

WSR 23-20-076

PROPOSED RULES

OFFICE OF

FINANCIAL MANAGEMENT

[Filed September 29, 2023, 1:42 p.m.]

Original Notice.

Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1).

Title of Rule and Other Identifying Information: WAC 357-01-172  
Family members.

Hearing Location(s): On November 14, 2023, at 9:00 a.m., via Zoom meeting (with call-in option), ID 881 7165 8224, Call in 253-215-8782, Passcode 850872, Zoom link <https://ofm-wa-gov.zoom.us/j/88171658224?pwd=T1R1aUF4K3hEOEtCLzBHZNbaamVnZz09>.

Date of Intended Adoption: November 21, 2023.

Submit Written Comments to: Brandy Chinn, Office of Financial Management (OFM), Raad Building, 128 10th Avenue S.W., P.O. Box 47500, Olympia, WA 98504, email [brandy.chinn@ofm.wa.gov](mailto:brandy.chinn@ofm.wa.gov), by November 7, 2023.

Assistance for Persons with Disabilities: Contact OFM, TTY 711 or 1-800-833-6384, by November 7, 2023.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Amend WAC 357-01-172 Family members, to replace the reference to RCW 26.50.010 with 49.76.020.

Reasons Supporting Proposal: ESSB 1320 passed during the 2021 legislative session, chapter 215, Laws of 2021. The act modernized, harmonized, and improved the efficacy and accessibility of laws concerning civil protection order. In part, the act repealed chapter 26.50 RCW, Domestic violence prevention, and amended RCW 46.76.020, domestic violence leave, to define "dating relationship" in accordance with RCW 7.105.010.

Statutory Authority for Adoption: RCW 41.06.133.

Statute Being Implemented: RCW 41.06.133.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: OFM, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation, and Enforcement: Brandy Chinn, 128 10th Avenue S.W., Olympia, WA 98501, 360-878-2901.

A school district fiscal impact statement is not required under RCW 28A.305.135.

A cost-benefit analysis is not required under RCW 34.05.328. Rules are related to internal government operations and are not subject to violation by a nongovernmental party. See RCW 34.05.328 (5)(b)(ii) for exemption.

This rule proposal, or portions of the proposal, is exempt from requirements of the Regulatory Fairness Act because the proposal:

Is exempt under RCW 19.85.025(3) as the rules relate only to internal governmental operations that are not subject to violation by a nongovernment party.

Scope of exemption for rule proposal:

Is fully exempt.

September 29, 2023

Nathan Sherrard

Assistant Legal Affairs Counsel

OTS-4893.1

AMENDATORY SECTION (Amending WSR 18-05-032, filed 2/10/18, effective 3/13/18)

**WAC 357-01-172 Family members.** Individuals considered to be members of the family are parent, sibling, parent-in-law, spouse, registered domestic partner, grandparent, grandchild, minor/dependent child, and child. For the purpose of domestic violence, sexual assault, or stalking provisions within Title 357 WAC family member also includes a domestic partner as defined in RCW 26.60.020 or a person with whom the employee has a dating relationship as defined in RCW (~~26.50.010~~) 49.76.020.

[Statutory Authority: Chapter 41.06 RCW. WSR 18-05-032, § 357-01-172, filed 2/10/18, effective 3/13/18; WSR 09-17-057 and 09-18-112, § 357-01-172, filed 8/13/09 and 9/2/09, effective 12/3/09; WSR 09-03-013, § 357-01-172, filed 1/9/09, effective 2/13/09; WSR 08-15-043, § 357-01-172, filed 7/11/08, effective 10/1/08; WSR 05-12-093, § 357-01-172, filed 5/27/05, effective 7/1/05.]