

April 2019 Unit Meetings
LEGISLATIVE UPDATES AS OF A.M., 4/19/19

The 2019 Legislative session has been busy and productive. The pace has been what many call unique – very fast, many bills. That said, the process winnows down the number of bills that are introduced into a relatively small number that actually pass both chambers of the Legislature.

PASSED AND WERE SIGNED INTO LAW BY THE GOVERNOR

[SB 5079](#) **Native American Voting Rights Act.** This Act will enable mail-in ballots for those living on native lands but without a recognized street address. Passed in Senate 34-13, Passed in House with amendments 95-3. Senate concurred with amendments 45-3. Signed by Governor.

[SB 5207](#) This bill would require that the Department of Corrections **provide inmates with a felony conviction with information on how to restore their right to vote** along with a voter registration form. Too often someone leaves the prison system believing that their right to vote has been taken away permanently. Passed in Senate 37-12. Passed House 76-21. Governor signed April 17, 2019.

[SSB 5273](#) **Concerning the presidential primary.** Changes the dates for the presidential primary to the second Tuesday in March and allows the secretary of state to propose an alternative date for the primary, including to coordinate a regional primary with Alaska, Arizona, California, Hawaii, Idaho, Montana, Nevada, Oregon, or Utah. Prohibits the proposed date from being before the earliest date permitted by the national rules of the major political parties. Requires each party to determine which candidates are to be placed on the presidential primary ballot for that party. Requires a ballot, if requested by a party chair, to contain a place for a voter to indicate a preference for having delegates to the party's national convention remain uncommitted. Passed in Senate 29-18. Passed in House 54-42. Governor signed March 14, 2019.

The Democratic Central Committee voted 121-40 to use presidential primary to appropriate delegates to candidates, while the caucuses and conventions will be used to select which delegates will represent the state at the national convention.

[EHB 1074](#) **Protecting youth from tobacco products** and vapor products by increasing the minimum legal age of sale of tobacco and vapor products. The bill requires redesign of signage for retailers indicating the new smoking age of 21. Passed in House 66-30. Passed in Senate 33-12. Governor signed April 5, 2019.

[2SHB 1497](#) **Foundational public health.** Requires funding for the governmental public health system to be restructured to support foundational public health services. There must be efforts to reinforce current governmental public health system capacity and implement service delivery models. Passed in House 94-4. Passed in Senate 44-1. Governor signed April 3, 2019.

PASSED, NOT YET SIGNED BY THE GOVERNOR

[HB 1375](#) **Applying campaign contribution limits to candidates for all port districts.** Currently the limits apply only to certain port districts, including those that have over 200,000 registered voters. Passed the House 98-0. Passed Senate 47-0. Sent to Governor for signature.

[HB 1743](#) **Prevailing Wages for Construction.** Addressing the methodology for establishing the prevailing rate of wages for the construction of affordable housing, homeless and domestic violence shelters, and low-income weatherization and home rehabilitation public works addresses the unintended consequences of last year's bill eliminating surveys that failed to distinguish commercial and residential construction. It will protect wage earners and assist with the construction of affordable housing and weatherization. The interim rate assures affordable housing can be built. Stakeholders came together to solve this issue.

[SSB 5010](#) **Allowing Fire Districts to annex land parcels** to insure protection fees are paid. Passed the Senate and the House. Awaiting Governor's signature.

[SB 5063](#) **Providing prepaid postage for ballots.** This would continue the practice used in the 2018 election of eliminating the need for a stamp on mailed ballots. Passed in Senate, 42-3. Passed in House 83-10. Senate concurred with House amendments so bill will be sent to Governor for signing.

[2SHB 1065](#) **Protecting consumers from charges for out-of-network health care services.** Bans balanced billing or surprise billing and gives clients added protections and options. Passed House 84-13. Passed Senate 47-0 with amendments. House concurred with Senate amendments so bill will be sent to the Governor for signing.

[2SSB 5432](#) **Concerning fully implementing behavioral health integration** for January 1, 2020, by removing behavioral health organizations from law; clarifying the roles and responsibilities among the health care authority, department of social and health services, and department of health, and the roles and responsibilities of behavioral health administrative services organizations and Medicaid managed care organizations; and making technical corrections related to the behavioral health system. Passed the Senate 46-2. Passed House 95-0 with amendments. Passed Senate on concurrence with House amendments. Will go to the Governor for signing.

[SB 5514](#) **Requires first responder agencies to notify all known schools in the vicinity,** including private schools, if there is a situation for which an evacuation or lockdown appears reasonably necessary. Passed in Senate 48-0. Passed House 92-0. Sent to the Governor for signing.

[SHB 1041](#) This bill would promote **successful re-entry of formerly incarcerated individuals** into society by modifying the process for obtaining certificates of discharge and vacating conviction records. Streamlining this process will enable people to find employment more quickly, easing their integration back into the community by creating opportunities for self-sufficiency. Passed in House 95-0. Passed in Senate 48-0 with amendments. House concurred with Senate amendments. Will be sent to Governor for signature.

[SHB 1114](#) **Reduces Food Waste Causing Hunger and Environmental Impacts.** Passed the House, 96-0. Passed Senate 45-0 with amendments. House concurred with Senate amendments and bill will go to Governor for signature.

[2SHB 1444](#) **Applies energy efficiency standards to a broad array of appliances** that are sold, offered for sale or installed in the state. Passed the House 55-37. Passed Senate 25-23 with amendments. House concurred in Senate amendments. Will go to the Governor for signature.

[E3SHB 1257](#), **Requiring energy efficient buildings** will require standards for energy performance in commercial buildings, create an incentive program for energy performance, establish a natural gas conservation standard, and more. Passed the House 55-37. Passed the Senate 25-23 with amendments. House concurred with Senate amendments. Bill will be sent to Governor for signature.

[SSHB 1579](#) **Increasing Chinook salmon abundance** for endangered southern resident Orca whales by restricting fishing of Orca prey fish and hydraulic project permits that may damage fish habitat. Passed House 59-39. Passed Senate 26-20 with amendments. House concurred with Senate amendments. Will go to the Governor for signature.

[HB 1137](#) **National Guard payment for state active service for wild land fire response duty.** State National Guard is an important component of state combined training and wildfire response teams. Passed the House, 95-0. Passed Senate 47-0. Sent to the Governor for signature.

[SHB 1784](#) **Concerning Wildfire Prevention.** Includes on the ground preplanning for wildfire preparation, including placement of firebreaks. Important addition to wildfire preparation measures. Passed the House, 96-0. Passed Senate 48-0 with amendments. House concurred with Senate amendments. Will go to the Governor for signature.

[SJM 8005](#) **Supporting the continued research, development, production, and application of biochar** from our forests and agricultural lands waste to make a carbon sequestering and water retaining soil amendment. Passed the Senate 49-0. Passed House 98-0. Will go to Governor for signature.

ESHB 1578 Reducing threats to southern resident killer whales by improving the safety of oil transportation. Passed by House 70-28. Passed the Senate 32-13 with amendments. House concurred in Senate amendments. Will go to the Governor for signature.

SB 5352 Extending the Walla Walla watershed management pilot program. History: A 10-year pilot program was funded to increase stream flow in the Walla Walla River by encouraging cooperation among the stake-holders: home-owners, businesses, farmers, and tribes. The current bills extend funding 2 more years for additional monitoring and auditing the project. Although flow improvement objectives have not been achieved, we agree with most of the stake-holders that we must not abandon pursuing solutions for restoring flow in our rivers, with the exception of dams or other inhibitors to fish migration. Passed the Senate, 48-0. Passed the House, 96-0. Will go to the Governor for signature.

HB 1290 Authorize the Department of Ecology (DOE) to offer expedited advice and assistance to voluntary toxic cleanup projects. This bill enables the DOE to provide an expedited consultation and review process for persons conducting independent cleanup projects for toxic sites. Requestors are required to cover all related DOE costs, but those may be waived for validated affordable housing development projects requiring cleanup. Proponents expect this approach will help clear a back-log of needed cleanup. Passed the House, 98-0. Passed Senate 47-0. Has been sent to the Governor for signature.

HB 1219 Providing cities and counties authority to use real estate excise taxes (REET) to support affordable housing and homelessness projects. This bill would add affordable housing and homelessness projects to the allowable uses for the REET tax that is already authorized and is currently limited to public works projects. Passed the House 74-24. Passed the Senate 34-13. Has been sent to the Governor for signing.

HB 1377 Concerning affordable housing development on religious organization property would require certain cities engaged in comprehensive planning to allow an increased density bonus for certain affordable housing development on property owned or controlled by a religious organization. This recognizes the efforts that many organizations of faith are making to provide shelter and/or housing for people experiencing homelessness. This bill passed the House 84-12. Passed the Senate 42-3 with amendments. House concurred in Senate amendments. Will go to the Governor for signature.

HB 1440 Providing longer notice of rent increases would require a landlord to provide a tenant at least 60 days' prior written notice of an increase in rent and prohibiting a rent increase during the term of the lease. The rent increase would only apply at the end of the lease term. This bill has passed the House 62-36. Passed the Senate 29-18. Has been sent to the Governor for signature.

SHB 1105 Protecting taxpayers from home foreclosure, would require that information regarding the foreclosure hotline appear on all tax statements, redefine the terms of tax payments plans to make it easier for taxpayers to participate and allow 48 hours after auction for housing agencies to secure funding to be more competitive in obtaining affordable housing options. This bill passed the House 59-38. Passed the Senate 44-3 with amendments. House concurred in Senate amendments. Will go to the Governor for signature.

HB 1657 Concerning services provided by the office of homeless youth prevention and protection programs would authorize the use of HOPE Centers for the placement of a child in need of services and remove the limit of HOPE Center beds statewide, clarify street outreach services are available to both youth and unaccompanied young adults and align licensing requirements for HOPE Centers, as well as staff education and experience requirements with Department of Children, Youth, and Families licensing and staff. This bill has passed the House 94-0. Passed the Senate 46-0. Has been sent to the Governor for signature

HB 1743 Addressing the methodology for establishing the prevailing rate of wages for the construction of affordable housing, homeless and domestic violence shelters, and low-income weatherization and home rehabilitation public works addresses the unintended consequences of last year's bill eliminating surveys that failed to distinguish commercial and residential construction. It will protect wage earners and assist with the construction of affordable housing and weatherization. The interim rate assures affordable housing can be built.

Stakeholders came together to solve this issue. Passed the House 95-0. Passed the Senate 44-1 with amendments. House concurred with amendments. Has been sent to the Governor for signature.

Here are others still in process (status as of 4/19/19). The deadline for bills to pass the opposite chamber was April 17.

Government – Elections and Finance Reform

[SB 5224](#) **Eliminating advisory votes.** These are questions that appear on the ballot regarding state expenditures that have already passed. The results of the current advisory ballots do not have any impact. They add significantly to the costs of elections and voters are not informed about them because reliable information is virtually impossible to find. Having votes that do not count for anything is inconsistent with League principles. Passed in Senate 27-20. Currently in House Rules Committee. **Died for not passing before cut-off.**

[HB 1379](#) **Regarding disclosure of contribution from political committees to other political committees.** Currently political advertising is required to show the top five donors that paid for the ad. Based on a loophole in the law, the top donors listed are sometimes other political action committees (PACs) with appealing but unrecognized names. This loophole can be used to hide the true donors behind the campaign ad. This bill would close that loophole by requiring that the top donors listed be the individuals, corporations or nonprofits that actually contributed. Passed in House 91-5. Passed Senate 27-21. Will need to go through concurrence with House.

[ESB 5294](#) **Creating leave provisions for legislative service.** This bill would require most employers to provide unpaid leave to workers while they are serving as a legislator. LWV strongly supports the concept of “citizen legislators.” Legislative service is considered part time, but the current system makes it difficult for many individuals who are not wealthy or self-employed to even consider running for office. Passed in Senate 27-19. Currently in House Rules Committee. **Died for not passing before cut-off.**

[SHB 1196](#) **Allowing for the year round observation of daylight saving time.** States that the time of the state of Washington and all of its political subdivisions is Pacific daylight time throughout the calendar year. This could require a vote of the people. House passed 89-7. Passed Senate 46-2. Will need to go through concurrence with House.

Health Care, Behavioral Health, and Reproductive Rights

Mental Health. As a result of the Trueblood lawsuit, much attention has been paid in this session to the mental health and behavioral health issues. The Trueblood case involves a constitutional challenge to the length of time individuals with mental disabilities spend in jail awaiting court-ordered competency evaluation and restoration services. The lawsuit mandates that a final implementation plan, which accounts for any funding or legislative changes accomplished by the Legislature in the 2019 session, will be completed within 60 days from the end of the 2019 Legislative session. This has put huge pressure on the legislature and the budget.

The mental health bills that are described below explain a variety of policy choices made during this session. The budgets remain to be negotiated. The House and Senate vary substantially in how they fund mental health in Washington. The Senate budget, if passed, would appropriate more than \$30 million for additional mental health services. The House budget is close, appropriating an additional \$33 million. This would include funding for a wide range of programs, including mental health support in the Corrections system, in schools, in early learning and public schools; and it also includes funding for training new mental health professionals in the Washington State Universities and colleges. For the most part, the new budget will not provide additional funding for local mental health services.

Health Care:

[SB 5822](#) **Providing a pathway to establish a universal health care system** for the residents of Washington State. Directs the Health Care Authority to convene a work group to study the establishment of a universal health care system in Washington State, and report back by Nov. 15, 2020. Passed in Senate 28-21. In House Rules. **Died for not passing before cut-off.**

[SB 5415](#) **Creating the Washington Indian health improvement act.** Creates an Indian health improvement investment account, which will fund an Indian health advisory council to monitor improvements in Indian health care. Passed in Senate 48-0. Passed House 96-0 with amendments. Will need to go through concurrence with Senate.

[ESB 5210](#) **Notifying purchasers of hearing instruments** about uses and benefits of telecoil and Bluetooth technology. Requires person who fits and dispenses hearing instruments to inform clients of new technology. This bill has bipartisan support. Passed in Senate 44-4. Passed House 93-2 with amendments. Will need to go through concurrence with Senate.

[EHB 1638](#) **Promoting immunity against vaccine preventable diseases.** Prohibits a philosophical or personal objection from being used to exempt a child from the measles, mumps, and rubella vaccine. Passed in House 57-40. Passed Senate 25-22 with amendments. Will need to go through concurrence with House.

[E2SHB 1523](#) **Increasing the availability of quality, affordable health coverage in the individual market.** Requires the state health benefit exchange, in consultation with the insurance commissioner, the state health care authority, an independent actuary, and other stakeholders, to establish up to three standardized health plans for each of the bronze, silver, and gold levels. Requires the state health care authority, in consultation with the state health benefit exchange, to contract with one or more health carriers to offer silver and gold qualified health plans on the state health benefit exchange for plan years beginning in 2021. Requires the state health benefit exchange, in consultation with the state health care authority and the insurance commissioner, to develop a plan to implement and fund premium subsidies for individuals whose modified adjusted gross incomes are less than five hundred percent of the federal poverty level and who are purchasing individual market coverage on the exchange. Sometimes called a public option, which is a stretch in terminology. Passed in House 57-41. In Senate Rules Committee. **Died for not passing before cut-off.**

[E2SHB 1224](#) **Concerning prescription drug cost transparency.** Requires the office of financial management to use a competitive procurement process to select a data organization to collect, verify, and summarize the prescription drug pricing data provided by issuers and manufacturers. Requires an issuer to submit certain prescription drug cost and utilization data to the data organization for the previous calendar year. Passed in House 80-18. Passed Senate 48-0 with amendments. Will need to go through concurrence with House.

[2SHB 1087](#) **Concerning long-term services and supports.** Addresses alternative funding for long-term care access and indicates that the creation of a long-term care insurance benefit of an established dollar amount per day for eligible employees, paid through an employee payroll premium, is in the best interest of the state. Passed in House 63-33. Passed Senate 26-22. Will need to go through concurrence with House.

Behavioral Health:

[SB 5380](#) **Concerning opioid use disorder treatment, prevention, and related services.** Declares opioid use disorder a public health crisis and requires agencies to increase access to evidence-based opioid use disorder treatment. Passed in Senate 47-0. Passed House 96-2 with amendments. Will need to go through concurrence with House.

[2SHB 1394](#) **Concerning community facilities needed to ensure a continuum of care** for behavioral health patients. Requires the Department of Health to license or certify intensive behavioral health treatment facilities and mental health drop-in centers according to specific standards. Passed in House 98-0. Passed Senate 48-0 with amendments. Will need to go through concurrence with House.

[SB 5444](#) **Providing timely competency evaluations and restoration services** to persons suffering from behavioral health disorders within the framework of the forensic mental health care system consistent with the requirements agreed to in the Trueblood settlement agreement (Challenged the unconstitutional delays in competency evaluation and restoration services for those with mental disabilities). Due to the nationwide increase of individuals with behavioral health disorders, the criminal justice and court systems must increase access to services. Passed in Senate 48-0. Passed House 97-0 with amendments. Will need to go through concurrence with Senate.

[E2SHB 1874](#) **Expanding adolescent behavioral health care access** as reviewed and recommended by the Children's Mental Health work group. Authorizes mental health professionals to provide certain treatment information to a parent or legal guardian who is involved in the treatment of an adolescent. Passed in House 89-8. Passed Senate 48-0 with amendments. Will need to go through concurrence with House.

Reproductive Rights:

[2SSB 5602](#), **Eliminating barriers to reproductive health care for all**. Young people, immigrants, people living in rural communities, transgender, and gender nonconforming people, and people of color face significant barriers in getting reproductive health care. Access to reproductive health care should be enhanced to ensure greater coverage in a timely manner. Passed in Senate 28-17. Passed House 59-39 with amendments. Will need to go through concurrence with Senate.

Education

[HB 1638](#) **Eliminates the philosophical or personal objection for measles, mumps and rubella vaccines** required to attend school. The hope is that an amendment will be offered to cover all vaccines. Passed in House 57-40 with amendments. Passed Senate 25-22 with amendments. Will need to go through concurrence with House.

[SB 5091](#) **Increases special education funding by increasing the allocation for each special-education student** to double what is received for other pupils. The bill also would allocate additional funding to schools with students whose needs warrant costlier, individualized education programs. Passed in Senate 46-0. In House Rules Committee. **Necessary to implement the budget so not necessarily dead, even though it did not pass by cut-off.**

[SB 5141](#) **Defines the duties of a School Resource Officer (SRO)** and requires school districts choosing to have a SRO to ensure that the SRO goes through the training described in the bill. Passed in Senate 48-0. Currently in House Appropriations Committee. **Died in committee; did not pass before cut-off.**

[SSB 5313](#) This bill **concerns local levies** and local effort assistance but was amended in Ways & Means to change the 2016 Charter School Law, and therefore we cannot support it in its present form. In Senate Rules. **Died in committee; did not pass before cut-off.**

Economic and Social Justice

[SB 5035](#) **Enhancing the prevailing wage laws** to ensure contractor and owner accountability and worker protection. This bill raises the penalties for failure to pay prevailing wages. Passed in Senate 40-7. Passed House 59-36 with amendments. Will need to go to Senate for concurrence.

[HB 1696](#) **Prohibiting an employer from seeking the wage or salary history of an applicant** for employment. The League supports employment laws and regulations which encourage practices fair to all individuals regardless of gender. HB 1696 protects employees in the private sector from wage discrimination. Passed in House 56-40. Passed Senate 37-10 with amendments. House did not concur with amendments and requested Senate to recede from amendments.

[SB 5497](#) **Establishing a statewide policy supporting Washington State's economy and immigrants' role** in the workplace. This bill requires the attorney general to publish model policies for limiting immigration enforcement at public schools, health facilities, courthouses, and shelters, so they remain safe and accessible to all residents, regardless of immigration or citizenship status. Passed in Senate 30-16. Passed House 57-38 with amendments. Will need to go to Senate for concurrence.

[SB 5258](#) **Preventing the sexual harassment and sexual assault of certain isolated workers.** This bill requires every hospitality, retail, behavioral health care, or custodial employer, or labor contractor who employs a custodian, security guard, hotel or motel housekeeper, or worker who spends a majority of his or her working hours alongside two or fewer coworkers at a location that is not his or her home to adopt a sexual harassment policy and provide mandatory training to the managers, supervisors and employees. Passed in Senate 47-0. Passed House 57-35 with amendments. Senate declined to concur with amendments. Conference committee formed.

[SB 5489](#) **Establishing a healthy environment for all by addressing environmental health disparities.** A task force will set out to identify environmentally impacted communities. This is an environmental justice issue. Its value is that everyone thrives when we work together to help children reach their full potential in all parts of the state. Passed in Senate 27-21. Currently in House Rules Committee. **Died for not passing by cut-off.**

[SB 5339](#) **Abolishing capital punishment in Washington State.** The Washington State Supreme Court declared capital punishment unconstitutional. This bill eliminates the death penalty and requires life imprisonment without possibility of release or parole as the sentence for aggravated first degree murder. Passed in Senate 28-19. Currently in House Rules Committee. **Died for not passing by cut-off.**

Affordable Housing & Homelessness

The affordable housing gap and homelessness crisis are extremely complex and involve a wide range of legislation. They fall into several different categories, including:

- New revenue sources for affordable housing
- Ways to allow non-traditional housing options
- Tenant protections and financial support
- Education for students experiencing homelessness
- Employment support for people experiencing homelessness
- Pathway to universal health care
- Regulatory changes to support new housing
- Increases in existing budget categories

To a large extent, the bills we've been supporting have survived. To see details, go to the Appendix.

Natural Resources, Environment & Energy

[SB 5145](#) **Prohibiting hydraulic fracturing** in the exploration for and production of oil and natural gas. Fracking consumes a great deal of fresh water, and some areas have experienced well contamination in areas where fracking occurred. Very little gas or oil production has occurred in WA state, and none is anticipated in the foreseeable future, yet the oil and gas industry is lobbying against the bill. The LWVWA believes this bill will ensure that if the time comes for extraction, our state can authorize fracking with all due protections and caution. We also believe such a restriction will encourage our state to continue leading toward reducing dependency on fossil fuels. Passed the Senate, 29-18. Passed House 61-37 with amendments. Will need to go to Senate for concurrence.

[SHB 1110](#) **Reduces greenhouse gas emissions with transportation fuels.** Passed the House, 53-43. In Senate Transportation Committee. **Died in committee; did not pass by cut-off.**

[SHB 1112](#) **Reduces greenhouse gas emissions from hydrofluorocarbons.** Passed the House, 55-39, 4 excused. Passed Senate 35-13 with amendments. House declined to concur with Senate amendments and asked Senate to recede from amendments.

[2E2SSB 5116](#) **Supporting Washington's Clean Energy Economy** by transitioning to a clean, affordable, and reliable energy future. Passed the Senate 28-19, Passed House 56-42 with amendments. Will need to go to Senate for concurrence.

[SB 5489](#) **Creating environmental justice task force.** Passed the Senate, 27-21, 1 excused. In House Rules Committee. **Died for not passing by cut-off.**

[SB 5811](#) **Reducing emissions by making changes to the clean care standards** and clean car program. Passed the Senate, 26-22. In House Environment & Energy Committee. **Died for not passing by cut-off.**

[SB 5947](#) **Establishing the sustainable farms and fields grant program.** Passed the Senate, 32-15. In House Rural Development, Agriculture, & Natural Resources Committee. **Died for not passing by cut-off.**

[SB 5971](#) **Transportation funding**, including carbon fee. In Senate Ways & Means. (Necessary To Implement the Budget)

[ESHB 1332](#) **The Energy Facility Site Evaluation Council** (EFSEC or Council) coordinates all evaluation and licensing steps for siting certain proposed energy facilities. This bill streamlines and update EFSEC operations. It adds two tribal members to the Council, and tribal governments have a larger voice in energy site selection. Passed the House, 88-8. In Senate Rules Committee. **Died for not passing by cut-off.**

Forests & Rivers

Budget items to support this category of issues include Lower Snake River Dam Stakeholder forum, one of the recommendations of the Governor's Task Force on Orca Recovery. The fate of the lower Snake River dams will be decided by a federal court, but the Forum will better prepare Washington State to have a plan for the outcome.

[SB 5996](#) **New wildfire funding bill** regarding fire prevention and suppression activities. Creates a new dedicated source of funding, the Wildfire Prevention and Suppression Account, to be spent on: emergency firefighting, preparedness, prevention and forest health. Public hearing held in the Senate Ways & Means Committee. **Died for not passing by cut-off.**

[SHB 1170](#) **State fire service mobilization.** Prepares for early wildfire response. Passed the House, 94-0. Passed Senate 48-0 with amendments. Will need to go to the House for concurrence.

[HB 1187](#) **Revising hydraulic project eligibility standards** for conservation district sponsored fish habitat enhancement bills. Good bill helping these beneficial projects move forward. Passed the House, 96-0. In Senate Rules Committee. **Died for not passing by cut-off.**

[SHB 2022](#) **Providing funding options to local governments for fish passage barrier removals.** Provides cities and counties with funding options and helps with opening up more salmon habitat beyond barriers. In House Rules. (Necessary to Implement the Budget)

[SB 5130](#) **Funding for Fish Barrier Removal** by increasing transportation revenues. Because of a tribal culvert suit the State needs funding to remove barriers for fish to reach tributary spawning grounds; funding included in the Governor's transportation budget. In Senate Transportation. (Necessary to Implement the Budget)

[ESSB 5322](#) **Ensuring DOE compliance with the Clean Water Act** by prohibiting motorized or gravity siphon aquatic mining and their discharges from certain waters of the state. Passed the Senate, 30-17. In House Rules Committee. **Died for not passing by cut-off.**

[ESSB 5330](#) **Analyzing state impact on small forest landowners.** Directs the University of Washington to complete a trends analysis and regulatory impact analysis on small forest landowners. Since the 1999 Forests and Fish Rule there are fears of Washington state losing its small forest landowners. Passed the Senate, 49-0. Passed House 98-0 with amendments. Will need to go to Senate for concurrence.

[ESSB 5579](#) **Prohibits volatile Bakken crude oil rain transfer or storage.** Ensures that Bakken oil is processed to remove volatility preventing risk of explosions. Passed the Senate, 27-20. Passed the House 53-40 with amendments. Will need to go to Senate for concurrence.

[SSB 5597](#) **Creating a work group on aerial herbicide applications in forestlands.** Passed the Senate, 47-0. Passed the House 95-1 with amendments. Will need to go to the Senate for concurrence.

[2SSB 5873](#) **Creates a Community Forest Pilot Program** at the Recreation and Conservation Funding Board to determine feasibility of establishing an ongoing competitive grant program. Protects forestlands and empowers rural communities. Passed the Senate, 41-5. In House Rural Development, Agriculture, & Natural Resources Committee. **Died in committee.**

[SB 5996](#) **Funding fire prevention and suppression activities.** Creates a new dedicated source of funding, the Wildfire Prevention and Suppression Account, to be spent on: emergency firefighting, preparedness, prevention and forest health. Revenue source is a raise in the tax on property and casualty insurance premiums from 2.0% to 2.52%. Proactively addresses staggering annual costs of wildfires. In Senate Ways & Means Committee (Necessary to implement the budget).

Shorelines, Wetlands, & Land Use

[SSB 5812](#) **Concerning local governments planning and zoning for accessory dwelling units.** Passed by Senate 38-10. In House Rules. **Died in committee.**

[HB 1341](#) **Concerning the use of unmanned aerial systems near certain protected marine species.** Passed House 67-26. In Senate Rules Committee. **Died for not passing by cut-off.**

[2SSB 5577](#) **Concerning the protection of southern resident orca whales from vessels.** Passed Senate 46-3. Passed House 84-13 with amendments. Will need to go to Senate for concurrence.

[SSB 5135](#) **Preventing toxic pollution that affects public health or the environment.** As a part of the response to the orca crisis, this bill proposes to identify priority toxic chemicals for the Department of Ecology to regulate, reduce or eliminate toxic chemicals in the outdoor environment and waters of the state. Passed the Senate, 25-24. Passed House 60-37 with amendments. Will need to go to Senate for concurrence.

Water

[ESSB 5323](#) **Reducing pollution from plastic bags** by establishing minimum state standards for single-use thin plastic grocery carryout bags across the state. Such bags clog recycling equipment and pollute our waterways with trash and smaller bits as they break down. Also required in the bill is a pass-through charge of 8 cents (reduced by amendment from 10 cents) on all paper or durable, reusable plastic carryout bags (minimum thickness reduced to 2.25 mils by amendment). This will encourage shoppers to bring their own reusable carryout bags and will level the field between small grocers and large chains that could bury this cost. The bill does not cover bags used for produce, newspapers, dry cleaning, small hardware items, prescription drugs, unwrapped prepared foods, bakery goods, frozen foods, meat, fish, flowers, and potted plants. The bill also exempts recipients of food assistance programs, and slightly increase state revenue. Twenty-six jurisdictions in Washington State already have a thin plastic bag restriction ordinances, and this bill would make the regulations more uniform across the state. Passed the Senate, 31-14. Now in House Rules Committee. **Died for not passing by cut-off.**

[SB 5077](#) **Prohibiting single-use plastic straws,** intended is to reduce plastic litter and pollution. Passed House 27-21. In Senate Rules Committee. **Died for not passing by cut-off.**

[SB 5135](#) **Identifies and regulates toxic pollution** that affects public health or the environment. This is a significant bill requiring the Department of Ecology to proactively identify chemicals appearing in products or entering our environment that have been shown to degrade human health or our ecology. As the federal government agencies such as the EPA and others, demonstrate their intent to withdraw regulations for such chemicals, the states and local jurisdictions must take action. These bills are also part of the effort to recover Chinook salmon and Southern Resident Orcas in our region. Passed the Senate, 25-24. Passed House 60-37 with amendments. Will go to Senate for concurrence.

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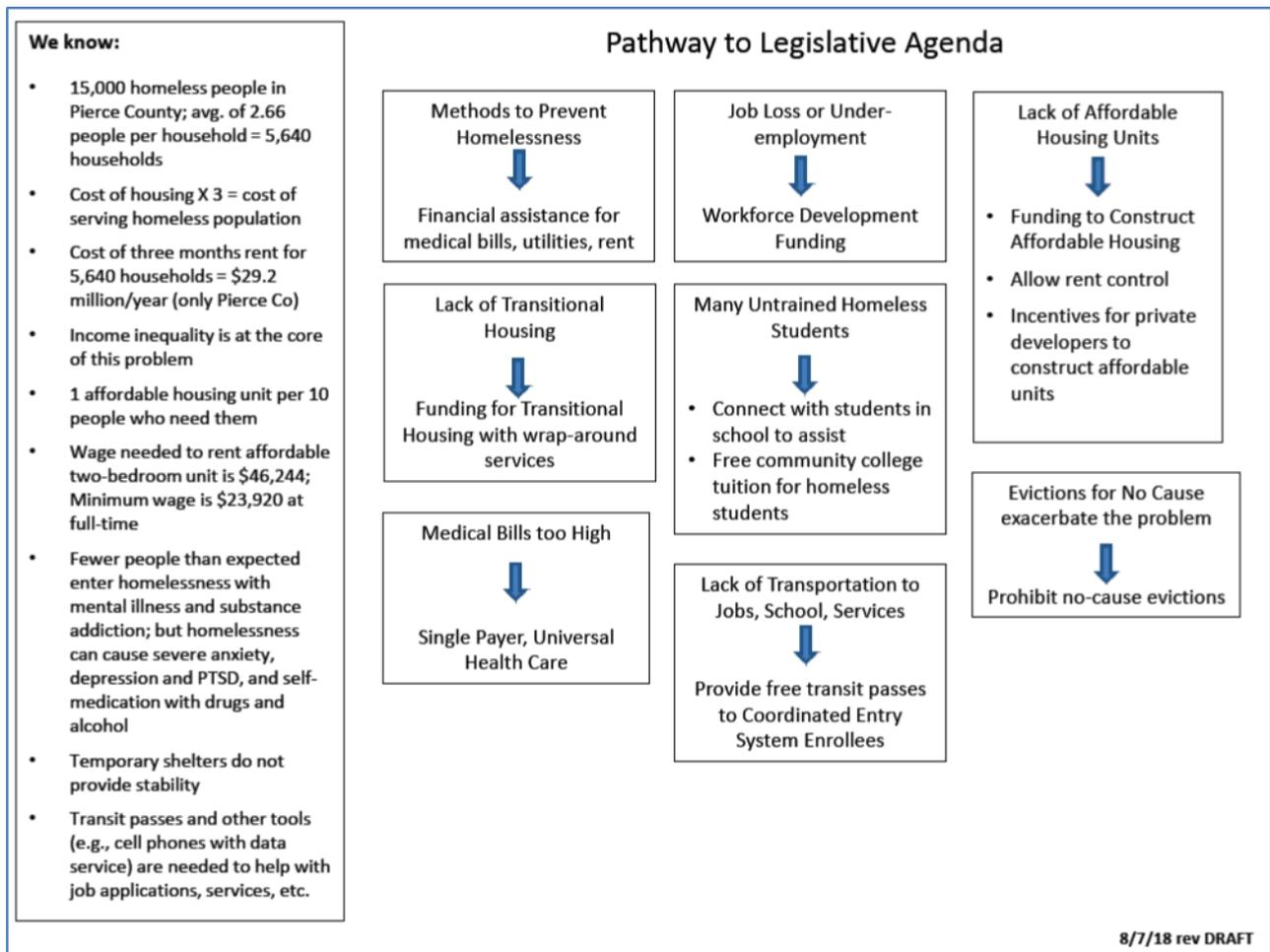
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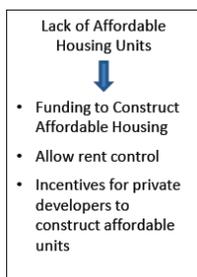
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Using the schematic below as a guide may be helpful in defining the progress to date.



BILLS PROPOSED TO FUND HOUSING



STATE SALES TAX:

- **[SHB 1406](#) Encouraging investments in affordable and supportive housing**, would allow participating jurisdictions to retain a portion of the sales tax that would otherwise be sent to the State, for investment in affordable and supportive housing. The bill as passed would allow either a county or city to begin levying the tax upon the effective date of the bill and makes several technical clarifications that do not affect the intent of the bill. This bill passed the House 66-32. It had a public hearing in the Senate Ways & Means Committee but no further action has been taken. May be necessary to implement the budget.

- **[SB 5025](#) Relating to sales and use and excise tax exemptions for self-help housing development** would exempt the building and sale of self-help housing (self-help housing organizations support low-income individuals and families by assisting them in the development of residential dwellings by using homebuyer and volunteer labor) by an affordable homeownership facilitator from retail sales and use tax and the real estate excise tax. This bill passed the Senate 46-0. Passed the House 98-0 with amendments. Will go to the Senate for concurrence.

REAL ESTATE EXCISE TAX. It is not likely that both will be passed but both could be supported until the Legislature makes a decision.

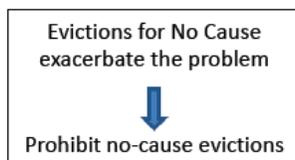
- **[HB 1921](#) Addressing the regressive nature of the Washington state housing market**, would change the basis of the State Real Estate Excise Tax (REET) from a flat 1.28 percent to a variable rate, lower for properties under \$500,000, the same up to \$1.5 million, and higher at values over \$1.5 million. It also directs 70% of the proceeds to the Housing Trust Fund and the remainder to the general fund. Selling price thresholds for the variable rates must be updated every four years. This bill changes the basis for REET to a progressive from a flat tax and is expected to generate more funds for the State while allowing a reduction in payments by owners of lower priced properties. This would be new revenue for the Housing Trust Fund. This bill has been assigned to the Finance Committee and had a public hearing but has not yet been scheduled for executive action. It has been marked "NTIB" (needed to implement the budget).
- **[HB 1219](#) Providing cities and counties authority to use real estate excise taxes (REET) to support affordable housing and homelessness projects.** This bill would add affordable housing and homelessness projects to the allowable uses for the REET tax that is already authorized and is currently limited to public works projects. Passed the House 74-24. Passed the Senate 34-13. Has been sent to the Governor for signing. **PASSED.**

OTHER INVESTMENT - HOUSING TRUST FUNDS:

- **[State Capital Budget.](#)** It is proposed that \$200 million from the State General Fund be budgeted in the Capital Budget for the Housing Trust Fund, which invests in affordable housing across the state. The House budgeted \$150 million and the Senate budgeted \$175 million.
- **[SB 5363](#)** Extending the property tax exemption for new and rehabilitated multiple-unit dwellings in urban centers for 12 years. Passed the Senate; awaiting discussion in the House Housing, Community Development & Veterans Committee. **This bill has not had a hearing and died in committee.**
- **[SB 5366](#)** Expanding the property tax exemption for new and rehabilitated multiple-unit dwellings in urban centers, would allow all cities and towns to provide property tax exemptions for eligible multi-unit residential housing projects in urban centers until July 1, 2022. The bill is intended to provide an incentive for additional development of affordable housing units. Passed the Senate 45-4. **This bill has not had a hearing in the House and has died in committee.**

BILLS INTENDED TO ALLOW ADDITIONAL NON-TRADITIONAL HOUSING

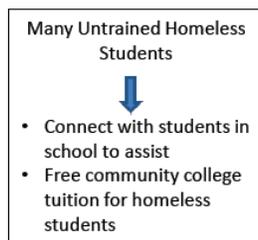
- **SHB 1923 Increasing urban residential building capacity** would require certain jurisdictions to increase their residential building capacity or make updates to the housing element of their comprehensive plans, and more. This bill passed the House 66-30. Passed Senate 33-12 with amendments. House refused to concur with Senate amendments and has asked Senate to recede from amendments.
- **SB 5383 Concerning tiny houses would authorize cities and towns to adopt ordinances regulating the creation of tiny house communities, including through use of the binding site plan method.** It would prohibit cities and towns from adopting ordinances that prevent entry or require removal of a tiny house with wheels used as a primary residence in a manufactured/mobile home community. It would also apply all landlord-tenant rules to tenants in tiny houses. This bill passed the Senate 44-2. Passed the House 95-0 with amendments. Will go to the Senate for concurrence.
- **HB 1377 Concerning affordable housing development on religious organization property** would require certain cities engaged in comprehensive planning to allow an increased density bonus for certain affordable housing development on property owned or controlled by a religious organization. This recognizes the efforts that many organizations of faith are making to provide shelter and/or housing for people experiencing homelessness. This bill passed the House 84-12. Passed the Senate 42-3 with amendments. House concurred in Senate amendments. Will go to the Governor for signature. **PASSED.**
- **HB 1168** Creating sales and use and excise tax exemptions for self-help housing development would provide a sales and use tax exemption for qualifying purchases of labor, services, and tangible personal property related to self-help housing and a REET exemption on the sale of self-help housing by an affordable homeownership facilitator to a low-income household. This bill passed the House 95-1. In Senate Rules Committee. **Died for not passing by cut-off.**



BILLS THAT WOULD PROTECT TENANTS, PROVIDE FINANCIAL SUPPORT AND REDUCE EVICTIONS

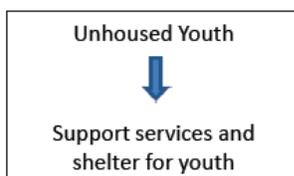
- **HB 1033** Concerning relocation assistance for manufactured/mobile home park tenants would authorize manufactured/mobile home park tenants seeking relocation assistance from the Mobile and Manufactured Home Relocation Assistance Program to receive other funding for relocation purposes without reducing their eligibility for Relocation Assistance Funds and to use the Program Funds to secure housing that is not a manufactured home. This bill has passed the House 87-11. In Senate Ways & Means Committee. **Died in committee.**
- **HB 1582 Addressing manufactured/mobile home tenant protections** . This bill has passed the House 53-42. Passed Senate 36-12 with amendments. Will go to the House for concurrence.
- **HB 1440 Providing longer notice of rent increases** would require a landlord to provide a tenant at least 60 days' prior written notice of an increase in rent and prohibiting a rent increase during the term of the lease. The rent increase would only apply at the end of the lease term. This bill has passed the House 62-36. Passed the Senate 29-18. Has been sent to the Governor for signature. **PASSED.**
- **SHB 1453 Relating to residential tenant protections** Makes a number of changes to the Residential Landlord-Tenant Act, including affording tenants longer time to comply with the duty to pay rent prior to commencement of an unlawful detainer action; and authorizing the use of judicial discretion in unlawful detainer proceedings. This bill passed the House 54-44. In Senate Rules Committee. **Died for not passing by cut-off.**

- **SB 5600 Relating to residential tenant protections** would extend notice to tenants from three days to 21 days before eviction proceedings for non-payment of rent may commence. It would extend the pay-or-vacate period to at least two weeks before an eviction process can be started, and prevent tenants from falling back into the eviction process via late fees and court fees. It would require the notice be written in plain language and include information on civil legal aid resources available to the tenant. This bill passed the Senate 31-15. Passed the House 51-46. Will go to the Senate for concurrence.
- **SHB 1105 Protecting taxpayers from home foreclosure**, would require that information regarding the foreclosure hotline appear on all tax statements, redefine the terms of tax payments plans to make it easier for taxpayers to participate and allow 48 hours after auction for housing agencies to secure funding to be more competitive in obtaining affordable housing options. This bill passed the House 59-38. Passed the Senate 44-3 with amendments. House concurred in Senate amendments. Will go to the Governor for signature. **PASSED**



EDUCATION FOR STUDENTS EXPERIENCING HOMELESSNESS

- **SB 5324 Support for students experiencing homelessness**, would provide grants via the Office of Superintendent of Public Instruction to school districts to increase identification of students experiencing homelessness and the capacity of the districts to provide support for students experiencing homelessness. This would complement the McKinney-Vento program. It requires partnering with related community organizations and is intended to address economic inequality as well as other factors. This bill passed the Senate 46-1. Passed the House 96-0 with amendments. Will go to the Senate for concurrence.
- **SSB 5800 Concerning homeless college students** would establish pilot projects in four community colleges and two four-year colleges at which support services for students experiencing homelessness would be provided. Data about the effects of the program would be collected and reported in 2023. This bill passed the Senate 30-18. Passed the House 57-38 with amendments. Will go to the Senate for concurrence.
- **SSB 5820** Increasing eligibility for child care and early learning programs for homeless and other vulnerable children. Adds homelessness children to the vulnerable populations eligible for Working Connections Child Care program subsidies and gives authorization for 12 months of subsidy, regardless of changes in family circumstances. This bill passed the Senate 45-3. Currently in the House Appropriations Committee. It has not had a hearing but may be necessary to implement the budget.
- **HB 1278** Concerning room and board for college bound scholarship students would require public institutions of higher education that offer on-campus housing options to provide a one-year waiver for on-campus housing to eligible students (those who upon graduation from high school, are considered homeless under the McKinney-Vento Act) on a space available basis. This bill passed the House 59-37. Currently in Senate Ways & Means Committee. **Died in committee.**



SUPPORT SERVICES FOR YOUTH EXPERIENCING HOMELESSNESS

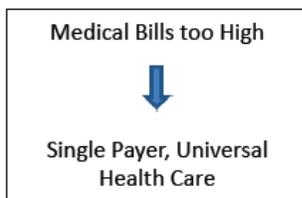
- **HB 1657 Concerning services provided by the office of homeless youth prevention and protection programs** would authorize the use of HOPE Centers for the placement of a child in need of services and remove the limit of HOPE Center beds statewide, clarify street outreach services are available to both youth and unaccompanied young adults and align licensing requirements for HOPE Centers, as well as staff education and experience requirements with Department of Children, Youth, and Families

licensing and staff. This bill has passed the House 94-0. Passed the Senate 46-0. Has been sent to the Governor for signature. **PASSED.**



EMPLOYMENT SUPPORT FOR PERSONS EXPERIENCING HOMELESSNESS

- **HB 1743** Addressing the methodology for establishing the prevailing rate of wages for the construction of affordable housing, homeless and domestic violence shelters, and low-income weatherization and home rehabilitation public works addresses the unintended consequences of last year's bill eliminating surveys that failed to distinguish commercial and residential construction. It will protect wage earners and assist with the construction of affordable housing and weatherization. The interim rate assures affordable housing can be built. Stakeholders came together to solve this issue. Passed the House 95-0. Passed the Senate 44-1 with amendments. House concurred with amendments. Has been sent to the Governor for signature. **PASSED.**



PATHWAY TO UNIVERSAL HEALTH CARE

- **SSB 5822** Providing a pathway to establish a universal health care system for the residents of Washington state directs the Health Care Authority (HCA) to convene a work group to study the establishment of a universal health care system in Washington, and for the workgroup to report its findings by November 15, 2020. Passed in Senate 28-21. In House Rules. **Died for not passing before cut-off.**



REGULATORY CHANGES TO SUPPORT NEW HOUSING

- **HB 1207** Concerning manufactured housing communities, authorizes a landlord or tenant to site any size new or used manufactured/mobile home or park model on a mobile home lot in accordance with the lot sizes, separation and setback distances, and other requirements in effect at the time the manufactured/mobile home park was approved. This would prevent new regulations restricting mobile home siting. This bill passed the House 96-0. In Senate Rules Committee. **Died for not passing before cut-off.**
- **HB 2110** Modifying the definition of affordable workforce housing for the purposes of permitted lodging tax revenue expenditures would redefine the eligibility threshold from between 30% and 80% of AMI to below 80% AMI. This bill has passed the House 59-39. In Senate Rules Committee. **Died for not passing before cut-off.**

BUDGETS

- **The Housing and Essential Needs (HEN) program** was funded at an increase of \$12.3 million in the House and \$15 million in the Senate. These appropriations compare to the \$69 million request. However, \$12.4 million would keep the HEN program at parity with rising rents. An opportunity to expand the program was hoped for.
- **The Housing Trust Fund** was funded at \$150 million in the House capital budget and at \$175 million in the Senate capital budget, both significant increases over prior years. These compare to the \$200 million request.

To put this in perspective, \$200 million would fund approximately 4,500-5,000 affordable housing units. The Department of Commerce estimates that there is a need for over 200,000 housing units in the state.

- Also, although not yet passed, **HB 1406 would allow counties and cities to retain a portion of the state sales tax to use for affordable housing**, and funding for this was included in both budgets released this week. This is shown as an expense because it's essentially a transfer from the state to local governments. It looks less likely as of today that this bill will pass, but if it does, it will generate some additional funding, primarily if used as revenue backing for bonding, for affordable housing.

To put the budget in perspective, recall that the Department of Commerce has reported that there is a shortage of over 200,000 affordable housing units in Washington State. The requests being made for the budget, while large relative to past years, are not going to substantially address this shortfall. More is needed, but more will not happen this year.

IN CONCLUSION

With all of this going on, what is missing? Here are some things:

- Even with the proposals totaling \$600 million in new funding for affordable housing, the supply will fall quite short of the total need, over 200,000 affordable housing units statewide. And the budgets are coming in at quite a bit less than the amount requested.
- Very little is addressed specifically to those most in need, the people living at 30% or lower AMI
- Shelter and transitional housing opportunities for people newly experiencing homelessness
- Improved access to affordable medical care – action has begun but will take several years
- Improved level of service by transit