
HOUSE BILL 1177

State of Washington

69th Legislature

2025 Regular Session

By Representatives Ortiz-Self and Callan

Prefiled 01/07/25.

1 AN ACT Relating to the child welfare housing assistance program;
2 amending RCW 74.13.802; and reenacting and amending RCW 13.34.030.

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

4 **Sec. 1.** RCW 13.34.030 and 2024 c 328 s 101, 2024 c 298 s 4, and
5 2024 c 192 s 2 are each reenacted and amended to read as follows:

6 The definitions in this section apply throughout this chapter
7 unless the context clearly requires otherwise.

8 (1) "Abandoned" means when the child's parent, guardian, or other
9 custodian has expressed, either by statement or conduct, an intent to
10 forego, for an extended period, parental rights or responsibilities
11 despite an ability to exercise such rights and responsibilities. If
12 the court finds that the petitioner has exercised due diligence in
13 attempting to locate the parent, no contact between the child and the
14 child's parent, guardian, or other custodian for a period of three
15 months creates a rebuttable presumption of abandonment, even if there
16 is no expressed intent to abandon.

17 (2) "Child," "juvenile," and "youth" mean:

18 (a) Any individual under the age of eighteen years; or

19 (b) Any individual age 18 to 21 years who is eligible to receive
20 and who elects to receive the extended foster care services
21 authorized under RCW 74.13.031. A youth who remains dependent and who

1 receives extended foster care services under RCW 74.13.031 shall not
2 be considered a "child" under any other statute or for any other
3 purpose.

4 (3) "Current placement episode" means the period of time that
5 begins with the most recent date that the child was removed from the
6 home of the parent, guardian, or legal custodian for purposes of
7 placement in out-of-home care and continues until: (a) The child
8 returns home; (b) an adoption decree, a permanent custody order, or
9 guardianship order is entered; or (c) the dependency is dismissed,
10 whichever occurs first.

11 (4) "Department" means the department of children, youth, and
12 families.

13 (5) "Dependency guardian" means the person, nonprofit
14 corporation, or Indian tribe appointed by the court pursuant to this
15 chapter for the limited purpose of assisting the court in the
16 supervision of the dependency.

17 (6) "Dependent child" means any child who:

18 (a) Has been abandoned;

19 (b) Is abused or neglected as defined in RCW 26.44.020 by a
20 person legally responsible for the care of the child;

21 (c) Has no parent, guardian, or custodian capable of adequately
22 caring for the child, such that the child is in circumstances which
23 constitute a danger of substantial damage to the child's
24 psychological or physical development;

25 (d) Is receiving extended foster care services, as authorized by
26 RCW 74.13.031; or

27 (e) Is a victim of sex trafficking or severe forms of trafficking
28 in persons under the trafficking victims protection act of 2000, 22
29 U.S.C. Sec. 7101 et seq., when the parent is involved in the
30 trafficking, facilitating the trafficking, or should have known that
31 the child is being trafficked.

32 (7) "Developmental disability" means a disability attributable to
33 intellectual disability, cerebral palsy, epilepsy, autism, or another
34 neurological or other condition of an individual found by the
35 secretary of the department of social and health services to be
36 closely related to an intellectual disability or to require treatment
37 similar to that required for individuals with intellectual
38 disabilities, which disability originates before the individual
39 attains age eighteen, which has continued or can be expected to

1 continue indefinitely, and which constitutes a substantial limitation
2 to the individual.

3 (8) "Educational liaison" means a person who has been appointed
4 by the court to fulfill responsibilities outlined in RCW 13.34.046.

5 (9) "Experiencing homelessness" means lacking a fixed, regular,
6 and adequate nighttime residence, including circumstances such as
7 sharing the housing of other persons due to loss of housing, economic
8 hardship, fleeing domestic violence, or a similar reason as described
9 in the federal McKinney-Vento homeless assistance act (Title 42
10 U.S.C., chapter 119, subchapter I) as it existed on January 1, 2021.

11 (10) "Extended foster care services" means residential and other
12 support services the department is authorized to provide under RCW
13 74.13.031. These services may include placement in licensed,
14 relative, or otherwise approved care, or supervised independent
15 living settings; assistance in meeting basic needs; independent
16 living services; supervised independent living subsidy; medical
17 assistance; and counseling or treatment.

18 (11) "Guardian" means the person or agency that: (a) Has been
19 appointed as the guardian of a child in a legal proceeding, including
20 a guardian appointed pursuant to chapter 13.36 RCW; and (b) has the
21 legal right to custody of the child pursuant to such appointment. The
22 term "guardian" does not include a "dependency guardian" appointed
23 pursuant to a proceeding under this chapter.

24 (12) "Guardian ad litem" means a person, appointed by the court
25 to represent the best interests of a child in a proceeding under this
26 chapter, or in any matter which may be consolidated with a proceeding
27 under this chapter. A "court-appointed special advocate" appointed by
28 the court to be the guardian ad litem for the child, or to perform
29 substantially the same duties and functions as a guardian ad litem,
30 shall be deemed to be guardian ad litem for all purposes and uses of
31 this chapter.

32 (13) "Guardian ad litem program" means a court-authorized
33 volunteer program, which is or may be established by the superior
34 court of the county in which such proceeding is filed, to manage all
35 aspects of volunteer guardian ad litem representation for children
36 alleged or found to be dependent. Such management shall include but
37 is not limited to: Recruitment, screening, training, supervision,
38 assignment, and discharge of volunteers.

39 (14) "Guardianship" means a guardianship pursuant to chapter
40 13.36 RCW or a limited guardianship of a minor pursuant to RCW

1 11.130.215 or equivalent laws of another state or a federally
2 recognized Indian tribe.

3 (15) "High-potency synthetic opioid" means an unprescribed
4 synthetic opioid classified as a Schedule II controlled substance or
5 controlled substance analog in chapter 69.50 RCW or by the pharmacy
6 quality assurance commission in rule including, but not limited to,
7 fentanyl.

8 (16) "Housing assistance" means appropriate referrals by the
9 department or other agencies to federal, state, local, or private
10 agencies or organizations including the child welfare housing
11 assistance program established under RCW 74.13.802, assistance with
12 forms, applications, or financial subsidies or other monetary
13 assistance for housing. For purposes of this chapter, "housing
14 assistance" is not a remedial service or family reunification service
15 as described in RCW 13.34.025(2).

16 (17) "Indigent" means a person who, at any stage of a court
17 proceeding, is:

18 (a) Receiving one of the following types of public assistance:
19 Temporary assistance for needy families, aged, blind, or disabled
20 assistance benefits, medical care services under RCW 74.09.035,
21 pregnant women assistance benefits, poverty-related veterans'
22 benefits, food stamps or food stamp benefits transferred
23 electronically, refugee resettlement benefits, medicaid, or
24 supplemental security income; or

25 (b) Involuntarily committed to a public mental health facility;
26 or

27 (c) Receiving an annual income, after taxes, of 125 percent or
28 less of the federally established poverty level; or

29 (d) Unable to pay the anticipated cost of counsel for the matter
30 before the court because his or her available funds are insufficient
31 to pay any amount for the retention of counsel.

32 (18) "Nonminor dependent" means any individual age 18 to 21 years
33 who is participating in extended foster care services authorized
34 under RCW 74.13.031.

35 (19) "Out-of-home care" means placement in a foster family home
36 or group care facility licensed pursuant to chapter 74.15 RCW or
37 placement in a home, other than that of the child's parent, guardian,
38 or legal custodian, not required to be licensed pursuant to chapter
39 74.15 RCW.

1 (20) "Parent" means the biological or adoptive parents of a
2 child, or an individual who has established a parent-child
3 relationship under RCW 26.26A.100, unless the legal rights of that
4 person have been terminated by a judicial proceeding pursuant to this
5 chapter, chapter 26.33 RCW, or the equivalent laws of another state
6 or a federally recognized Indian tribe.

7 (21) "Prevention and family services and programs" means specific
8 mental health prevention and treatment services, substance abuse
9 prevention and treatment services, and in-home parent skill-based
10 programs that qualify for federal funding under the federal family
11 first prevention services act, P.L. 115-123. For purposes of this
12 chapter, prevention and family services and programs are not remedial
13 services or family reunification services as described in RCW
14 13.34.025(2).

15 (22) "Prevention services" means preservation services, as
16 defined in chapter 74.14C RCW, and other reasonably available
17 services, including housing assistance, capable of preventing the
18 need for out-of-home placement while protecting the child. Prevention
19 services include, but are not limited to, prevention and family
20 services and programs as defined in this section.

21 (23) "Qualified residential treatment program" means a program
22 that meets the requirements provided in RCW 13.34.420, qualifies for
23 funding under the family first prevention services act under 42
24 U.S.C. Sec. 672(k), and, if located within Washington state, is
25 licensed as a group care facility under chapter 74.15 RCW.

26 (24) "Relative" includes persons related to a child in the
27 following ways:

28 (a) Any blood relative, including those of half-blood, and
29 including first cousins, second cousins, nephews or nieces, and
30 persons of preceding generations as denoted by prefixes of grand,
31 great, or great-great;

32 (b) Stepfather, stepmother, stepbrother, and stepsister;

33 (c) A person who legally adopts a child or the child's parent as
34 well as the natural and other legally adopted children of such
35 persons, and other relatives of the adoptive parents in accordance
36 with state law;

37 (d) Spouses of any persons named in (a), (b), or (c) of this
38 subsection, even after the marriage is terminated;

39 (e) Relatives, as named in (a), (b), (c), or (d) of this
40 subsection, of any half sibling of the child; or

1 (f) Extended family members, as defined by the law or custom of
2 the Indian child's tribe or, in the absence of such law or custom, a
3 person who has reached the age of 18 and who is the Indian child's
4 grandparent, aunt or uncle, brother or sister, brother-in-law or
5 sister-in-law, niece or nephew, first or second cousin, or stepparent
6 who provides care in the family abode on a 24 hour basis to an Indian
7 child as defined in 25 U.S.C. Sec. 1903(4).

8 (25) "Shelter care" means temporary physical care in a facility
9 licensed pursuant to RCW 74.15.030 or in a home not required to be
10 licensed pursuant to RCW 74.15.030.

11 (26) "Sibling" means a child's birth brother, birth sister,
12 adoptive brother, adoptive sister, half-brother, or half-sister, or
13 as defined by the law or custom of the Indian child's tribe for an
14 Indian child as defined in RCW 13.38.040.

15 (27) "Social study" means a written evaluation of matters
16 relevant to the disposition of the case that contains the information
17 required by RCW 13.34.430.

18 (28) "Supervised independent living setting" includes, but is not
19 limited to, apartment living, room and board arrangements, college or
20 university dormitories, and shared roommate settings. Supervised
21 independent living settings must be approved by the department or the
22 court.

23 (29) "Supervised independent living subsidy" has the same meaning
24 as in RCW 74.13.020.

25 (30) "Voluntary placement agreement" has, for the purposes of
26 extended foster care services, the same meaning as in RCW 74.13.336.

27 **Sec. 2.** RCW 74.13.802 and 2023 c 321 s 1 are each amended to
28 read as follows:

29 (1) Within funds appropriated for this specific purpose, the
30 department shall administer a child welfare housing assistance
31 program, which provides housing vouchers, rental assistance,
32 navigation, and other support services to eligible families.

33 (a) The department shall operate or contract for the operation of
34 the child welfare housing assistance program under subsection (3) of
35 this section in one or more counties west of the crest of the Cascade
36 mountain range and one or more counties east of the crest of the
37 Cascade mountain range.

1 (b) The child welfare housing assistance program is intended to
2 reduce the need for foster care placement and to shorten the time
3 that children remain in out-of-home care when placement is necessary.

4 (c) The department or entities contracted with the department
5 under this section may continue to provide housing assistance through
6 the child welfare housing assistance program after the department is
7 no longer providing child welfare or child protective services to the
8 family.

9 (d) The department shall adopt rules to establish formal
10 procedures for implementation of the child welfare housing assistance
11 program.

12 (2) The following families are eligible for assistance from the
13 child welfare housing assistance program:

14 (a) A parent with a child who is dependent pursuant to chapter
15 13.34 RCW and a lack of appropriate housing is a remaining barrier to
16 reunification; and

17 (b) A parent of a child who is a candidate for foster care as
18 defined in RCW 26.44.020 and whose housing instability is a barrier
19 to the child remaining in the home.

20 (3) The department shall contract with an outside entity or
21 entities, who must have a demonstrated understanding of the
22 importance of stable housing for children and families involved or at
23 risk of being involved with the child welfare system, to operate the
24 child welfare housing assistance program. If no outside entity or
25 entities are available to operate the program or specific parts of
26 the program, the department may operate the program or the specific
27 parts that are not operated by an outside entity.

28 (4) Families may be referred to the child welfare housing
29 assistance program by a department caseworker, an attorney, a
30 guardian ad litem as defined in chapter 13.34 RCW, a parent ally as
31 defined in RCW 2.70.060, an office of public defense social worker,
32 or the court.

33 (5) The department shall consult with a stakeholder group that
34 must include, but is not limited to, the following:

35 (a) Parent allies;

36 (b) Parent attorneys and social workers managed by the office of
37 public defense parent representation program;

38 (c) The department of commerce;

39 (d) Housing experts;

40 (e) Community-based organizations;

1 (f) Advocates; and

2 (g) Behavioral health providers.

3 (6) The stakeholder group established in subsection (5) of this
4 section shall begin meeting after July 28, 2019, and assist the
5 department in design of the child welfare housing assistance program
6 in areas including, but not limited to:

7 (a) Equitable racial, geographic, ethnic, and gender distribution
8 of program support;

9 (b) Eligibility criteria;

10 (c) Creating a definition of homeless for purposes of eligibility
11 for the program; and

12 (d) Options for program design that include outside entities
13 operating the entire program or specific parts of the program.

14 (7) Beginning November 1, 2024, the department shall annually
15 report data and outcomes for the child welfare housing assistance
16 program to the legislature. At a minimum, when available, the report
17 must include the following information:

18 (a) Distribution of the child welfare housing assistance program
19 by race, geography, ethnicity, and gender including a discussion of
20 whether this distribution was equitable; (~~and~~)

21 (b) Any recommendations for legislative changes to the child
22 welfare housing assistance program;

23 (c) The number of unhoused parents on the waiting list for
24 vouchers supported by the child welfare housing assistance program
25 and the average time spent on the waiting list;

26 (d) The percentage of funding spent on housing assistance for
27 families to prevent out-of-home placement, support reunification,
28 provide for program administration, or other purposes; and

29 (e) The percentage of funding spent on program administration,
30 rental assistance to families, and supportive services necessary to
31 receive federal housing voucher support.

32 (8) The child welfare housing assistance program established in
33 this section is subject to the availability of funds appropriated for
34 this purpose.

35 (9) During the 2025-2027 biennium, the department shall increase
36 the number of households served by the child welfare housing
37 assistance program by at least 200 above those served during fiscal
38 year 2025, with a priority on serving families on any wait lists.
39 Beginning July 1, 2027, the department shall continue to provide

1 child welfare housing assistance to at least the same number of
2 households as were served during the 2025-2027 biennium.

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