency under RCW 43.42A.030(2)(k).

35 (3) "Cabinet agency" means an executive branch agency whose chief  
36 executive officer is appointed by, serves at the pleasure of, and  
37 reports directly to the governor, but is not governed by an  
38 independent board or commission.

39 (4) "Completed application" means an application for a credential  
40 in which the applicant has provided all information and materials

1 required by the agency and the agency has determined the application  
2 is ready for substantive review and final decision.

3 (5) "Credential" means a state-issued permit, license,  
4 certification, or other regulatory approval required for an  
5 individual, business, or organization to engage in a regulated or  
6 commercial activity. Credentials include regulatory approvals tied to  
7 business, occupational, professional, or environmental activities.  
8 "Credential" does not include approvals:

9 (a) Related to eligibility for public assistance or benefits;

10 (b) Related to participation or billing in medicaid or other  
11 state or federal health programs;

12 (c) Issued primarily for recreational or personal use, including  
13 noncommercial driver, vehicle, or vessel transactions;

14 (d) Related to vital records;

15 (e) Related to grants, loans, or financial awards;

16 (f) Required for multidecade environmental or land-use  
17 obligations beyond initial application approval;

18 (g) Required solely for securities filings;

19 (h) Issued by or to tribal governments;

20 (i) Issued by the Washington student achievement council under  
21 chapter 28B.85 RCW for degree-granting institutions to operate in the  
22 state;

23 (j) Issued by the department of natural resources acting in its  
24 proprietary land management capacity, including but not limited to  
25 sales, leases, easements, rights-of-way, land use licenses, rights of  
26 entry, or other contracts or proprietary decisions related to the use  
27 of public lands or real property interests; or

28 (k) That the agency and the office jointly determine should be  
29 excluded from the definition of a credential. Upon approval by the  
30 office, an excluded credential is not subject to any requirement of  
31 this chapter unless otherwise expressly provided.

32 (6) "Final decision" means the agency's determination that  
33 concludes the agency's review of the application and includes any  
34 decision, which may include but is not limited to approval,  
35 provisional approval, denial, withdrawal, or otherwise closing an  
36 application for a credential.

37 (7) "Office" means the office ((~~of~~)) for regulatory innovation  
38 and assistance.

1 (8) "Pending applications" means the number of completed  
2 applications for credentials for which, as of the last day of the  
3 reporting period, a final decision has not been made.

4 **Sec. 3.** RCW 43.42A.020 and 2014 c 68 s 3 are each amended to  
5 read as follows:

6 ~~(1) ((By June 30, 2014, each agency shall prepare and submit to~~  
7 ~~the office an inventory of all the business permits indicated in the~~  
8 ~~December 30, 2013, performance audit report by the state auditor.~~

9 ~~(2-))~~ (a) Each agency shall track and record the time it takes to  
10 make ~~((permitting))~~ credential decisions.

11 (b) Agencies are encouraged to track all relevant information  
12 that can assist ~~((Washington businesses))~~ credential applicants in  
13 determining how long a ~~((permit))~~ credential process will take so  
14 that the ~~((businesses))~~ applicant may successfully plan their  
15 activities and make sound investment choices, reduce ~~((permitting))~~  
16 costs to the taxpayers in the form of unnecessary or duplicate staff  
17 work, and avoid ~~((permitting))~~ decision delays that can result in  
18 higher costs and lost revenue.

19 (c) ~~((At a minimum, each))~~ Each agency with sufficient existing  
20 resources shall track and record the following information for each  
21 ~~((permit))~~ credential application it receives or decision it  
22 issues ~~((~~

23 ~~(i) The application completion time, which is the time elapsed~~  
24 ~~from the initial submission of an application by an entity seeking a~~  
25 ~~permit to the time at which the agency has determined that the~~  
26 ~~application is complete; and~~

27 ~~(ii) The permit decision time, which is the time elapsed from~~  
28 ~~receipt of a complete application to the agency's issuance of a~~  
29 ~~decision approving or denying the permit))~~ and, on or before March  
30 1st of each year, shall submit to the office the data required under  
31 this section and section 6(1) of this act for the prior calendar  
32 year. Reports must include, at a minimum, the following information:

33 (i) Application counts:

34 (A) The number of applications received during the reporting  
35 period;

36 (B) The number of pending applications on the last day of the  
37 reporting period; and

38 (C) The number of backlog applications on the last day of the  
39 reporting period;

1 (ii) Processing times:

2 (A) (I) Application completion time: The number of calendar days  
3 from initial receipt of an application to the date the agency  
4 determines the application is complete; and

5 (II) Credential decision time: The number of calendar days from  
6 the date an application is determined to be complete to issuance of a  
7 final decision.

8 (B) For each processing time metric, agencies shall report the  
9 average and median processing time for all applications completed or  
10 decided during the reporting year, regardless of receipt date; and

11 (iii) Other identifying or statistical data required by the  
12 office after consultation with reporting agencies.

13 (d) Each agency shall ensure that the information reported under  
14 (c) of this subsection is consistent with the credential catalog  
15 maintained under RCW 43.42A.030, including:

16 (i) The name and type of each credential entry;

17 (ii) The statutory or regulatory authority for the credential and  
18 any associated fees;

19 (iii) Application and credential fee amounts; and

20 (iv) A description of the published decision time for each  
21 credential, as described in RCW 43.42A.030 (2) (k).

22 ~~((3) Each agency shall calculate, for each permit it has~~  
23 ~~identified in its inventory, the following performance data:~~

24 ~~(a) The average application completion and permit decision times~~  
25 ~~for each permit, as measured by the times tracked for ninety percent~~  
26 ~~of applications or permit decisions, excluding the five percent that~~  
27 ~~took the shortest and the five percent that took the longest;~~

28 ~~(b) The maximum application completion time, excluding~~  
29 ~~applications that were withdrawn or never completed; and~~

30 ~~(c) The maximum permit decision time.~~

31 ~~(4) Each agency shall report to the office, as provided in this~~  
32 ~~subsection (4).~~

33 ~~(a) By March 1, 2016, each agency shall report the times~~  
34 ~~calculated under subsection (3) of this section for the period from~~  
35 ~~January 1, 2015, to January 1, 2016.~~

36 ~~(b) By March 1, 2018, and March 1, 2020, each agency shall report~~  
37 ~~based on the times tracked and calculated since the previous~~  
38 ~~reporting period.~~

39 ~~(c) In each of the reports required under this section, each~~  
40 ~~agency shall submit an updated inventory of permits. Each agency~~

1 shall identify any permits listed in its inventory for which the  
2 agency has not yet posted permit processing times and other  
3 information as required under RCW 43.42A.030 and an estimated date  
4 for such posting prior to June 30, 2015.

5 ~~(5-))~~ (2) The reporting required in this section applies to:

6 (a) Applications received on or after January 1, 2025;

7 (b) Applications the agency determines are complete on or after  
8 January 1, 2025; or

9 (c) Applications where the agency makes a final decision on or  
10 after January 1, 2025.

11 (3) When calculating decision times for reporting under this  
12 section and section 6 of this act:

13 (a) Agencies shall calculate time using calendar days; and

14 (b) Agencies may exclude days attributable to circumstances  
15 outside the agency's control. If days are excluded, the agency shall  
16 identify the reason.

17 (4) Agencies may exclude an application from reporting under this  
18 section only if the agency demonstrates to the office that:

19 (a) The application is no longer active; or

20 (b) Required data for one or more reporting elements in  
21 subsection (1) of this section are unavailable. The agency must  
22 obtain office approval and provide documented justification  
23 demonstrating that the unavailability is not the result of an  
24 intentional failure to collect information required under this  
25 chapter.

26 (5) The office shall make available to the legislature, upon  
27 request, the individual agency reports submitted under ((subsection  
28 ~~(4) of~~)) this section.

29 **Sec. 4.** RCW 43.42A.030 and 2024 c 54 s 51 are each amended to  
30 read as follows:

31 (1) To provide meaningful customer service that informs project  
32 planning ~~((and decision making by the citizens and businesses served,~~  
33 ~~each agency must make available to permit applicants the following~~  
34 ~~information through a link from the agency's website to the office's~~  
35 ~~website, as provided in subsection (4) of this section:~~

36 ~~(a) A list of the types of permit assistance available and how~~  
37 ~~such assistance may be accessed;~~

38 ~~(b) An estimate of the time required by the agency to process a~~  
39 ~~permit application and issue a decision;~~

1 ~~(c) Other tools to help applicants successfully complete a~~  
2 ~~thorough application, such as:~~

- 3 ~~(i) Examples of model completed applications;~~  
4 ~~(ii) Examples of approved applications, appropriately redacted to~~  
5 ~~remove sensitive information; and~~  
6 ~~(iii) Checklists for ensuring a complete application.~~

7 ~~(2) Each agency shall update at reasonable intervals the~~  
8 ~~information it posts pursuant to this section.~~

9 ~~(3) (a) Agencies must post the information required under~~  
10 ~~subsection (1) of this section for all permits as soon as~~  
11 ~~practicable, and no later than the deadlines established in this~~  
12 ~~section.~~

13 ~~(b) The agency shall post the permit inventory for that agency~~  
14 ~~and the information required under subsection (1) (a) and (c) of this~~  
15 ~~section no later than June 30, 2014.~~

16 ~~(c) The agency shall post the estimates of application completion~~  
17 ~~and permit decision times required under subsection (1) (b) of this~~  
18 ~~section based on actual data for calendar year 2015 by March 1, 2016,~~  
19 ~~and update this information for the previous calendar year, by March~~  
20 ~~1st of each year thereafter.~~

21 ~~(d) Agencies must consider the customer experience in ensuring~~  
22 ~~all permit assistance information is simple to use, easy to access,~~  
23 ~~and designed in a customer-friendly manner.~~

24 ~~(4))~~, improves credential processing times, and creates a  
25 single, authoritative source of information for applicants, the  
26 office shall, in consultation with Washington technology solutions  
27 and state agencies with authority to issue credentials, establish and  
28 maintain on the office's website a statewide credential catalog and  
29 central online repository of credential information.

30 (2) Each agency with sufficient existing resources shall prepare  
31 and maintain entries in the statewide credential catalog for all  
32 credentials the agency issues. Information provided for the catalog  
33 may be provided by hyperlink to the agency's original source where  
34 appropriate. At a minimum, each catalog entry must include the  
35 following information for each credential if available:

- 36 (a) The credential name;  
37 (b) Type of credential, including "permit," "license,"  
38 "certification," or "other";  
39 (c) Description or purpose of the credential;

1 (d) Citation to any statutory, regulatory, or other legal  
2 authority for the credential;

3 (e) Application fee, if imposed;

4 (f) Credential or program fee, if imposed;

5 (g) Citation to any statutory, regulatory, or other legal  
6 authority to collect such fees;

7 (h) Credential requirements, including application requirements,  
8 required forms and documents, and a description of all steps in the  
9 application process;

10 (i) Application method including whether the application is  
11 electronic or paper, and where the application may be obtained;

12 (j) Instructions for submission of the application, including  
13 online, mail, or in-person submission;

14 (k) The published decision time, meaning the time to review and  
15 make a final decision on a completed application, consistent with  
16 section 6(1) of this act. Prior to determining published decision  
17 times, agencies shall report any existing statutory deadlines or  
18 agency-established approval times for informational purposes, which  
19 may not be used for refund determinations;

20 (l) Description of any statutory, regulatory, or other authority  
21 governing application processing timelines;

22 (m) Description of the credential validity period, which means  
23 how long the credential remains valid;

24 (n) Description of any appeal process available to applicants  
25 whose application is denied;

26 (o) A summary of required postapproval actions, including  
27 inspections, monitoring, recordkeeping, continuing education  
28 requirements, or associated dependencies;

29 (p) Opportunities identified by the agency to streamline approval  
30 processes and reduce unnecessary, duplicative, or obsolete  
31 requirements;

32 (q) Description of available credential assistance and how such  
33 assistance may be accessed; and

34 (r) Tools to assist applicants submitting complete and timely  
35 applications, including checklists, examples, or other online  
36 resources.

37 (3) To ensure agencies can (~~post the required information online~~  
38 ~~with minimal expenditure of agency resources, Washington technology~~  
39 ~~solutions shall, in consultation with the office of regulatory~~  
40 ~~assistance, establish a central repository of this information,~~

1 ~~hosted on the office of regulatory assistance's website. Each agency~~  
2 ~~shall include at least one link to the central repository from the~~  
3 ~~agency's website. Agencies shall place the link or links in such~~  
4 ~~locations as the agency deems will be most customer-friendly and~~  
5 ~~maximize accessibility of the information to users of the website.~~

6 ~~(5) The office shall ensure the searchability of the information~~  
7 ~~posted on the central repository, applying industry best practices~~  
8 ~~such as search engine optimization, to ensure that the permit~~  
9 ~~performance and assistance information is readily findable and~~  
10 ~~accessible by members of the public)) prepare, update, and transmit~~  
11 ~~catalog information in a way that maximizes accessibility and~~  
12 ~~usability, the office shall, in consultation with Washington~~  
13 ~~technology solutions and state agencies with authority to issue~~  
14 ~~credentials:~~

15 ~~(a) Establish the technical standards, data formats, and~~  
16 ~~submission methods for catalog entries;~~

17 ~~(b) Design and maintain the statewide credential catalog and~~  
18 ~~central repository so that information is searchable, machine~~  
19 ~~readable where practicable, and readily findable and accessible by~~  
20 ~~members of the public;~~

21 ~~(c) Ensure that the statewide credential catalog and central~~  
22 ~~repository are hosted and maintained as a single authoritative source~~  
23 ~~for state-issued credential information; and~~

24 ~~(d) Provide agencies with any necessary templates, guidance, and~~  
25 ~~technical assistance to support implementation.~~

26 ~~(4) Each agency with sufficient existing resources must update,~~  
27 ~~at reasonable intervals, the information it submits to and posts~~  
28 ~~through the statewide credential catalog and central repository under~~  
29 ~~this section. Agencies must, at a minimum, ensure that catalog~~  
30 ~~entries are updated when:~~

31 ~~(a) Statutory or regulatory authorities governing the credential~~  
32 ~~are amended;~~

33 ~~(b) Fees or published decision times change; or~~

34 ~~(c) Application methods, submission instructions, or appeal~~  
35 ~~processes are materially modified.~~

36 ~~(5) Information required under this section must be incorporated~~  
37 ~~into, and may be delivered through, the office's website and any~~  
38 ~~central online repository established under this chapter. The office~~  
39 ~~shall ensure that the catalog and repository allow applicants to:~~

40 ~~(a) Identify all credentials required for their activities;~~

1 (b) Access current application materials, instructions, and  
2 assistance tools; and

3 (c) Understand applicable timelines, fees, and appeal rights.

4 **Sec. 5.** RCW 43.42A.040 and 2014 c 68 s 5 are each amended to  
5 read as follows:

6 ~~(1) ((By September 30th of 2016 and each even-numbered year~~  
7 ~~thereafter up to and including 2020, the office shall publish a~~  
8 ~~comprehensive progress report to the economic development committees~~  
9 ~~of the house of representatives and the senate and to the governor on~~  
10 ~~the performance of agencies in tracking permit timelines and other~~  
11 ~~efforts to improve clarity and predictability of regulatory~~  
12 ~~permitting. The report must include at a minimum for each agency a~~  
13 ~~summary of the data reported by the agency to the office under RCW~~  
14 ~~43.42A.020(4)).~~

15 ~~(2) The~~) Each year, the office shall post ((the)) a  
16 comprehensive progress report on its website detailing the  
17 performance of agencies in tracking credential timelines and other  
18 efforts to improve clarity and predictability of regulatory  
19 credential application processes. The report must include at a  
20 minimum for each agency a summary of the credential information  
21 reported by the agency to the office under RCW 43.42A.020 to provide  
22 a complete picture of credential timeliness, fees, and process  
23 improvement efforts. The report must be easily accessible and  
24 designed in a customer-friendly format.

25 ~~((3))~~ (2) Beginning with the ((2016 report)) 2027 reporting  
26 period, the office must identify ((permits)) credentials with  
27 processing and decision times that are most improved and processing  
28 and decision times that are most in need of improvement, as indicated  
29 by the performance data collected under RCW 43.42A.020. Each agency  
30 may include a statement describing any process improvements the  
31 agency has identified for implementation in order to improve  
32 processing and decision times.

33 NEW SECTION. **Sec. 6.** A new section is added to chapter 43.42A  
34 RCW to read as follows:

35 (1) After consultation with the office and the governor's office,  
36 each cabinet agency with sufficient existing resources shall  
37 establish efficient and appropriate deadlines for the time to review

1 and make a final decision on completed applications for each type of  
2 credential as follows:

3 (a) 25 percent of the agency's credentials by January 1, 2027;

4 (b) 50 percent of the agency's credentials by January 1, 2028;

5 (c) 75 percent of the agency's credentials by January 1, 2029;

6 and

7 (d) 100 percent of the agency's credentials by January 1, 2030.

8 (2) These deadlines constitute the published decision time and  
9 must be made publicly available through the central repository  
10 established under RCW 43.42A.030.

11 (3) Unless prohibited or restricted by the state or federal  
12 statute authorizing the agency to issue the credential, the agency  
13 shall refund the application fee if the agency fails to meet its  
14 published decision time after receiving a completed application. If  
15 the agency does not impose an application fee, no refund is required.  
16 Fees received by the energy facility site evaluation council under  
17 RCW 80.50.071 or other statutory reimbursement programs are not  
18 subject to refund. A refund shall not affect the final disposition of  
19 the application. Refunds must be reported as part of the agency  
20 performance data submitted under RCW 43.42A.020.

21 (4) Information required under this section must be incorporated  
22 into the performance reports and central repository postings required  
23 under RCW 43.42A.020 and 43.42A.030.

24 (5) The office may, at its discretion, exclude any credentials  
25 from the refund provisions of this section or grant additional time  
26 to establish processing time deadlines.

27 NEW SECTION. **Sec. 7.** A new section is added to chapter 43.42A  
28 RCW to read as follows:

29 The office shall establish guidance for agencies on the reporting  
30 requirements in this chapter, including how to calculate reporting  
31 metrics, approved alternative processing or reporting methodologies,  
32 and circumstances where data may be excluded. The office may approve  
33 exceptions proposed by agencies when necessary to ensure accuracy,  
34 accommodate statutory timelines, or reflect program-specific  
35 operational requirements. Guidance adopted under this section applies  
36 to all reporting and performance requirements under this chapter."

37 Correct the title.

EFFECT: Requires the posting of the Office for Regulatory Innovation and Assistance's comprehensive progress report (which details the performance of agencies in tracking credential timelines and other efforts to improve regulatory credential application processes) on its website to be done annually.

--- END ---