

SIXTY EIGHTH LEGISLATURE - REGULAR SESSION

FIFTY THIRD DAY

House Chamber, Olympia, MARCH 2, 2023

The House was called to order at 9:00 a.m. by the Speaker (Representative Orwall presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Clete Hastings and Maddison Flohr. The Speaker (Representative Orwall presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Deacon Carla Spaccarotelli, Gloria Dei Lutheran Church, Olympia.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the third order of business.

MESSAGE FROM THE SENATE

Wednesday, March 1, 2023

Mme. Speaker:

The Senate has passed:

- ENGROSSED SUBSTITUTE SENATE BILL NO. 5010
SENATE BILL NO. 5069
- SECOND SUBSTITUTE SENATE BILL NO. 5120
SUBSTITUTE SENATE BILL NO. 5127
SUBSTITUTE SENATE BILL NO. 5189
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5217
SUBSTITUTE SENATE BILL NO. 5300
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5326
SUBSTITUTE SENATE BILL NO. 5374
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5447
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5466
SECOND SUBSTITUTE SENATE BILL NO. 5555
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5583
SUBSTITUTE SENATE BILL NO. 5586
SUBSTITUTE SENATE BILL NO. 5604
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5614

and the same are herewith transmitted.

Colleen Rust, Deputy Secretary

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

ESSB 5050 by Senate Committee on Health & Long Term Care (originally sponsored by Wellman, Hunt, Keiser, Kuderer, McCune, Nobles, Rolfes, Wagoner and Wilson, C.)

AN ACT Relating to informed consent for breast implant surgery; adding a new section to chapter 18.130 RCW; and creating a new section.

Referred to Committee on Health Care & Wellness.

SSB 5054 by Senate Committee on Early Learning & K-12 Education (originally sponsored by Wellman, Dhingra, Nobles, Saldaña, Valdez and Wilson, C.)

AN ACT Relating to promoting and facilitating the use of professional learning communities; amending RCW 28A.150.205, 28A.415.430, and 28A.415.434; and creating a new section.

Referred to Committee on Education.

SB 5066 by Senators Short, Rolfes, Cleveland and Conway

AN ACT Relating to clarifying that health care benefit managers must file contracts with health carriers with the office of the insurance commissioner; amending RCW 48.200.040; and declaring an emergency.

Referred to Committee on Health Care & Wellness.

E2SSB 5080 by Senate Committee on Ways & Means (originally sponsored by Saldaña, Conway, Frame, Hasegawa, Kuderer, Lovelett, Nguyen, Nobles and Stanford)

AN ACT Relating to expanding and improving the social equity in cannabis program; amending RCW 43.330.540, 69.50.331, 69.50.335, 69.50.345, and 69.50.345; providing an effective date; and providing an expiration date.

Referred to Committee on Regulated Substances & Gaming.

SSB 5114 by Senate Committee on Human Services (originally sponsored by Wilson, C., Trudeau, Frame, Hasegawa, Kuderer, Liias, Lovelett, Nguyen, Nobles, Pedersen, Randall, Saldaña, Stanford, Valdez, Warnick and Wellman)

AN ACT Relating to supporting adults with lived experience of sex trafficking; adding a new section to chapter 43.280 RCW; and creating a new section.

Referred to Committee on Human Services, Youth, & Early Learning.

SSB 5126 by Senate Committee on Ways & Means (originally sponsored by Pedersen, Hawkins, Wellman and Wilson, C.)

AN ACT Relating to providing common school trust revenue to small school districts; and amending RCW 28A.515.320.

Referred to Committee on Capital Budget.

SSB 5182 by Senate Committee on State Government & Elections (originally sponsored by Nguyen, Hunt, Boehnke, Keiser, MacEwen, Nobles, Shewmake, Trudeau, Wilson, C. and Wilson, J.)

AN ACT Relating to procedures and deadlines for candidate filing; amending RCW 29A.24.050, 29A.24.040, 29A.24.070, 29A.24.081, 29A.24.091, 29A.24.131, and 29A.32.230; reenacting and amending RCW 29A.16.040; adding a new section to chapter 29A.24 RCW; and adding a new section to chapter 29A.32 RCW.

Referred to Committee on State Government & Tribal Relations.

SB 5240 by Senators Braun, Keiser and Mullet

AN ACT Relating to unemployment insurance benefits appeal procedures; amending RCW 50.32.040; and creating a new section.

Referred to Committee on Labor & Workplace Standards.

SB 5242 by Senators Cleveland, Robinson, Dhingra, Frame, Hasegawa, Hunt, Keiser, Lovelett, Nobles, Pedersen, Randall, Saldaña, Salomon, Stanford, Valdez, Wellman and Wilson, C.

AN ACT Relating to prohibiting cost sharing for abortion; amending RCW 48.43.073; and adding a new section to chapter 41.05 RCW.

Referred to Committee on Health Care & Wellness.

SSB 5256 by Senate Committee on Human Services (originally sponsored by Saldaña, Wilson, C., Frame, Hasegawa, Hunt, Kuderer, Lovelett, Lovick, Nguyen, Nobles, Robinson, Valdez and Wellman)

AN ACT Relating to making permanent and expanding the child welfare housing assistance program; amending RCW 74.13.802; providing an effective date; and declaring an emergency.

Referred to Committee on Human Services, Youth, & Early Learning.

SB 5280 by Senators Frame, Boehnke, Hunt, Kuderer, Lovelett, Lovick, Nguyen, Nobles, Saldaña, Wellman and Wilson, C.

AN ACT Relating to the duty of clergy to report child abuse or neglect; amending RCW 26.44.030; and reenacting and amending RCW 26.44.020.

Referred to Committee on Human Services, Youth, & Early Learning.

ESB 5355 by Senators Wilson, C., Kuderer, Lovelett, Nguyen, Randall, Valdez and Wellman

AN ACT Relating to mandating instruction on sex trafficking prevention and identification for students in grades seven through 12; adding a new section to chapter 28A.320 RCW; and creating a new section.

Referred to Committee on Education.

ESSB 5365 by Senate Committee on Labor & Commerce (originally sponsored by Saldaña, Lias, Billig, Dhingra, Hunt, Lovelett, Nguyen, Pedersen, Randall, Robinson, Stanford, Valdez, Wellman and Wilson, C.)

AN ACT Relating to the purchase, use, and possession of vapor and tobacco products by minors; amending RCW 70.155.100, 70.155.110, and 70.345.160; reenacting and amending RCW 70.155.120; creating new sections; and repealing RCW 70.155.080 and 70.345.140.

Referred to Committee on Regulated Substances & Gaming.

SB 5370 by Senators Wagoner, Dhingra, Van De Wege and Wilson, C.

AN ACT Relating to adult protective services; and amending RCW 74.34.020, 74.34.063, 74.34.095, and 68.50.105.

Referred to Committee on Human Services, Youth, & Early Learning.

ESSB 5371 by Senate Committee on Agriculture, Water, Natural Resources & Parks (originally sponsored by Lovelett, Shewmake, Hasegawa, Hunt, Keiser, Kuderer, Nguyen,

Pedersen, Randall, Robinson, Rolfes, Saldaña, Valdez, Wellman and Wilson, C.)

AN ACT Relating to protecting southern resident orcas from vessels; amending RCW 77.15.740, 77.65.615, and 77.15.815; prescribing penalties; and providing an effective date.

Referred to Committee on Agriculture and Natural Resources.

SB 5394 by Senators Randall, Dhingra, Keiser, Nguyen, Stanford, Valdez and Wilson, C.

AN ACT Relating to malpractice insurance for international medical graduate supervisors; and amending RCW 18.71.095.

Referred to Committee on Health Care & Wellness.

SSB 5396 by Senate Committee on Health & Long Term Care (originally sponsored by Wilson, L., Boehnke, Frame, Hunt, Kauffman, Kuderer, Rivers, Rolfes, Shewmake, Valdez and Warnick)

AN ACT Relating to cost sharing for diagnostic and supplemental breast examinations; amending RCW 48.20.393, 48.21.225, 48.44.325, and 48.46.275; adding a new section to chapter 48.43 RCW; and creating a new section.

Referred to Committee on Health Care & Wellness.

SSB 5405 by Senate Committee on Labor & Commerce (originally sponsored by King, Keiser and Wilson, C.)

AN ACT Relating to modifying the liquor and cannabis board's subpoena authority relating to cannabis investigations; and amending RCW 66.08.145.

Referred to Committee on Regulated Substances & Gaming.

SB 5419 by Senators Gildon, Billig, Lias, Mullet and Wilson, C.

AN ACT Relating to removing the requirement that the Washington state institute of public policy conduct an outcome evaluation of case aides who provide short-term relief for certain foster families; and amending RCW 74.13.270.

Referred to Committee on Human Services, Youth, & Early Learning.

SB 5452 by Senators Shewmake, Billig, Hasegawa, Kuderer, Lias, Nguyen, Pedersen, Saldaña and Valdez

AN ACT Relating to authorizing impact fee revenue to fund improvements to bicycle and pedestrian facilities; amending RCW 82.02.090; and creating a new section.

Referred to Committee on Local Government.

SSB 5453 by Senate Committee on Law & Justice (originally sponsored by Keiser, Dhingra, Cleveland, Nguyen, Saldaña and Valdez)

AN ACT Relating to female genital mutilation; amending RCW 18.130.180 and 9A.04.080; reenacting and amending RCW 26.44.020; adding new sections to chapter 9A.36 RCW; adding a new section to chapter 18.130 RCW; adding a new section to chapter 43.70 RCW; creating a new section; prescribing penalties; and declaring an emergency.

Referred to Committee on Community Safety, Justice, & Reentry.

SB 5457 by Senators Short, Lovelett, Kuderer and Shewmake

AN ACT Relating to implementing growth management task force legislative recommendations regarding small cities; and reenacting and amending RCW 36.70A.130.

Referred to Committee on Local Government.

SB 5459 by Senators Hunt, Kuderer, Valdez and Wilson, C.

AN ACT Relating to requests for records containing election information; amending RCW 29A.08.105 and 42.56.420; adding a new section to chapter 42.56 RCW; creating a new section; and repealing RCW 29A.60.290.

Referred to Committee on State Government & Tribal Relations.

ESB 5462 by Senators Liias, Wilson, C., Kuderer, Lovelett, Nguyen, Pedersen, Randall, Saldaña and Valdez

AN ACT Relating to promoting inclusive learning standards and instructional materials in public schools; amending RCW 28A.150.230, 28A.320.230, 28A.655.070, 28A.710.040, and 28A.715.020; adding a new section to chapter 28A.345 RCW; and creating a new section.

Referred to Committee on Education.

SSB 5490 by Senate Committee on Ways & Means (originally sponsored by Rolfes, Conway, Hunt, Lovick, Saldaña and Wilson, C.)

AN ACT Relating to health care coverage for retired or disabled employees denied coverage for failure to timely notify the authority of their intent to defer coverage; adding a new section to chapter 41.05 RCW; and declaring an emergency.

Referred to Committee on Health Care & Wellness.

SB 5531 by Senators King, Shewmake and Nobles

AN ACT Relating to special use permits for milk product haulers; and amending RCW 46.44.0941.

Referred to Committee on Transportation.

SB 5550 by Senators Liias, Randall, Valdez, Lovick, Wilson, C., Lovelett, Kauffman, Shewmake, Hasegawa, Hunt, Keiser, Nguyen, Nobles, Robinson and Van De Wege

AN ACT Relating to addressing workforce development issues, including cultural issues, at the Washington state ferries; reenacting and amending RCW 47.60.005; and adding a new section to chapter 47.60 RCW.

Referred to Committee on Transportation.

SSB 5565 by Senate Committee on Ways & Means (originally sponsored by Schoesler, Rolfes, Dozier, Nobles and Wellman)

AN ACT Relating to modifying tax and revenue laws by making technical corrections, clarifying ambiguities, easing compliance burdens for taxpayers, and providing administrative efficiencies; amending RCW 19.150.060, 19.150.080, 19.240.080, 19.240.900, 35.90.020, 59.18.312, 59.18.595, 63.30.040, 82.04.4489, 82.14.070, 82.32.045, 82.32.105, 82.60.020, 82.60.049, 82.60.060, 82.60.070, 82.70.900, 82.73.030, 82.90.080, 84.52.120, 84.52.816, 88.02.620, and 88.26.020; reenacting and amending RCW 82.08.0206; creating a new section; repealing RCW 82.12.02088, 82.27.060, and 82.70.050; and providing an expiration date.

Referred to Committee on Finance.

ESSB 5576 by Senate Committee on Law & Justice (originally sponsored by Dhingra, Kuderer, Lovelett, Nobles, Saldaña, Trudeau, Valdez and Wilson, C.)

AN ACT Relating to sexual assault procedures; and amending RCW 43.43.754 and 9A.44.020.

Referred to Committee on Community Safety, Justice, & Reentry.

SSB 5581 by Senate Committee on Health & Long Term Care (originally sponsored by Muzzall, Robinson, Braun, Rivers, Warnick, Cleveland, Hasegawa, Kuderer, Lovelett, Shewmake, Wilson, C., Wilson, J. and Wilson, L.)

AN ACT Relating to developing strategies to reduce or eliminate cost sharing for maternity care services and postpartum care; creating a new section; and providing an expiration date.

Referred to Committee on Health Care & Wellness.

SB 5606 by Senators Lovick, Conway, Keiser, Valdez and Wilson, C.

AN ACT Relating to deterring illegal racing; amending RCW 46.61.530, 46.55.360, and 46.55.370; reenacting and amending RCW 46.55.113; adding new sections to chapter 46.04 RCW; adding new sections to chapter 46.61 RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Civil Rights & Judiciary.

SSB 5617 by Senate Committee on Early Learning & K-12 Education (originally sponsored by Wellman, Nguyen, Hasegawa, Liias, Lovelett, Nobles and Wilson, C.)

AN ACT Relating to career and technical education course equivalencies; amending RCW 28A.230.097 and 28A.300.236; reenacting and amending RCW 28A.700.070; and adding a new section to chapter 28A.245 RCW.

Referred to Committee on Education.

SSB 5627 by Senate Committee on Local Government, Land Use & Tribal Affairs (originally sponsored by Hunt)

AN ACT Relating to salaries for county commissioners and councilmembers; and amending RCW 36.17.024.

Referred to Committee on Local Government.

SSB 5648 by Senate Committee on Early Learning & K-12 Education (originally sponsored by Wellman, Randall, Nguyen, Nobles and Wilson, C.)

AN ACT Relating to including state-tribal education compact schools and charter schools as entities able to receive waivers from the state board of education and the office of the superintendent of public instruction under the authority of RCW 28A.300.750; and amending RCW 28A.300.750.

Referred to Committee on Education.

SSB 5709 by Senate Committee on Local Government, Land Use & Tribal Affairs (originally sponsored by Torres, Hunt, Schoesler and Dozier)

AN ACT Relating to irrigation district elections; amending RCW 87.03.031, 87.03.032, 87.03.033, 87.03.045, 87.03.051, 87.03.071, 87.03.075, 87.03.085, and 87.03.105; adding new sections to chapter 87.03 RCW; and prescribing penalties.

Referred to Committee on State Government & Tribal Relations.

SSB 5720 by Senate Committee on Business, Financial Services, Gaming & Trade (originally sponsored by Stanford)

AN ACT Relating to risk mitigation in property insurance; and amending RCW 48.18.558 and 48.19.530.

Referred to Committee on Consumer Protection & Business.

SSB 5729 by Senate Committee on Health & Long Term Care (originally sponsored by Keiser, Cleveland, Hasegawa, Hunt, Kuderer, Nguyen, Shewmake, Stanford, Valdez and Wilson, C.)

AN ACT Relating to removing the expiration date on the cost-sharing cap for insulin; and amending RCW 48.43.780.

Referred to Committee on Health Care & Wellness.

SSB 5743 by Senate Committee on Transportation (originally sponsored by Lias and Billig)

AN ACT Relating to making certain nonsubstantive, corrective changes resulting from enactment of chapter 182, Laws of 2022 (transportation resources); amending RCW 81.104.170, 81.104.175, 47.04.380, 47.04.390, 46.68.480, 43.84.092, 43.84.092, 47.66.140, and 43.392.040; reenacting and amending RCW 47.04.010; adding a new section to chapter 47.04 RCW; creating new sections; recodifying RCW 47.24.060; providing an effective date; and providing an expiration date.

Referred to Committee on Transportation.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the sixth order of business.

SECOND READING

HOUSE BILL NO. 1424, by Representatives Berg, Walen, Simmons, Kloba, Street, Taylor, Alvarado, Bateman, Stonier, Paul, Fosse, Macri, Reed, Berry, Senn, Duerr, Riccelli, Doglio, Callan, Peterson, Fitzgibbon, Stearns, Ortiz-Self, Goodman, Thai, Springer, Gregerson, Ramel, Bergquist and Pollet

Concerning consumer protection with respect to the sale and adoption of dogs and cats.

The bill was read the second time.

Representative Connors moved the adoption of the striking amendment (088):

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 16.52.360 and 2021 c 76 s 1 are each amended to read as follows:

(1) Except as provided in this section, a retail pet store may not sell or offer for sale any dog or cat.

(2) A retail pet store that sold or offered for sale any dog or cat prior to July 25, 2021, may sell or offer for sale a dog or cat only if the retail pet store meets the following requirements:

(a) Any dog or cat sold or offered for sale must be sold or offered for sale only at the address identified on the retail pet store's business license, as defined in RCW 19.02.020;

(b) Any dog sold or offered for sale must be obtained either:

(i) Directly from a breeder, including an out-of-state breeder, who satisfies the requirements of RCW 16.52.310; or

(ii) From a United States department of agriculture licensed broker pursuant to the federal animal welfare act, Title 7 U.S.C. Sec. 2131 et seq. as amended, that obtains dogs from a breeder in compliance with this section. A licensed broker shall provide all breeder documentation required by a breeder under this section as well as any applicable federal and state license numbers for the breeder or the broker;

(c) Any dog sold or offered for sale must possess documentation obtained from its breeder, either directly or through a United States department of agriculture licensed broker, demonstrating:

(i) The dog was not separated from its mother prior to the age of eight weeks; and

(ii) The breeder's compliance with RCW 16.52.310 on the date the dog was obtained from the breeder;

(d) A retail pet store shall, prior to obtaining a dog from a breeder or a broker, obtain all inspection reports for the breeder created by the United States department of agriculture within the previous three years, if applicable. A retail pet store shall maintain and, upon request, produce the records for a period of five years following the sale of a dog obtained from a breeder or broker;

(e) Any advertisement, including website postings, offering to sell a dog or cat must include:

(i) A range of prices at which a dog or cat, breed of dog or cat, or dogs or cats having other distinguishing traits are offered for sale;

(ii) The age of the dog or cat; and

(iii) Supporting documentation providing the applicable federal or state license numbers for the breeder of the dog or cat, if applicable;

(f) The retail pet store shall post in a location visible from the entrance of the retail pet store on a kiosk or other form of bulletin board the purchase price, age, and the following information on the dog's breeder or cat's breeder:

(i) Full name;

(ii) Kennel name, if applicable;

(iii) City and state; and

(iv) Any applicable state or federal license numbers; and

(g) The retail pet store shall disclose to a prospective consumer in writing, prior to the sale of a dog or cat, the following information about the dog or cat:

(i) The purchase price of the dog or cat; and

(ii) Any applicable federal or state license numbers and an unredacted list of all violations of any federal or state law the dog breeder or cat breeder received in the previous two years on a federal or state inspection report.

(3) A retail pet store may provide space and appropriate care for animals, including dogs and cats, owned by an animal care and control agency or animal rescue group for the purpose of adopting those animals to the public. Each retail pet store shall display

on each cage or pen containing a dog or cat a label stating the certificate of source, including the name and address of the animal care and control agency or animal rescue group.

(4) (a) A retail pet store that violates this section is subject to a civil penalty of \$250.

(i) Civil penalties for violations of this section must be paid to the county where the violation occurred.

(ii) Civil penalties issued under this section are appealable to the office of administrative hearings.

(b) Any retail pet store that violates this section three or more times over a one-year period is prohibited from selling or offering to sell any dog or cat.

Sec. 2. RCW 16.52.015 and 2011 c 172 s 2 are each amended to read as follows:

(1) Law enforcement agencies and animal care and control agencies may enforce the provisions of this chapter. Animal care and control agencies may enforce the provisions of this chapter in a county or city only if the county or city legislative authority has entered into a contract with the agency to enforce the provisions of this chapter.

(2) Animal control officers enforcing this chapter shall comply with the same constitutional and statutory restrictions concerning the execution of police powers imposed on law enforcement officers who enforce this chapter and other criminal laws of the state of Washington.

(3) Animal control officers have the following enforcement powers when enforcing this chapter:

(a) The power to issue civil penalties based on violations under section 1 of this act;

(b) The power to issue citations based on probable cause to offenders for civil infractions and misdemeanor and gross misdemeanor violations of this chapter or RCW 9.08.070 through 9.08.078 or 81.48.070;

~~((b))~~(c) The power to cause a law enforcement officer to arrest and take into custody any person the animal control officer has probable cause to believe has committed or is committing a violation of this chapter or RCW 9.08.070 or 81.48.070. Animal control officers may make an oral complaint to a prosecuting attorney or a law enforcement officer to initiate arrest. The animal control officer causing the arrest shall file with the arresting agency a written complaint within ~~((twenty-four))~~ 24 hours of the arrest, excluding Sundays and legal holidays, stating the alleged act or acts constituting a violation;

~~((e))~~(d) The power to carry nonfirearm protective devices for personal protection;

~~((d))~~(e) The power to prepare affidavits in support of search warrants and to execute search warrants when accompanied by law enforcement officers to investigate violations of this chapter or RCW 9.08.070 or 81.48.070, and to seize evidence of those violations.

(4) Upon request of an animal control officer who has probable cause to believe that a person has violated this chapter or RCW 9.08.070 or 81.48.070, a law enforcement

agency officer may arrest the alleged offender.

Sec. 3. RCW 16.52.310 and 2009 c 286 s 2 are each amended to read as follows:

(1) A person may not own, possess, control, or otherwise have charge or custody of more than ~~((fifty))~~ 50 dogs with intact sexual organs over the age of six months at any time.

(2) Any person who owns, possesses, controls, or otherwise has charge or custody of more than ~~((ten))~~ 10 dogs with intact sexual organs over the age of six months and keeps the dogs in an enclosure for the majority of the day must at a minimum:

(a) Provide space to allow each dog to turn about freely, to stand, sit, and lie down. The dog must be able to lie down while fully extended without the dog's head, tail, legs, face, or feet touching any side of an enclosure and without touching any other dog in the enclosure when all dogs are lying down simultaneously. The interior height of the enclosure must be at least six inches higher than the head of the tallest dog in the enclosure when it is in a normal standing position. Each enclosure must be at least three times the length and width of the longest dog in the enclosure, from tip of nose to base of tail and shoulder blade to shoulder blade.

(b) Provide each dog that is over the age of four months with a minimum of one exercise period during each day for a total of not less than one hour of exercise during such day. Such exercise must include either leash walking or giving the dog access to an enclosure at least four times the size of the minimum allowable enclosure specified in (a) of this subsection allowing the dog free mobility for the entire exercise period, but may not include use of a cat mill, jenny mill, slat mill, or similar device, unless prescribed by a doctor of veterinary medicine. The exercise requirements in this subsection do not apply to a dog certified by a doctor of veterinary medicine as being medically precluded from exercise.

(c) Maintain adequate housing facilities and primary enclosures that meet the following requirements at a minimum:

(i) Housing facilities and primary enclosures must be kept in a sanitary condition. Housing facilities where dogs are kept must be sufficiently ventilated at all times to minimize odors, drafts, ammonia levels, and to prevent moisture condensation. Housing facilities must have a means of fire suppression, such as functioning fire extinguishers, on the premises and must have sufficient lighting to allow for observation of the dogs at any time of day or night;

(ii) Housing facilities must enable all dogs to remain dry and clean;

(iii) Housing facilities must provide shelter and protection from extreme temperatures and weather conditions that may be uncomfortable or hazardous to the dogs;

(iv) Housing facilities must provide sufficient shade to shelter all the dogs housed in the primary enclosure at one time;

(v) A primary enclosure must have floors that are constructed in a manner that

protects the dogs' feet and legs from injury;

(vi) Primary enclosures must be placed no higher than forty-two inches above the floor and may not be placed over or stacked on top of another cage or primary enclosure;

(vii) Feces, hair, dirt, debris, and food waste must be removed from primary enclosures at least daily or more often if necessary to prevent accumulation and to reduce disease hazards, insects, pests, and odors; and

(viii) All dogs in the same enclosure at the same time must be compatible, as determined by observation. Animals with a vicious or aggressive disposition must never be placed in an enclosure with another animal, except for breeding purposes. Breeding females in heat may not be in the same enclosure at the same time with sexually mature males, except for breeding purposes. Breeding females and their litters may not be in the same enclosure at the same time with other adult dogs. Puppies under twelve weeks may not be in the same enclosure at the same time with other adult dogs, other than the dam or foster dam unless under immediate supervision.

(d) Provide dogs with easy and convenient access to adequate amounts of clean food and water. Food and water receptacles must be regularly cleaned and sanitized. All enclosures must contain potable water that is not frozen, is substantially free from debris, and is readily accessible to all dogs in the enclosure at all times.

(e) Provide veterinary care without delay when necessary. A dog may not be bred if a veterinarian determines that the animal is unfit for breeding purposes. Only dogs between the ages of twelve months and eight years of age may be used for breeding. Animals requiring euthanasia must be euthanized only by a licensed veterinarian.

(3) A person who violates subsection (1) or (2) of this section is guilty of a gross misdemeanor.

(4) This section does not apply to the following:

(a) A publicly operated animal control facility or animal shelter;

(b) A private, charitable not-for-profit humane society or animal adoption organization;

(c) A veterinary facility;

(d) A retail pet store;

(e) A research institution;

(f) A boarding facility; or

(g) A grooming facility.

(5) ~~((Subsection (1) of this section does not apply to a commercial dog breeder licensed, before January 1, 2010, by the United States department of agriculture pursuant to the federal animal welfare act (Title 7 U.S.C. Sec. 2131 et seq.))~~

(6)) For the purposes of this section, the following definitions apply, unless the context clearly requires otherwise:

(a) "Dog" means any member of *Canis lupus familiaris*; and

(b) "Retail pet store" means a commercial establishment that engages in a for-profit business of selling at retail cats, dogs, or other animals to be kept as household pets and is regulated by the United States department of agriculture.

NEW SECTION. **Sec. 4.** A new section is added to chapter 63.10 RCW to read as follows:

A lessor shall not finance a consumer lease for the purchase of a dog or cat. A lease contract entered into on or after the effective date of this section for the purchase of a dog or cat is void and unenforceable and the lessor shall have no right to collect, receive, or retain any principal, interest, or charges related to the lease contract.

NEW SECTION. **Sec. 5.** A new section is added to chapter 63.14 RCW to read as follows:

A retail installment transaction entered into on or after the effective date of this section for the purchase of a dog or cat is void and unenforceable and the retail seller shall have no right to collect, receive, or retain any principal, interest, or charges related to the retail installment transaction.

NEW SECTION. **Sec. 6.** A new section is added to chapter 31.04 RCW to read as follows:

A licensee shall not finance or make a loan for the purchase of a dog or cat. A loan entered into on or after the effective date of this section for the purchase of a dog or cat is void and unenforceable and the licensee shall have no right to collect, receive, or retain any principal, interest, or charges related to the loan."

Correct the title.

Representatives Connors and Berg spoke in favor of the adoption of the striking amendment.

The striking amendment (088) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Berg, Corry, McClintock and Chambers spoke in favor of the passage of the bill.

MOTION

On motion of Representative Leavitt, Representative Paul was excused.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1424.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1424, and the bill passed the House by the following vote: Yeas, 92; Nays, 5; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Connors, Corry, Cortes, Couture, Davis, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Hansen, Harris, Hutchins, Jacobsen, Klicker, Kloba, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker,

Orcutt, Ormsby, Ortiz-Self, Orwall, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Christian, Dent, Kretz, McEntire and Walsh

Excused: Representative Paul

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1424, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1200, by Representatives Alvarado, Bronoske, Fitzgibbon, Berry, Bateman, Reed, Simmons, Bergquist, Ramel, Doglio, Ormsby, Ortiz-Self, Fosse, Pollet and Chopp

Requiring public employers to provide employee information to exclusive bargaining representatives.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1200 was substituted for House Bill No. 1200 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1200 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Alvarado spoke in favor of the passage of the bill.

Representatives Robertson and Griffey spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1200.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1200, and the bill passed the House by the following vote: Yeas, 56; Nays, 41; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Hansen, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Ormsby, Ortiz-Self, Orwall, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Chandler, Cheney, Christian, Connors, Cory, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Tharinger, Volz, Walsh, Waters, Wilcox and Ybarra

Excused: Representative Paul

SUBSTITUTE HOUSE BILL NO. 1200, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1491, by Representatives Orcutt, Chapman, Berry, Bronoske, Tharinger and Pollet

Prohibiting unjustified employer searches of employee personal vehicles.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1491 was substituted for House Bill No. 1491 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1491 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Orcutt, Fosse, Hutchins and Robertson spoke in favor of the passage of the bill.

Representative McEntire spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1491.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1491, and the bill passed the House by the following vote: Yeas, 87; Nays, 10; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chambers, Chapman, Chopp, Christian, Connors, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Hansen, Harris, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Morgan, Orcutt, Ormsby, Ortiz-Self, Orwall, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Caldier, Chandler, Cheney, Corry, Eslick, Hutchins, McEntire, Mosbrucker, Sandlin and Thai

Excused: Representative Paul

SECOND SUBSTITUTE HOUSE BILL NO. 1491, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1658, by Representatives Shavers, Santos, Morgan, Ramel, Taylor and Ormsby

Authorizing public high school students to earn elective credit for paid work experience.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1658 was substituted for House Bill No. 1658 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1658 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Shavers, Rude, Griffey, Santos, Harris and Wilcox spoke in favor of the passage of the bill.

Representatives Caldier, Walsh and Jacobsen spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1658.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1658, and the bill passed the House by the following vote: Yeas, 93; Nays, 4; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Gregerson, Griffey, Hackney, Hansen, Harris, Hutchins, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Caldier, Graham, Jacobsen and Walsh

Excused: Representative Paul

SUBSTITUTE HOUSE BILL NO. 1658, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1308, by Representatives Stonier, Dye, Ortiz-Self, Tharinger, Riccelli, Reed and Pollet

Concerning high school graduation pathway options.

The bill was read the second time.

Representative Steele moved the adoption of amendment (147):

On page 1, beginning on line 4, strike all of section 1

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 3, beginning on line 11, after "multiple" strike all material through "RCW 28A.230.090" on line 20 and insert "pathways to graduating with a meaningful high school diploma that are tailored to the goals of the student"

On page 4, line 39, after "of" insert "state approved"

On page 5, line 6, after "28A.700.030." insert "Approved pathways must align with course sequences that prepare students for aligned, advanced, and continuing education, employment preparation for in-demand occupations, and livable wage careers."

On page 5, beginning on line 9, after "section" strike all material through "(4)" on line 38 and insert "

((2)) (4)"

On page 6, line 3, after "districts" strike ", however,"

On page 6, line 7, after "information" strike "beginning in sixth grade" and insert "to students in grade six"

On page 6, line 11, after "(5)" insert "The office of the superintendent of public instruction shall evaluate approved pathways under subsection (3)(h) of this section and ensure that only pathways meeting state requirements are approved. Pathways approved for local use under subsection (3)(h) of this section must be posted on the website of the office of the superintendent of public instruction.

(6)"

On page 7, line 31, after "education." insert "The state board of education, based upon the findings from its review and monitoring, may revise its graduation pathway implementation rules adopted under RCW 28A.655.250(5)."

On page 7, line 33, after "January 10," strike "2025" and insert "2024"

On page 8, after line 11, insert the following:

"NEW SECTION. Sec. 4. (1) By August 1, 2023, the state board of education shall convene a technical working group to provide recommendations to the legislature on expanding the graduation pathways established in RCW 28A.655.250.

(2) The work group shall:

(a) Recommend only additional pathways that are designed to serve each and every student and provide opportunities for students to demonstrate readiness in ways valued by receiving systems, the military, continuing education and training, or employment;

(b) Recommend at least one additional pathway based upon work experience; and

(c) Review graduation pathways and rules related to their implementation for the purpose of informing recommendations for clarity and improvement.

(3) The technical work group must, at a minimum, be composed of the following:

(a) Members from the state board for community and technical colleges;

(b) Members from four-year institutions of higher education;

(c) Members representing the armed services;

(d) Members from associations representing business and labor;

(e) Members representing state-based employers that represent small, medium, and large businesses in high-value economic sectors;

(f) Members representing the Washington state apprenticeship and training council; and

(g) Members representing the education system, including but not limited to, the office of superintendent of public instruction, school directors, school administrators, and educators.

(4) The work group shall provide their recommendations for public comment by November 1, 2023, and in accordance with RCW 43.01.036, report their final recommendations to the education committees of the legislature by December 1, 2023.

(5) Staff support for the work group must be provided by the state board of education.

(6) This section expires December 1, 2023."

Correct the title.

Representatives Steele, Barnard and Corry spoke in favor of the adoption of the amendment.

Representative Stonier spoke against the adoption of the amendment.

Amendment (147) was not adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Stonier spoke in favor of the passage of the bill.

Representatives Steele and Rude spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1308.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1308, and the bill passed the House by the following vote: Yeas, 63; Nays, 34; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Dye, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Hansen, Harris, Kloba, Lekanoff, Low, Macri, Maycumber, McEntire, Mena, Morgan, Ormsby, Ortiz-Self, Orwall, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Sandlin, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Waters, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Chandler, Cheney, Christian, Connors, Corry, Couture, Dent, Eslick, Gohner, Graham, Griffey, Hutchins, Jacobsen, Klicker, Kretz, Leavitt, McClintock, Mosbrucker, Orcutt, Robertson, Rude, Schmick, Schmidt, Steele, Stokesbary, Volz, Walsh, Wilcox and Ybarra

Excused: Representative Paul

HOUSE BILL NO. 1308, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1013, by Representatives Maycumber, Santos, Ybarra, Stonier, Dent, Goodman, Tharinger, Riccelli, Lekanoff, Rude, Walen, Robertson, Mosbrucker, Berry, Stokesbary, Fey, Harris, McClintock, Bronoske, Waters, Duerr, Hackney, Klicker, Kretz, Couture, Barnard, Walsh, Chapman, Griffey, Chopp, Leavitt, Ryu, Low, Barkis, Simmons, Schmidt, Sandlin, Bateman, Reed, Graham, Christian, Timmons, Pollet, Street, Rule, Connors, Cortes, Callan, Doglio, Orwall, Caldier, Reeves, Wylie, Bergquist, Thai, Kloba, Cheney and Ormsby

Establishing regional apprenticeship programs.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1013 was substituted for House Bill No. 1013 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1013 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Maycumber and Stonier spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1013.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1013, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Gohner, Goodman, Graham, Gregerson, Griffey, Hackney, Hansen, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representative Paul

SECOND SUBSTITUTE HOUSE BILL NO. 1013, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1074, by Representatives Thai, Macri, Simmons, Ryu, Ramel, Peterson, Lekanoff, Alvarado, Pollet, Cortes, Gregerson, Kloba, Davis and Ormsby

Addressing documentation and processes governing landlords' claims for damage to residential premises.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1074 was substituted for House Bill No. 1074 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1074 was read the second time.

Representative Barkis moved the adoption of amendment (142):

On page 8, line 36, after "fees." insert "However, if the landlord can prove that the landlord provided a written checklist to the tenant at the commencement of the tenancy but that the tenant did not sign or return the checklist, the dwelling unit must be presumed to have been clean and undamaged at the commencement of the tenancy and the landlord is not liable to the tenant for the amount of the deposit under this subsection."

Representative Barkis spoke in favor of the adoption of the amendment.

Representative Peterson spoke against the adoption of the amendment.

Amendment (142) was not adopted.

Representative Hutchins moved the adoption of amendment (140):

On page 9, line 2, after "premises" insert "by all tenants and any remaining occupants that the landlord is required to give notice to under RCW 59.18.650(3)"

Representatives Hutchins, Barnard and Barkis spoke in favor of the adoption of the amendment.

Representative Peterson spoke against the adoption of the amendment.

Amendment (140) was not adopted.

Representative Hutchins moved the adoption of amendment (150):

On page 10, line 7, after "for" strike "the full amount of the deposit" and insert "(the full amount of the deposit) any amount of the deposit for which a deduction is not reasonably substantiated by a full and specific statement and any documentation required within the time limits"

Representatives Hutchins, Barnard and Hutchins (again) spoke in favor of the adoption of the amendment.

Representative Peterson spoke against the adoption of the amendment.

Amendment (150) was not adopted.

Representative Barkis moved the adoption of amendment (141):

On page 7, beginning on line 36, after "abuse" strike all material through "guest" on line 38

Representatives Barkis and Barkis (again) spoke in favor of the adoption of the amendment.

Representative Peterson spoke against the adoption of the amendment.

Amendment (141) was not adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Thai and Thai (again) spoke in favor of the passage of the bill.

Representatives Hutchins, Corry, Griffey, Chambers, Goehner, Jacobsen, Christian, Barnard, McEntire and Barkis spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1074.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1074, and the bill passed the House by the following vote: Yeas, 57; Nays, 40; Absent, 0; Excused, 1

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Hansen, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Ormsby, Ortiz-Self,

Orwall, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Chandler, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Volz, Walsh, Waters, Wilcox and Ybarra

Excused: Representative Paul

SUBSTITUTE HOUSE BILL NO. 1074, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1291, by Representatives Fosse, Donaghy, Berry, Street, Ortiz-Self, Ramel, Riccelli, Bergquist, Bateman, Taylor, Macri, Reeves, Doglio, Gregerson, Santos, Reed, Goodman, Kloba and Pollet

Expanding collective bargaining for employees who are enrolled in academic programs at public institutions of higher education.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1291 was substituted for House Bill No. 1291 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1291 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Fosse and Robertson spoke in favor of the passage of the bill.

MOTION

On motion of Representative Ramel, Representative Morgan was excused.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1291.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1291, and the bill passed the House by the following vote: Yeas, 69; Nays, 27; Absent, 0; Excused, 2

Voting Yea: Representatives Alvarado, Barkis, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Gregerson, Hackney, Hansen, Harris, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Ormsby, Ortiz-Self, Orwall, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Waters, Wilcox, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barnard, Caldier, Chambers, Chandler, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Graham, Griffey, Hutchins, Jacobsen, Klicker, McEntire, Mosbrucker, Orcutt, Sandlin, Schmick, Schmidt, Stokesbary, Volz, Walsh and Ybarra

Excused: Representatives Morgan and Paul

SUBSTITUTE HOUSE BILL NO. 1291, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1570, by Representatives Berry, Ryu, Alvarado, Bateman, Fitzgibbon, Ramel, Doglio, Lekanoff, Reed, Pollet, Macri and Fosse

Concerning social insurance programs applicable to transportation network companies and drivers.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1570 was substituted for House Bill No. 1570 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1570 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Berry and Robertson spoke in favor of the passage of the bill.

Representative Dye spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1570.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1570, and the bill passed the House by the following vote: Yeas, 87; Nays, 9; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Hansen, Harris, Hutchins, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, Mena, Ormsby, Ortiz-Self, Orwall, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Corry, Dye, Jacobsen, Klicker, McClintock, McEntire, Mosbruecker, Orcutt and Walsh
Excused: Representatives Morgan and Paul

SUBSTITUTE HOUSE BILL NO. 1570, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1478, by Representatives Timmons, Sandlin, Santos, Ryu, Ramel and Pollet

Establishing a statement of student rights.

The bill was read the second time.

With the consent of the House, amendment (139) was withdrawn.

Representative Volz moved the adoption of amendment (148):

On page 1, line 21, after "Washington" insert ", as well as the Declaration of Independence"

On page 2, line 28, after "the" insert "Declaration of Independence and the"

On page 2, line 29, after "Constitution" insert ",,"

On page 2, line 36, after "law;" strike "and"

On page 2, line 37, after "laws" insert "; and"

(H) The right to life, liberty, and the pursuit of happiness"

Representatives Volz and Santos spoke in favor of the adoption of the amendment.

Amendment (148) was adopted.

Representative Rude moved the adoption of amendment (119):

On page 2, line 10, after "each" strike "public school" and insert "school district, charter school, and state-tribal education compact school"

On page 2, line 16, after "Each" strike "public school" and insert "school district, charter school, and state-tribal education compact school"

Representatives Rude and Santos spoke in favor of the adoption of the amendment.

Amendment (119) was adopted.

Representative Rude moved the adoption of amendment (118):

On page 2, beginning on line 18, after "section." strike all material through "platforms" on line 20 and insert "A link to the materials must be made available on school district, charter school, and state-tribal compact school websites, social media platforms,"

Representatives Rude and Santos spoke in favor of the adoption of the amendment.

Amendment (118) was adopted.

Representative Walsh moved the adoption of amendment (149):

On page 3, line 19, after "(D)" insert "The right to bear arms in defense of self or the state;
(E) "

Renumber the remaining subsections consecutively and correct any internal references accordingly.

Representative Walsh spoke in favor of the adoption of the amendment.

Representative Santos spoke against the adoption of the amendment.

Amendment (149) was not adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Timmons and Sandlin spoke in favor of the passage of the bill.

Representatives McEntire and Rude spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1478.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1478, and the bill passed the House by the following vote: Yeas, 61; Nays, 35; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Hansen, Harris, Kloba, Leavitt, Lekanoff, Macri, Mena, Ormsby, Ortiz-Self, Orwall, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Sandlin, Santos, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Barkis, Barnard, Calder, Chambers, Chandler, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Schmick, Steele, Stokesbary, Walsh, Waters, Wilcox and Ybarra

Excused: Representatives Morgan and Paul

ENGROSSED HOUSE BILL NO. 1478, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1577, by Representative Schmick

Concerning municipal officers' beneficial interest in contracts.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1577 was substituted for House Bill No. 1577 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1577 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Schmick and Duerr spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1577.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1577, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Calder, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Hansen, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street,

Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Morgan and Paul

SUBSTITUTE HOUSE BILL NO. 1577, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Orwall presiding) called upon Representative Bronoske to preside.

There being no objection, the House reverted to the third order of business.

MESSAGE FROM THE SENATE

Wednesday, March 1, 2023

Mme. Speaker:

The Senate has passed:

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5001

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5278

ENGROSSED SUBSTITUTE SENATE BILL NO. 5599

and the same are herewith transmitted.

Colleen Rust, Deputy Secretary

There being no objection, the House advanced to the sixth order of business.

SECOND READING

HOUSE BILL NO. 1238, by Representatives Riccelli, Harris, Alvarado, Thai, Simmons, Senn, Rude, Reeves, Reed, Walen, Peterson, Ortiz-Self, Ormsby, Taylor, Leavitt, Fitzgibbon, Duerr, Doglio, Berry, Bateman, Morgan, Fey, Ramel, Goodman, Fosse, Pollet, Lekanoff, Macri, Chopp, Stonier, Gregerson and Santos

Providing free school meals for all.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1238 was substituted for House Bill No. 1238 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1238 was read the second time.

With the consent of the House, amendment (110) was withdrawn.

Representative Rude moved the adoption of amendment (157):

On page 3, line 25, after "rate." insert "For school districts that are not participating in the school lunch program or the school breakfast program that provided school meals to enrolled students meeting federal eligibility requirements for free and reduced-price lunches during the 2023-24 school year, the state reimbursement provided under this subsection must be equivalent to the per-meal reimbursement that the school district would have otherwise qualified for if it had been participating in the school lunch program and the school breakfast program."

Representatives Rude and Santos spoke in favor of the adoption of the amendment.

Amendment (157) was adopted.

Representative Sandlin moved the adoption of amendment (107):

On page 4, after line 7, insert the following:

"**NEW SECTION. Sec. 3.** A new section is added to chapter 28A.235 RCW to read as follows:

Public schools, as defined in RCW 28A.150.010, providing school meals to students are encouraged to buy Washington produced food whenever practicable and cost is comparable to non-Washington produced food."

Renumber the remaining sections consecutively and correct any internal references accordingly.

Correct the title.

Representatives Sandlin and Santos spoke in favor of the adoption of the amendment.

Amendment (107) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Riccelli, Rude, Sandlin, Volz and Berg spoke in favor of the passage of the bill.

Representative Schmick spoke against the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1238.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1238, and the bill passed the House by the following vote: Yeas, 93; Nays, 3; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Hansen, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Mosbrucker, Ormsby, Ortiz-Self, Orwall, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Dye, Orcutt and Schmick

Excused: Representatives Morgan and Paul

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1238, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1436, by Representatives Pollet, Berry, Simmons, Farivar, Orwall, Street, Caldier, Alvarado, Ryu, Reeves, Ortiz-Self, Christian, Kloba, Duerr, Stonier, Bateman,

Lekanoff, Berg, Riccelli, Fosse, Macri, Bergquist, Reed, Doglio and Chopp

Funding special education.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1436 was substituted for House Bill No. 1436 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1436 was read the second time.

With the consent of the House, amendment (134) was withdrawn.

Representative Pollet moved the adoption of amendment (115):

Beginning on page 8, line 29, strike all of section 6 and insert the following:

"**NEW SECTION. Sec. 6.** (1) The joint legislative audit and review committee and the state auditor must collaborate to conduct a performance audit of the state's system of providing special education services to students with disabilities. The joint legislative audit and review committee and the state auditor may divide responsibility for the work and reporting required in this section as appropriate, and contract with qualified third-party researchers or higher education institutions to perform any aspect of the report and audit. The report and audit must address:

(a) The prevalence of disabilities and whether the provisions and funding for evaluating students and providing services reflects the prevalence of disabilities, including whether any populations are disparately underevaluated or underserved;

(b) The degree to which changes in funding formulas intended to encourage increased inclusion are successful and whether the state and school districts are utilizing best practices to improve inclusion;

(c) Whether the changes in evaluation timelines or increases in the funded enrollment limit have resulted in funding for students who do not have disabilities or in excess of districts' costs to serve students with disabilities;

(d) Whether districts are appropriately accounting for and reporting use of basic education allocations for students with disabilities, including if statutory expectations for use of funds are being met;

(e) The amount of funding from levies or other local sources that school districts continue to utilize under current accounting methodologies in order to meet obligations to provide free and appropriate public education to students with disabilities, the degree to which funding shortfalls will continue following planned increases in multipliers, proposed changes to accounting methodologies, and the elimination of a cap on the percent of students for whom the state provides funding; and, options for additional changes to funding formulas to eliminate shortfalls in state funding for special education; and

(f) How the state may improve recruitment and retention of certificated educators, instructional aides, or paraeducators and professionals serving students with disabilities.

(2) To develop the appropriate scope, define study questions, and select one or more contractors to complete the performance audit and report, the joint legislative audit and review committee and state auditor shall consult with the office of the superintendent of public instruction, the office of the education ombuds, organizations representing and serving students with disabilities, the Washington state special education advisory council, and labor organizations representing educators providing educational services to students with disabilities in developing study questions and choosing appropriate contractors. To address the study questions, the joint legislative audit and review committee and the state auditor may conduct the audit at a sample of school districts as needed.

(3) The performance audit required by this section must include charter schools to the same extent as school districts.

(4) Upon request, the office of financial management and any state or local agency must provide the joint legislative audit and review committee and the state auditor with education records necessary to conduct the performance audit required under this section. The joint legislative audit and review committee and the state auditor shall be considered authorized representatives of relevant state education authorities, including the superintendent for public instruction and the department of children, youth and families, for the purpose of accessing records for this evaluation. The office of financial management and any state or local agency must provide records within four months from the date of an initial request. The office of financial management or agencies contributing data to the education research and data center must notify the joint legislative audit and review committee and the state auditor's office in writing if they determine a request does not comply with the federal educational rights and privacy act, no later than twenty-one days after the initial request.

(5) Prior to the 2024 legislative session, the joint legislative audit and review committee and the state auditor must identify a lead agency for each element of the report and audit defined in subsection (1)(a) through (f) of this section and any aspects of the study that are being conducted by contractors. These designations must be provided to the governor and the committees of the legislature with jurisdiction over fiscal matters and special education by December 31, 2023.

(6) The joint legislative audit and review committee and the state auditor must, in accordance with RCW 43.01.036, report the study's findings and recommendations to the governor and the committees of the legislature with jurisdiction over fiscal matters and special education by November 30, 2024.

(7) This section expires August 1, 2025."

Renumber the remaining sections consecutively and correct any internal references accordingly.

Representatives Pollet and Stokesbary spoke in favor of the adoption of the amendment.

Amendment (115) was adopted.

Representative Chambers moved the adoption of amendment (156):

On page 10, after line 16, insert the following:

"NEW SECTION. Sec. 7. A new section is added to chapter 28A.150 RCW to read as follows:

(1) School districts must annually report to the office of the superintendent of public instruction about their use of the base allocation as defined in RCW 28A.150.390(3) for students eligible for and receiving special education.

(2) Reporting under this section must include:

(a) The amount generated by students eligible for and receiving special education shifted to the school district's special education program for expenditure by the office of the superintendent of public instruction.

(b) The amount generated by students eligible for and receiving special education shifted to the school district's special education program for expenditure by the school district.

(c) The amount generated by students eligible for and receiving special education not used for special education. The amount reported under this subsection (c) must include a breakdown by object, program, and activity of how the amount was expended.

(3) The office of the superintendent of public instruction shall develop rules to implement the reporting required under this section."

Renumber the remaining sections consecutively and correct any internal references accordingly.

Representative Chambers spoke in favor of the adoption of the amendment.

Representative Pollet spoke against the adoption of the amendment.

Amendment (156) was not adopted.

Representative Stokesbary moved the adoption of the striking amendment (153):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature finds that students receiving special education services are entitled, under both federal and state law, to a free appropriate public education that enables their full participation.

The legislature also finds that a cap or enrollment limit of 13.5 percent on the number of students receiving special education services that generate state special education funding is not consistent with the state's duty to provide a free appropriate public education.

The legislature further finds that school districts pay for special education services with local funding, creating an inequitable situation for school districts and students. The legislature supports a system of funding that does not require school districts to generate local funding to meet their obligation to provide special education services.

The legislature finds that along with reliable and sufficient state funding, receiving special education services in the least restrictive environment possible is crucial to student success. A recent large-scale study found that students who spend at least 80 percent of their day in a general education setting improved their reading scores by 24 points and math scores by 18 points compared to peers with similar disabilities in less inclusive settings.

The legislature finds that the documented prevalence of disabilities amongst children, particularly amongst vulnerable populations and communities with disparately poor health outcomes and access to health services, indicates that the state should improve access to evaluations for disabilities.

The legislature finds that special education is fully part of the state's statutory program of basic education that is deemed by the legislature to implement Article IX, section 1 of the state Constitution.

The legislature, therefore, intends to fully fund special education services by providing advocacy support for families to help navigate the special education system, increasing the 13.5 percent cap to 15 percent, and increasing the special education multipliers for elementary and secondary students and pre-kindergarten students, thereby giving every school district a funding increase.

The legislature intends to require a comprehensive study of funding and services for students with disabilities, to be completed prior to the 2025 legislative session, to understand if the state is appropriately identifying students with disabilities, identify funding and service gaps, and ensure that funding provided by the state to school districts, charter schools, and other entities for services are being used to meet the needs of students with disabilities.

Sec. 2. RCW 28A.150.390 and 2020 c 90 s 3 are each amended to read as follows:

(1) The superintendent of public instruction shall submit to each regular session of the legislature during an odd-numbered year a programmed budget request for special education programs for students with disabilities. Funding for programs operated by local school districts shall be on an excess cost basis from appropriations provided by the legislature for special education programs for students with disabilities and shall take account of state

funds accruing through RCW 28A.150.260 (4)(a), (5), (6), and (8) and 28A.150.415.

(2) The excess cost allocation to school districts shall be based on the following:

(a) A district's annual average headcount enrollment of students ages three and four and those five year olds not yet enrolled in kindergarten who are eligible for and receiving special education, multiplied by the district's base allocation per full-time equivalent student, multiplied by ~~((1.15))~~ 1.2;

(b)(i) Subject to the limitation in (b)(ii) of this subsection (2), a district's annual average enrollment of resident students who are eligible for and receiving special education, excluding students ages three and four and those five year olds not yet enrolled in kindergarten, multiplied by the district's base allocation per full-time equivalent student, multiplied by the special education cost multiplier rate of:

~~(A) ((In the 2019-20 school year, 0.995 for students eligible for and receiving special education.~~

~~(B) Beginning in the 2020-21 school year, either:~~

~~(I) 1.0075))~~ 1.12 for students eligible for and receiving special education and reported to be in the general education setting for ~~((eighty))~~ 80 percent or more of the school day; or

~~((II) 0.995))~~
(B) 1.06 for students eligible for and receiving special education and reported to be in the general education setting for less than ~~((eighty))~~ 80 percent of the school day.

(ii) If the enrollment percent exceeds ~~((thirteen and five-tenths))~~ 15 percent, the excess cost allocation calculated under (b)(i) of this subsection must be adjusted by multiplying the allocation by ~~((thirteen and five-tenths))~~ 15 percent divided by the enrollment percent.

(3) As used in this section:

(a) "Base allocation" means the total state allocation to all schools in the district generated by the distribution formula under RCW 28A.150.260 (4)(a), (5), (6), and (8) and the allocation under RCW 28A.150.415, to be divided by the district's full-time equivalent enrollment.

(b) "Basic education enrollment" means enrollment of resident students including nonresident students enrolled under RCW 28A.225.225 and students from nonhigh districts enrolled under RCW 28A.225.210 and excluding students residing in another district enrolled as part of an interdistrict cooperative program under RCW 28A.225.250.

(c) "Enrollment percent" means the district's resident annual average enrollment of students who are eligible for and receiving special education, excluding students ages three and four and those five year olds not yet enrolled in kindergarten and students enrolled in institutional education programs, as a percent of the district's annual average full-time equivalent basic education enrollment.

Sec. 3. RCW 28A.150.392 and 2019 c 387 s 2 are each amended to read as follows:

(1)(a) To the extent necessary, funds shall be made available for safety net awards for districts with demonstrated needs for special education funding beyond the amounts provided through the special education funding formula under RCW 28A.150.390.

(b) If the federal safety net awards based on the federal eligibility threshold exceed the federal appropriation in any fiscal year, then the superintendent shall expend all available federal discretionary funds necessary to meet this need.

(2) Safety net funds shall be awarded by the state safety net oversight committee subject to the following conditions and limitations:

(a) The committee shall award additional funds for districts that can convincingly demonstrate that all legitimate expenditures for special education exceed all available revenues from state funding formulas.

(b) In the determination of need, the committee shall consider additional available revenues from federal sources.

(c) Differences in program costs attributable to district philosophy, service delivery choice, or accounting practices are not a legitimate basis for safety net awards.

(d) In the determination of need, the committee shall require that districts demonstrate that they are maximizing their eligibility for all state revenues related to services for students eligible for special education and all federal revenues from federal impact aid, medicaid, and the individuals with disabilities education act-Part B and appropriate special projects. Awards associated with (e) and (f) of this subsection shall not exceed the total of a district's specific determination of need.

(e) The committee shall then consider the extraordinary high cost needs of one or more individual students eligible for and receiving special education. Differences in costs attributable to district philosophy, service delivery choice, or accounting practices are not a legitimate basis for safety net awards.

(f) Using criteria developed by the committee, the committee shall then consider extraordinary costs associated with communities that draw a larger number of families with children in need of special education services, which may include consideration of proximity to group homes, military bases, and regional hospitals. Safety net awards under this subsection (2)(f) shall be adjusted to reflect amounts awarded under (e) of this subsection.

(g) The committee shall then consider the extraordinary high cost needs of one or more individual students eligible for and receiving special education served in residential schools as defined in RCW ~~((28A.190.020))~~ 28A.190.005, programs for juveniles under the department of corrections, and programs for juveniles operated by city and county jails to the extent they are providing a secondary program of education.

(h) The maximum allowable indirect cost for calculating safety net eligibility may not exceed the federal restricted indirect cost rate for the district plus one percent.

(i) Safety net awards shall be adjusted based on the percent of potential medicaid eligible students billed as calculated by the superintendent of public instruction in accordance with chapter 318, Laws of 1999.

(j) Safety net awards must be adjusted for any audit findings or exceptions related to special education funding.

(3) The superintendent of public instruction shall adopt such rules and procedures as are necessary to administer the special education funding and safety net award process. By December 1, 2018, the superintendent shall review and revise the rules to achieve full and complete implementation of the requirements of this subsection and subsection (4) of this section including revisions to rules that provide additional flexibility to access community impact awards. Before revising any standards, procedures, or rules, the superintendent shall consult with the office of financial management and the fiscal committees of the legislature. In adopting and revising the rules, the superintendent shall ensure the application process to access safety net funding is streamlined, timelines for submission are not in conflict, feedback to school districts is timely and provides sufficient information to allow school districts to understand how to correct any deficiencies in a safety net application, and that there is consistency between awards approved by school district and by application period. The office of the superintendent of public instruction shall also provide technical assistance to school districts in preparing and submitting special education safety net applications.

(4) On an annual basis, the superintendent shall survey districts regarding their satisfaction with the safety net process and consider feedback from districts to improve the safety net process. Each year by December 1st, the superintendent shall prepare and submit a report to the office of financial management and the appropriate policy and fiscal committees of the legislature that summarizes the survey results and those changes made to the safety net process as a result of the school district feedback.

(5) The safety net oversight committee appointed by the superintendent of public instruction shall consist of:

(a) One staff member from the office of the superintendent of public instruction;

(b) Staff of the office of the state auditor who shall be nonvoting members of the committee; and

(c) One or more representatives from school districts or educational service districts knowledgeable of special education programs and funding.

(6) Beginning in the ~~((2019-20))~~ 2023-24 school year, a high-need student is eligible for safety net awards from state funding under subsection (2)(e) and (g) of this section if the student's individualized education program costs exceed two and ~~((three))~~ two-tenths times the average per-pupil expenditure as defined in Title 20 U.S.C. Sec. 7801, the every student succeeds act of 2015.

NEW SECTION. Sec. A new section is added to chapter 28A.310 RCW to read as follows:

(1) Subject to amounts appropriated for this specific purpose, each educational service district shall contract for independent special education advocates.

(2) The role of a special education advocate is to:

(a) Serve as a resource for a child with disabilities who is eligible for special education due to the disability and the child's parents and family;

(b) Advocate on behalf of the child for a free and appropriate public education from the public school system that emphasizes special education and related services that are:

(i) Provided in the least restrictive environment;

(ii) Designed to meet the child's unique needs;

(iii) Appropriately ambitious and reasonably calculated to enable a child to make progress in light of the child's circumstances; and

(iv) Addressing the child's further education, employment, and independent living goals; and

(c) Assist parents with any one or more of the following:

(i) Preparing for a meeting to develop or update their child's individualized education program;

(ii) Attending the individualized education program meetings to help present the parents' concerns, negotiate components that meet the parents' goals and requests, or otherwise assist with the understanding and navigation of the process;

(iii) Attending an individual education program meeting on behalf of the child to assist in writing an appropriate program when a parent opts out or otherwise cannot attend the meeting.

NEW SECTION. Sec. 4. A new section is added to chapter 28A.150 RCW to read as follows:

Beginning July 1, 2025:

(1) It is the policy of the state that for purposes of state funding allocations, students eligible for and receiving special education generate the full basic education allocation under RCW 28A.150.260 and, as a class, are to receive the benefits of this allocation for the entire school day, as defined in RCW 28A.150.203, whether the student is placed in the general education setting or another setting.

(2) The superintendent of public instruction must maintain a full cost method of excess cost accounting to account for expenditures beyond amounts provided through the special education funding formula under RCW 28A.150.390. This method of accounting must shift the following portions of a school district's general apportionment revenue for students eligible for and receiving special education to the school district's special education program for expenditure.

(a) A percentage of a school district's base allocation as defined in RCW 28A.150.390(3) for students eligible for and receiving special education based on their

percentage of time served in a special education setting;

(b) To the extent that state special education expenditures in the previous year exceeded state funding provided for that year under RCW 28A.150.390, 28A.150.392, and methods for redirecting general apportionment revenue based on the students' percentage of time served in a special education setting, up to 50 percent of the school district's base allocation as defined in RCW 28A.150.390(3) for students eligible for and receiving special education combining portions under (a) of this subsection.

(3) Unless otherwise prohibited by law, nothing in this section prohibits school districts from using other funding and state allocations above the amounts provided under RCW 28A.150.390 and subsection (2) of this section to serve students eligible for and receiving special education.

(4) The legislature must review any findings and recommendations from the report and audit required under section 7 of this act and adjust formulas in this section as appropriate.

NEW SECTION. Sec. 5. A new section is added to chapter 28A.155 RCW to read as follows:

(1) The superintendent of public instruction shall annually review data from local education agencies, including the percentage of students receiving special education services, to ensure there is not a disproportionate identification of students, as defined by the superintendent of public instruction in accordance with federal requirements of the individuals with disabilities education act, 20 U.S.C. Sec. 1400.

(2) The office of the superintendent of public instruction shall provide technical assistance to school districts experiencing issues related to disproportionality and will make available professional development opportunities statewide to support local education agencies, schools, and community partners in promoting inclusionary teaching practices within a multitiered system of supports framework to help safeguard against over-identification and other issues related to disproportionality.

NEW SECTION. Sec. 6. (1) The joint legislative audit and review committee and the state auditor must collaborate to conduct a performance audit of the state's system of providing special education services to students with disabilities. The joint legislative audit and review committee and the state auditor may divide responsibility for the work and reporting required in this section as appropriate, and contract with qualified third-party researchers or higher education institutions to perform any aspect of the report and audit. The report and audit must address:

(a) The prevalence of disabilities and whether the provisions and funding for evaluating students and providing services reflects the prevalence of disabilities, including whether any populations are disparately undervalued or underserved;

(b) The degree to which changes in funding formulas intended to encourage increased inclusion are successful and whether the state and school districts are utilizing best practices to improve inclusion;

(c) Whether the changes in evaluation timelines or increases in the funded enrollment limit have resulted in funding for students who do not have disabilities or in excess of districts' costs to serve students with disabilities;

(d) Whether districts are appropriately accounting for and reporting use of basic education allocations for students with disabilities, including if statutory expectations for use of funds are being met;

(e) The amount of funding from levies or other local sources that school districts continue to utilize under current accounting methodologies in order to meet obligations to provide free and appropriate public education to students with disabilities, the degree to which funding shortfalls will continue following planned increases in multipliers, proposed changes to accounting methodologies, and the elimination of a cap on the percent of students for whom the state provides funding; and, options for additional changes to funding formulas to eliminate shortfalls in state funding for special education; and

(f) How the state may improve recruitment and retention of certificated educators, instructional aides, or paraeducators and professionals serving students with disabilities.

(2) To develop the appropriate scope, define study questions, and select one or more contractors to complete the performance audit and report, the joint legislative audit and review committee and state auditor shall consult with the office of the superintendent of public instruction, the office of the education ombuds, organizations representing and serving students with disabilities, the Washington state special education advisory council, and labor organizations representing educators providing educational services to students with disabilities in developing study questions and choosing appropriate contractors. To address the study questions, the joint legislative audit and review committee and the state auditor may conduct the audit at a sample of school districts as needed.

(3) The performance audit required by this section must include charter schools to the same extent as school districts.

(4) Upon request, the office of financial management and any state or local agency must provide the joint legislative audit and review committee and the state auditor with education records necessary to conduct the performance audit required under this section. The joint legislative audit and review committee and the state auditor shall be considered authorized representatives of relevant state education authorities, including the superintendent for public instruction and the department of children, youth and families, for the purpose of accessing records for this evaluation. The office of financial management and any state or local agency must provide records within

four months from the date of an initial request. The office of financial management or agencies contributing data to the education research and data center must notify the joint legislative audit and review committee and the state auditor's office in writing if they determine a request does not comply with the federal educational rights and privacy act, no later than twenty-one days after the initial request.

(5) Prior to the 2024 legislative session, the joint legislative audit and review committee and the state auditor must identify a lead agency for each element of the report and audit defined in subsection (1)(a) through (f) of this section and any aspects of the study that are being conducted by contractors. These designations must be provided to the governor and the committees of the legislature with jurisdiction over fiscal matters and special education by December 31, 2023.

(6) The joint legislative audit and review committee and the state auditor must, in accordance with RCW 43.01.036, report the study's findings and recommendations to the governor and the committees of the legislature with jurisdiction over fiscal matters and special education by November 30, 2024.

(7) This section expires August 1, 2025.

NEW SECTION. **Sec. 7.** Sections 2 and 3 of this act take effect September 1, 2023.

NEW SECTION. **Sec. 8.** Section 5 of this act takes effect July 1, 2025.

NEW SECTION. **Sec. 9.** If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2023, in the omnibus appropriations act, this act is null and void."

Representatives Stokesbary, Caldier, Chambers, Orcutt, Ybarra, Robertson, Jacobsen, Couture, Walsh and Wilcox spoke in favor of the adoption of the striking amendment.

Representatives Ormsby, Bergquist, Stonier and Donaghy spoke against the adoption of the striking amendment.

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of the striking amendment (153) and the amendment was not adopted by the following vote: Yeas, 44; Nays, 52; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Chandler, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Leavitt, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Rule, Sandlin, Schmick, Schmidt, Shavers, Steele, Stokesbary, Timmons, Volz, Walsh, Waters, Wilcox and Ybarra

Voting Nay: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Hansen, Kloba, Lekanoff, Macri, Mena, Ormsby, Ortiz-Self, Orwall, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Ryu, Santos, Senn, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Walen, Wylie and Mme. Speaker

Excused: Representatives Morgan and Paul

The striking amendment (153) was not adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Pollet, Pollet (again), Stokesbary, Christian, McEntire, Stonier, Jacobsen and Caldier spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1436.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1436, and the bill passed the House by the following vote: Yeas, 94; Nays, 2; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Hansen, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives McEntire and Walsh

Excused: Representatives Morgan and Paul

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1436, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1515, by Representatives Macri, Davis, Simmons, Orwall, Taylor, Leavitt, Riccelli, Callan, Farivar, Alvarado, Reed, Fosse, Doglio, Berg, Ryu, Peterson, Fitzgibbon, Bateman, Eslick, Ormsby, Stonier and Tharinger

Concerning contracting and procurement requirements for behavioral health services in medical assistance programs.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1515 was substituted for House Bill No. 1515 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1515 was read the second time.

Representative Macri moved the adoption of amendment (143):

On page 4, line 1, after "adopt" strike "standards" and insert "statewide network adequacy standards that are assessed on a regional basis"

On page 4, beginning on line 18, after "for" strike all material through "year" on line 19 and insert "an annual review of the network adequacy standards"

On page 7, line 19, after "shall" strike "develop contracting methods" and insert ",

in consultation with managed care organizations, review reports and recommendations of the involuntary treatment act workgroup established pursuant to section 103, chapter 302, Laws of 2020 and develop a plan for adding contract provisions"

Representatives Macri and Schmick spoke in favor of the adoption of the amendment.

Amendment (143) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Macri and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1515.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1515, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Hansen, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Morgan and Paul

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1515, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1447, by Representatives Peterson, Gregerson, Berry, Taylor, Simmons, Ortiz-Self, Ryu, Reed, Kloba, Doglio, Ormsby, Thai, Fosse, Pollet, Macri, Alvarado and Leavitt

Strengthening the ability of assistance programs to meet foundational needs of children, adults, and families.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1447 was substituted for House Bill No. 1447 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1447 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representative Peterson spoke in favor of the passage of the bill.

Representative Eslick spoke against the passage of the bill.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1447.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1447, and the bill passed the House by the following vote: Yeas, 58; Nays, 38; Absent, 0; Excused, 2

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Hansen, Harris, Kloba, Leavitt, Lekanoff, Macri, Mena, Ormsby, Ortiz-Self, Orwall, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Waters, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Chandler, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Volz, Walsh, Wilcox and Ybarra

Excused: Representatives Morgan and Paul

SECOND SUBSTITUTE HOUSE BILL NO. 1447, having received the necessary constitutional majority, was declared passed.

The Speaker assumed the chair.

HOUSE BILL NO. 1474, by Representatives Taylor, Chopp, Berg, Peterson, Reed, Stonier, Gregerson, Bronoske, Cortes, Mena, Street, Ramel, Fosse, Fey, Goodman, Duerr, Bateman, Morgan, Alvarado, Macri, Senn, Berry, Kloba, Hackney, Springer, Slatter, Callan, Orwall, Farivar, Simmons, Ortiz-Self, Thai, Ryu, Stearns, Wylie, Ramos, Doglio, Riccelli, Chapman, Santos, Davis, Ormsby, Bergquist and Pollet

Creating the covenant homeownership account and program to address the history of housing discrimination due to racially restrictive real estate covenants in Washington state.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1474 was substituted for House Bill No. 1474 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1474 was read the second time.

Representative Connors moved the adoption of amendment (175):

On page 3, beginning on line 3, strike all of section 2

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 5, beginning on line 9, after "treasury." strike all material through "account." on line 11 and insert "Revenues to the account shall consist of appropriations and transfers by the legislature and all other moneys directed for deposit into the account."

On page 5, line 27, after "(1)(a)" strike "The" and insert "Subject to the availability of amounts appropriated for this specific purpose, the"

On page 6, line 18, after "(2)(a)" strike "At" and insert "Subject to the availability of amounts appropriated for this specific purpose, at"

On page 7, line 7, after "**Sec. 6.**" strike "(1)" and insert "Subject to the availability of amounts appropriated for this specific purpose:
(1)"

On page 9, line 20, after "(1)" strike "The" and insert "Subject to the availability of amounts appropriated for this specific purpose, the"

On page 12, beginning on line 22, strike all of section 8

Renumber the remaining sections consecutively and correct any internal references accordingly.

Correct the title.

Representative Connors spoke in favor of the adoption of the amendment.

Representative Peterson spoke against the adoption of the amendment.

Amendment (175) was not adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Taylor, Hackney, Chopp and Alvarado spoke in favor of the passage of the bill.

Representatives Klicker and Ybarra spoke against the passage of the bill.

The Speaker stated the question before the House to be the final passage of Second Substitute House Bill No. 1474.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1474, and the bill passed the House by the following vote: Yeas, 53; Nays, 43; Absent, 0; Excused, 2

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Hansen, Kloba, Leavitt, Lekanoff, Macri, Mena, Ormsby, Ortiz-Self, Orwall, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Ryu, Santos, Senn, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Chandler, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Eslick, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Rule, Sandlin, Schmick, Schmidt, Shavers, Steele, Stokesbary, Timmons, Volz, Walsh, Waters, Wilcox and Ybarra

Excused: Representatives Morgan and Paul

SECOND SUBSTITUTE HOUSE BILL NO. 1474, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1406, by Representatives Cortes, Senn, Berry, Ortiz-Self, Goodman, Thai, Alvarado, Simmons, Orwall, Taylor, Bateman, Lekanoff, Peterson, Ramel, Macri, Bergquist, Pollet, Reed, Ormsby, Doglio and Davis

Concerning youth seeking housing assistance and other related services.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1406 was substituted for House Bill No. 1406 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1406 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Cortes and Eslick spoke in favor of the passage of the bill.

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 1406.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1406, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Calder, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Cory, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Hansen, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Morgan and Paul

SUBSTITUTE HOUSE BILL NO. 1406, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1336, by Representatives Stokesbary, Springer, Reeves, Graham and Lekanoff

Splitting the volunteer firefighters' and reserve officers' relief and pension principal fund into two accounts.

The bill was read the second time.

Representative Stokesbary moved the adoption of amendment (024):

On page 8, line 14, after "board" strike ", upon request of the state treasurer" and insert "(~~(, upon request of the state treasurer)~~)"

On page 9, line 21, after "act, on" strike "July" and insert "August"

On page 12, line 6, after "board" strike ", upon request of the state treasurer" and insert "(~~(, upon request of the state treasurer)~~)"

On page 13, line 12, after "act, on" strike "July" and insert "August"

On page 21, beginning on line 25, strike all of section 13

On page 21, after line 34, insert the following:

"Sec. 13. 2020 c 144 s 3 (uncodified) is amended to read as follows:

~~((This act))~~ Chapter 144, Laws of 2020 takes effect the later of January 1, 2021, or the date that the board for volunteer firefighters and reserve officers receives notice from the federal internal revenue service that the volunteer firefighters ~~((and reserve officers relief and pension system))~~ plan is a qualified employee benefit plan under the federal law. The board must provide written notice of the effective date of this act to affected parties, the chief clerk of the house of representatives, the secretary of the senate, the office of the code reviser, and others as deemed appropriate by the board."

Representatives Stokesbary and Ormsby spoke in favor of the adoption of the amendment.

Amendment (024) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Stokesbary and Ormsby spoke in favor of the passage of the bill.

The Speaker stated the question before the House to be the final passage of Engrossed House Bill No. 1336.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1336, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Calder, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Cory, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Hansen, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Morgan and Paul

ENGROSSED HOUSE BILL NO. 1336, having received the necessary constitutional majority, was declared passed.

There being no objection, the House advanced to the eighth order of business.

MOTION

There being no objection, the Committee on Rules was relieved of the following bills and the bills were placed on the second reading calendar:

HOUSE BILL NO. 1005
 HOUSE BILL NO. 1019
 HOUSE BILL NO. 1048
 HOUSE BILL NO. 1104
 HOUSE BILL NO. 1122
 HOUSE BILL NO. 1124
 HOUSE BILL NO. 1131
 HOUSE BILL NO. 1134
 HOUSE BILL NO. 1187
 HOUSE BILL NO. 1243
 HOUSE BILL NO. 1282
 HOUSE BILL NO. 1311
 HOUSE BILL NO. 1324
 HOUSE BILL NO. 1370
 HOUSE BILL NO. 1406
 HOUSE BILL NO. 1442
 HOUSE BILL NO. 1498
 HOUSE BILL NO. 1510
 HOUSE BILL NO. 1541
 HOUSE BILL NO. 1547
 HOUSE BILL NO. 1550
 HOUSE BILL NO. 1559
 HOUSE BILL NO. 1563
 HOUSE BILL NO. 1575
 HOUSE BILL NO. 1576
 HOUSE BILL NO. 1621
 HOUSE BILL NO. 1626
 HOUSE BILL NO. 1645
 HOUSE BILL NO. 1724
 HOUSE BILL NO. 1736
 HOUSE BILL NO. 1742
 HOUSE BILL NO. 1762
 HOUSE BILL NO. 1763

There being no objection, the Committee on Health Care & Wellness was relieved of SUBSTITUTE SENATE BILL NO. 5490, and the bill was referred to the Committee on Appropriations.

The Speaker called upon Representative Orwall to preside.

There being no objection, the House reverted to the third order of business.

MESSAGE FROM THE SENATE

Thursday, March 2, 2023

Mme. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 5078
 SUBSTITUTE SENATE BILL NO. 5096
 SUBSTITUTE SENATE BILL NO. 5165
 SUBSTITUTE SENATE BILL NO. 5238
 SUBSTITUTE SENATE BILL NO. 5303
 SENATE BILL NO. 5324
 SUBSTITUTE SENATE BILL NO. 5353
 SENATE BILL NO. 5369
 SUBSTITUTE SENATE BILL NO. 5399
 SUBSTITUTE SENATE BILL NO. 5424
 SUBSTITUTE SENATE BILL NO. 5436
 SUBSTITUTE SENATE BILL NO. 5439
 SECOND SUBSTITUTE SENATE BILL NO. 5502
 SECOND SUBSTITUTE SENATE BILL NO. 5518
 SUBSTITUTE SENATE BILL NO. 5569
 SUBSTITUTE SENATE BILL NO. 5687
 SENATE BILL NO. 5711
 SUBSTITUTE SENATE BILL NO. 5753

and the same are herewith transmitted.

Colleen Rust, Deputy Secretary

There being no objection, the House advanced to the sixth order of business.

SECOND READING

HOUSE BILL NO. 1565, by Representatives Ortiz-Self, Santos, Berry, Simmons, Reeves, Fey, Ryu, Alvarado, Bronoske, Goodman, Gregerson, Doglio, Paul, Peterson, Lekanoff, Ramel, Bergquist, Reed, Pollet, Timmons and Macri

Supporting and strengthening the professional education workforce.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1565 was substituted for House Bill No. 1565 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1565 was read the second time.

Representative Ortiz-Self moved the adoption of amendment (108):

On page 1, after line 8, insert the following:

" Online Platform for the Recruitment and Hiring of Public School Employees

NEW SECTION. Sec. (1) By October 1, 2024, in compliance with RCW 43.01.036, the office of the superintendent of public instruction shall report to the appropriate committees of the legislature on the results of a feasibility study for the development and implementation of an online platform for the recruitment and hiring of public school employees that meets the requirements of this section. The office of the superintendent of public instruction shall contract with a research entity that has sufficient expertise to conduct the feasibility study.

(2) The feasibility of including the following functions and features in the online platform must be studied:

(a) A job posting and search or filter function that allows for efficient searching or filtering of job postings by job seekers;

(b) A resume storage and search or filter function that allows for efficient searching or filtering of resumes by employers;

(c) A common employment application with a customizable form for employers to add additional questions;

(d) Integration with other relevant state databases;

(e) A description of and links to the websites of Washington professional educator standards board-approved educator preparation programs; and

(f) Links to websites describing state and federal financial aid available to develop and support the workforce of the public school system, including the educator conditional scholarship and loan repayment programs under chapter 28B.102 RCW.

(3) The feasibility study must consider the extent to which existing applications, platforms, and other technologies may be repurposed to produce an online platform with the functions and features described in subsection (2) of this section.

(4) In conducting the feasibility study, the contractor must consult with the office

of the superintendent of public instruction, the Washington professional educator standards board, the employment security department, educational service districts, and representatives of school districts, school building leaders, and school staff.

(5) This section expires August 1, 2025."

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 3, line 10, after "of" strike "at least 15" and insert "15 to 20"

On page 3, beginning on line 35, after "support" strike "up to five" and insert "at least three"

On page 3, line 37, after "special education" insert "and at least two cohorts of residents seeking an endorsement in bilingual education"

On page 5, line 13, after "(2)" insert "By October 1, 2026, in compliance with RCW 43.01.036, the advisory council shall report to the appropriate committees of the legislature with its recommendations for improving the teacher residency program to increase positive outcomes as describe in subsection (1) of this section.

(3) "

On page 6, line 27, after "**Preparation**" insert "**and Workforce**"

On page 6, line 33, after "must" strike "compare" and insert ": (a) Compare"

On page 6, line 35, after "programs" strike ". The report must" and insert "; (b) include recommendations to increase educator certification reciprocity for residency, professional, and other certificate tiers; and (c) "

Representatives Ortiz-Self and Rude spoke in favor of the adoption of the amendment.

Amendment (108) was adopted.

Representative McEntire moved the adoption of amendment (171):

On page 11, line 12, after "profession" insert ", student outcomes"

Representative McEntire spoke in favor of the adoption of the amendment.

Representative Santos spoke against the adoption of the amendment.

Amendment (171) was not adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Ortiz-Self and Rude spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1565.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1565, and the bill passed the House by the following vote: Yeas, 59; Nays, 37; Absent, 0; Excused, 2

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Hansen, Kloba, Leavitt, Lekanoff, Macri, Mena, Ormsby, Ortiz-Self, Orwall, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Voting Nay: Representatives Abbarno, Barkis, Barnard, Caldier, Chambers, Chandler, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Volz, Walsh, Waters, Wilcox and Ybarra

Excused: Representatives Morgan and Paul

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1565, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1694, by Representatives Alvarado, Tharinger, Berry, Lekanoff, Reed, Leavitt, Fitzgibbon, Callan, Santos, Chopp, Ortiz-Self, Senn, Taylor, Pollet, Macri, Riccelli and Simmons

Addressing home care workforce shortages.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1694 was substituted for House Bill No. 1694 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1694 was read the second time.

Representative Chambers moved the adoption of amendment (160):

On page 4, line 20, after "(6)" insert "By October 1, 2023, the department must conduct an analysis of the number of test applications for both the skills demonstration test and the knowledge test using various geographic measures, including by county and by zip code. By December 1, 2023, the department must report to the governor and the health policy committees of the legislature on the results of the analysis and how it may inform decisions for approving testing locations.

(7) "

Representatives Chambers and Riccelli spoke in favor of the adoption of the amendment.

Amendment (160) was adopted.

Representative Chambers moved the adoption of amendment (161):

On page 4, line 20, after "(6)" insert "By October 1, 2023, the department must conduct a survey of all approved testing

locations in Washington to determine their current capacity for offering tests and their potential capacity to offer tests if not for the lack of available proctors. By December 1, 2023, the department must report to the governor and the health policy committees of the legislature on the results of the survey, including an analysis that compares testing capacity with the number of test applications for both the skills demonstration test and the knowledge test using various geographic measures, including by county and by zip code.

(7)"

Representatives Chambers and Riccelli spoke in favor of the adoption of the amendment.

Amendment (161) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Alvarado and Chambers spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1694.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1694, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Morgan and Paul

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1694, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1337, by Representatives Gregerson, Barkis, Berry, Christian, Duerr, Fitzgibbon, Taylor, Ramel, Reeves, Simmons, Walen, Graham, Bateman, Reed, Lekanoff, Doglio, Tharinger, Cortes, Macri and Stonier

Expanding housing options by easing barriers to the construction and use of accessory dwelling units.

The bill was read the second time.

With the consent of the House, amendments (020), (021), (022), (041), (042), (046), (047), (121) and (130) were withdrawn.

Representative Gregerson moved the adoption of the striking amendment (122):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) The legislature makes the following findings:

(a) Washington state is experiencing a housing affordability crisis. Many communities across the state are in need of more housing for renters across the income spectrum.

(b) Many cities dedicate the majority of residentially zoned land to single detached houses that are increasingly financially out of reach for many households. Due to their smaller size, accessory dwelling units can provide a more affordable housing option in those single-family zones.

(c) Localities can start to correct for historic economic and racial exclusion in single-family zones by opening up these neighborhoods to more diverse housing types, including accessory dwelling units, that provide lower cost homes. Increasing housing options in expensive, high-opportunity neighborhoods will give more families access to schools, parks, and other public amenities otherwise accessible to only the wealthy.

(d) Accessory dwelling units are frequently rented below market rate, providing additional affordable housing options for renters.

(e) Accessory dwelling units can also help to provide housing for very low-income households. More than 10 percent of accessory dwelling units in some areas are occupied by tenants who pay no rent at all; among these tenants are grandparents, adult children, family members with disabilities, friends going through life transitions, and community members in need. Accessory dwelling units meet the needs of these people who might otherwise require subsidized housing space and resources.

(f) Accessory dwelling units can meet the needs of Washington's growing senior population, making it possible for this population to age in their communities by offering senior-friendly housing, which prioritizes physical accessibility, in walkable communities near amenities essential to successful aging in place, including transit and grocery stores, without requiring costly renovations of existing housing stock.

(g) Homeowners who add an accessory dwelling unit may benefit from added income and an increased sense of security.

(h) Accessory dwelling units provide environmental benefits. On average they are more energy efficient than single detached houses, and they incentivize adaptive reuse of existing homes and materials.

(i) Siting accessory dwelling units near transit hubs, employment centers, and public amenities can help to reduce greenhouse gas emissions by increasing walkability, shortening household commutes, and curtailing sprawl.

(2) The legislature intends to promote and encourage the creation of accessory dwelling units as a means to address the need for additional affordable housing options.

Sec. 2. RCW 36.70A.696 and 2021 c 306 s 2 are each amended to read as follows:

The definitions in this section apply throughout RCW 36.70A.697 ~~((and))~~, 36.70A.698, and sections 3 and 4 of this act unless the context clearly requires otherwise.

(1) "Accessory dwelling unit" means a dwelling unit located on the same lot as a single-family housing unit, duplex, triplex, townhome, or other housing unit.

(2) "Attached accessory dwelling unit" means an accessory dwelling unit located within or attached to a single-family housing unit, duplex, triplex, townhome, or other housing unit.

(3) "City" means any city, code city, and town located in a county planning under RCW 36.70A.040.

(4) "County" means any county planning under RCW 36.70A.040.

(5) "Detached accessory dwelling unit" means an accessory dwelling unit that consists partly or entirely of a building that is separate and detached from a single-family housing unit, duplex, triplex, townhome, or other housing unit and is on the same property.

(6) "Dwelling unit" means a residential living unit that provides complete independent living facilities for one or more persons and that includes permanent provisions for living, sleeping, eating, cooking, and sanitation.

(7) "Gross floor area" means the interior habitable area of a dwelling unit including basements and attics but not including a garage or accessory structure.

(8) "Major transit stop" means:

(a) A stop on a high capacity transportation system funded or expanded under the provisions of chapter 81.104 RCW;

(b) Commuter rail stops;

(c) Stops on rail or fixed guideway systems, including transitways;

(d) Stops on bus rapid transit routes or routes that run on high occupancy vehicle lanes; or

(e) Stops for a bus or other transit mode providing actual fixed route service at intervals of at least fifteen minutes for at least five hours during the peak hours of operation on weekdays.

~~((+8))~~ (9) "Owner" means any person who has at least 50 percent ownership in a property on which an accessory dwelling unit is located.

~~((+9))~~ (10) "Principal unit" means the single-family housing unit, duplex, triplex, townhome, or other housing unit located on the same lot as an accessory dwelling unit.

(11) "Short-term rental" means a lodging use, that is not a hotel or motel or bed and breakfast, in which a dwelling unit, or portion thereof, is offered or provided to a guest by a short-term rental operator for a fee for fewer than 30 consecutive nights.

NEW SECTION. **Sec. 3.** A new section is added to chapter 36.70A RCW to read as follows:

(1)(a) Cities and counties planning under this chapter must adopt or amend by ordinance, and incorporate into their development regulations, zoning regulations,

and other official controls the requirements of this section and of section 4 of this act, to take effect six months after the jurisdiction's next periodic comprehensive plan update required under RCW 36.70A.130.

(b) In any city or county that has not adopted or amended ordinances, regulations, or other official controls as required under this section, the requirements of this section and section 4 of this act supersede, preempt, and invalidate any conflicting local development regulations.

(2) Ordinances, development regulations, and other official controls adopted or amended pursuant to this section and section 4 of this act must only apply in the portions of towns, cities, and counties that are within urban growth areas designated under this chapter.

(3) Attached or detached accessory dwelling units may not be considered as contributing to the overall underlying density within the urban growth area boundary of a county for purposes of compliance with this chapter.

(4) Any action taken by a city or county to comply with the requirements of this section or section 4 of this act is not subject to legal challenge under this chapter or chapter 43.21C RCW.

(5) Nothing in this section or section 4 of this act requires or authorizes a city or county to authorize the construction of an accessory dwelling unit in a location where development is restricted under other laws, rules, or ordinances as a result of physical proximity to on-site sewage system infrastructure, critical areas, or other unsuitable physical characteristics of a property.

(6) Nothing in this section or in section 4 of this act prohibits a city or county from:

(a) Restricting the use of accessory dwelling units for short-term rentals;

(b) Applying public health, safety, building code, and environmental permitting requirements to an accessory dwelling unit that would be applicable to the principal unit, including regulations to protect ground and surface waters from on-site wastewater;

(c) Applying generally applicable development regulations to the construction of an accessory unit, except when the application of such regulations would be contrary to this section or to section 4 of this act;

(d) Prohibiting the construction of accessory dwelling units on lots that are not connected to or served by public sewers; or

(e) Prohibiting or restricting the construction of accessory dwelling units in residential zones with a density of one dwelling unit per acre or less that are within areas designated as wetlands, fish and wildlife habitats, flood plains, or geologically hazardous areas.

NEW SECTION. **Sec. 4.** A new section is added to chapter 36.70A RCW to read as follows:

(1) In addition to ordinances, development regulations, and other official

controls adopted or amended to comply with section 3 of this act and subsection (2) of this section, a city or county must comply with a minimum of three of the following policies:

(a) The city or county may not establish a requirement for the provision of off-street parking for accessory dwelling units;

(b) The city or county may not assess impact fees on the construction of accessory dwelling units that are greater than 50 percent of the impact fees that would be imposed on the principal unit;

(c) The city or county may not require the owner of a lot on which there is an accessory dwelling unit to reside in or occupy the accessory dwelling unit or another housing unit on the same lot; and

(d) The city or county must allow at least two accessory dwelling units on all lots that are located in all zoning districts within an urban growth area that allow for single-family homes in the following configurations:

(i) One attached accessory dwelling unit and one detached accessory dwelling unit;

(ii) Two attached accessory dwelling units; or

(iii) Two detached accessory dwelling units, which may be comprised of either one or two detached structures.

(2) Through ordinances, development regulations, and other official controls adopted or amended to comply with section 3 of this act and subsection (1) of this section, a city or county must also comply with all of the following policies:

(a) The city or county must permit accessory dwelling units in structures detached from the principal unit;

(b) The city or county must allow an accessory dwelling unit on any lot that meets the minimum lot size required for the principal unit;

(c) The city or county may not establish a maximum gross floor area requirement for accessory dwelling units that is less than 1,000 square feet;

(d) The city or county may not establish roof height limits on an accessory dwelling unit of less than 24 feet, unless the height limitation that applies to the principal unit is less than 24 feet, in which case a city or county may not impose roof height limitation on accessory dwelling units that is less than the height limitation that applies to the principal unit;

(e) A city or county may not impose setback requirements, yard coverage limits, tree retention mandates, restrictions on entry door locations, aesthetic requirements, or requirements for design review for accessory dwelling units that are more restrictive than those for principal units;

(f) A city or county must allow detached accessory dwelling units to be sited at a lot line if the lot line abuts a public alley, unless the city or county routinely plows snow on the public alley;

(g) A city or county must allow accessory dwelling units to be converted from existing structures, including but not limited to detached garages, even if they violate current code requirements for setbacks or lot coverage;

(h) A city or county may not prohibit the sale or other conveyance of a condominium unit independently of a principal unit solely on the grounds that the condominium unit was originally built as an accessory dwelling unit; and

(i) A city or county may not require public street improvements as a condition of permitting accessory dwelling units.

NEW SECTION. Sec. 5. A new section is added to chapter 36.70A RCW to read as follows:

(1) No restrictive covenant or deed restriction created after the effective date of this section and applicable to a property located within an urban growth area may impose any restriction or prohibition on the construction, development, or use on a lot of an accessory dwelling unit that the city or county in which the urban growth area is located would be prohibited from imposing under section 4 of this act.

(2) For the purposes of this section, "urban growth area" has the same meaning as in RCW 36.70A.030.

(3) A city or county issuing a permit for the construction of an accessory dwelling unit may not be held civilly liable on the basis that the construction of the accessory dwelling unit would violate a restrictive covenant or deed restriction that was created after the effective date of this section and that is contrary to subsection (1) of this section.

Sec. 6. RCW 43.21C.495 and 2022 c 246 s 3 are each amended to read as follows:

(1) Adoption of ordinances, development regulations and amendments to such regulations, and other nonproject actions taken by a city to implement: The actions specified in section 2, chapter 246, Laws of 2022 unless the adoption of such ordinances, development regulations and amendments to such regulations, or other nonproject actions has a probable significant adverse impact on fish habitat; and the increased residential building capacity actions identified in RCW 36.70A.600(1), with the exception of the action specified in RCW 36.70A.600(1)(f), are not subject to administrative or judicial appeals under this chapter.

(2) Adoption of ordinances, development regulations and amendments to such regulations, and other nonproject actions taken by a city or county consistent with the requirements of sections 3 and 4 of this act are not subject to administrative or judicial appeals under this chapter.

Sec. 7. RCW 36.70A.280 and 2011 c 360 s 17 are each amended to read as follows:

(1) The growth management hearings board shall hear and determine only those petitions alleging either:

(a) That, except as provided otherwise by this subsection, a state agency, county, or city planning under this chapter is not in compliance with the requirements of this chapter, chapter 90.58 RCW as it relates to the adoption of shoreline master programs or amendments thereto, or chapter 43.21C RCW as

it relates to plans, development regulations, or amendments, adopted under RCW 36.70A.040 or chapter 90.58 RCW. Nothing in this subsection authorizes the board to hear petitions alleging noncompliance (~~with RCW 36.70A.5801~~) based on a city or county's actions taken to implement the requirements of sections 3 and 4 of this act within an urban growth area;

(b) That the (~~twenty~~) 20-year growth management planning population projections adopted by the office of financial management pursuant to RCW 43.62.035 should be adjusted;

(c) That the approval of a work plan adopted under RCW 36.70A.735(1)(a) is not in compliance with the requirements of the program established under RCW 36.70A.710;

(d) That regulations adopted under RCW 36.70A.735(1)(b) are not regionally applicable and cannot be adopted, wholly or partially, by another jurisdiction; or

(e) That a department certification under RCW 36.70A.735(1)(c) is erroneous.

(2) A petition may be filed only by: (a) The state, or a county or city that plans under this chapter; (b) a person who has participated orally or in writing before the county or city regarding the matter on which a review is being requested; (c) a person who is certified by the governor within (~~sixty~~) 60 days of filing the request with the board; or (d) a person qualified pursuant to RCW 34.05.530.

(3) For purposes of this section "person" means any individual, partnership, corporation, association, state agency, governmental subdivision or unit thereof, or public or private organization or entity of any character.

(4) To establish participation standing under subsection (2)(b) of this section, a person must show that his or her participation before the county or city was reasonably related to the person's issue as presented to the board.

(5) When considering a possible adjustment to a growth management planning population projection prepared by the office of financial management, the board shall consider the implications of any such adjustment to the population forecast for the entire state.

The rationale for any adjustment that is adopted by the board must be documented and filed with the office of financial management within ten working days after adoption.

If adjusted by the board, a county growth management planning population projection shall only be used for the planning purposes set forth in this chapter and shall be known as the "board adjusted population projection." None of these changes shall affect the official state and county population forecasts prepared by the office of financial management, which shall continue to be used for state budget and planning purposes.

NEW SECTION. Sec. 8. A new section is added to chapter 36.70A RCW to read as follows:

(1) By December 31, 2023, the department must revise its recommendations for

encouraging accessory dwelling units to include the provisions of sections 3 and 4 of this act.

(2) During each comprehensive plan review required by RCW 36.70A.130, the department must review local government comprehensive plans and development regulations for compliance with sections 3 and 4 of this act and the department's recommendations under subsection (1) of this section.

NEW SECTION. Sec. 9. The following acts or parts of acts are each repealed:

(1) RCW 35.63.210 (Accessory apartments) and 1993 c 478 s 8;

(2) RCW 35A.63.230 (Accessory apartments) and 1993 c 478 s 9;

(3) RCW 36.70A.400 (Accessory apartments) and 1993 c 478 s 11;

(4) RCW 36.70.677 (Accessory apartments) and 1993 c 478 s 10; and

(5) RCW 43.63A.215 (Accessory apartments—Development and placement—Local governments) and 1993 c 478 s 7."

Correct the title.

Representative Pollet moved the adoption of amendment (132) to the striking amendment (122):

On page 2, line 27 of the striking amendment, after "housing unit." insert "An attached accessory dwelling unit must have a substantial portion of its footprint connected to or within the other housing unit, and must share structural elements with the other unit."

Representative Pollet spoke in favor of the adoption of the amendment to the striking amendment.

Representatives Peterson and Barkis spoke against the adoption of the amendment to the striking amendment.

Amendment (132) to the striking amendment (122) was not adopted.

Representative Senn moved the adoption of amendment (133) to the striking amendment (122):

On page 5, line 2 of the striking amendment, after "minimum of" strike "three" and insert "two"

On page 5, line 14 of the striking amendment, after "in" insert "at least two of"

Representative Senn spoke in favor of the adoption of the amendment to the striking amendment.

Representatives Peterson and Barkis spoke against the adoption of the amendment to the striking amendment.

Amendment (133) to the striking amendment (122) was not adopted.

Representative Pollet moved the adoption of amendment (144) to the striking amendment (122):

On page 6, after line 16 of the striking amendment, insert the following:

"NEW SECTION. Sec 5. A new section is added to chapter 36.70A RCW to read as follows:

To encourage the use of accessory dwelling units for long-term housing, cities and counties may adopt ordinances, development regulations, and other official controls which waive or defer fees, including impact fees, defer the payment of taxes, or waive specific regulations. Cities and counties may only offer such reduced or deferred fees, deferred taxes, waivers, or other incentives for the development or construction of accessory dwelling units if:

(1) The units are located within an urban growth area; and

(2) The units are subject to a program adopted by the city or county with effective binding commitments or covenants that the units will be primarily utilized for long-term housing consistent with the public purpose for this authorization."

Renumber the remaining sections consecutively and correct any internal references accordingly.

Representatives Pollet, Peterson and Barkis spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (144) to the striking amendment (122) was adopted.

Representative Pollet moved the adoption of amendment (131) to the striking amendment (122):

On page 6, beginning on line 31 of the striking amendment, after "restriction" strike all material through "section" on line 33

Representatives Pollet, Peterson and Barkis spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (131) to the striking amendment (122) was adopted.

Representatives Gregerson and Barkis spoke in favor of the adoption of the striking amendment.

The striking amendment (122) was adopted as amended.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Gregerson, Peterson and Barkis spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1337.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1337, and the bill passed the House by the following vote: Yeas, 81; Nays, 15; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Chambers, Chandler, Chapman, Chopp, Christian, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Hansen, Harris, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McEntire, Mena, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Peterson, Pollet, Ramel, Reed, Reeves, Riccelli, Robertson, Rule, Ryu, Sandlin,

Santos, Schmidt, Simmons, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Caldier, Callan, Cheney, Connors, Dye, Hutchins, McClintock, Ramos, Rude, Schmick, Senn, Shavers, Slatter, Springer and Walen

Excused: Representatives Morgan and Paul

ENGROSSED HOUSE BILL NO. 1337, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1823, by Representatives Timmons, Slatter and Ramel

Modifying the Washington student loan program.

The bill was read the second time.

Representative Steele moved the adoption of amendment (190):

On page 3, at the beginning of line 14, insert "program with an annual tuition fee increase that does not exceed the limit established in RCW 28B.15.067(2) and is"

With the consent of the House, amendment (190) was withdrawn.

Representative Slatter moved the adoption of amendment (184):

On page 6, line 9, after "students," strike "and" and insert "((and)) are demographically underrepresented, do not qualify for federally funded student financial aid, or"

Representatives Slatter and Ybarra spoke in favor of the adoption of the amendment.

Amendment (184) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Timmons and Waters spoke in favor of the passage of the bill.

Representatives Steele and Caldier spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1823.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1823, and the bill passed the House by the following vote: Yeas, 67; Nays, 29; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chandler, Chapman, Cheney, Chopp, Cortes, Davis, Dent, Doglio, Donaghy, Duerr, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Hansen, Harris, Kloba, Leavitt, Lekanoff, Low, Macri, Mena, Ormsby, Ortiz-Self, Orwall, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rude, Rule, Ryu, Santos, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Waters, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Barkis, Barnard, Caldier, Chambers, Christian, Connors, Corry, Couture, Dye, Goehner,

Graham, Griffey, Hutchins, Jacobsen, Klicker, Kretz, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Sandlin, Schmick, Steele, Stokesbary, Volz, Walsh and Wilcox
Excused: Representatives Morgan and Paul

ENGROSSED HOUSE BILL NO. 1823, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1580, by Representatives Callan, Harris, Senn, Eslick, Dent, Ortiz-Self, Simmons, Leavitt, Ryu, Berry, Taylor, Walen, Bateman, Bronoske, Goodman, Ormsby, Schmidt, Orwall, Gregerson, Thai, Doglio, Lekanoff, Ramel, Rule, Reed, Pollet, Timmons and Macri

Creating a system to support children in crisis.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1580 was substituted for House Bill No. 1580 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1580 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Callan and Eslick spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1580.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1580, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Hansen, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Morgan and Paul

SECOND SUBSTITUTE HOUSE BILL NO. 1580, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1355, by Representatives Wylie, Slatter, Orcutt, Harris, Leavitt, Orwall, Walen, Christian, Couture, Rule, Senn, Stokesbary, Graham, Kloba, Reed, Paul, Donaghy, Pollet and Callan

Updating property tax exemptions for service-connected disabled veterans and senior citizens.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1355 was substituted for House Bill No. 1355 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1355 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Wylie, Orcutt and Shavers spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1355.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1355, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Hansen, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Morgan and Paul

SUBSTITUTE HOUSE BILL NO. 1355, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1390, by Representatives Ramel, Berry, Duerr, Doglio, Pollet and Reed

Concerning district energy systems.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1390 was substituted for House Bill No. 1390 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1390 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Ramel and Steele spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1390.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1390, and the bill passed the House by the following vote: Yeas, 92; Nays, 4; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Davis, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Hansen, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low,

Macri, Maycumber, McClintock, McEntire, Mena, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie and Mme. Speaker

Voting Nay: Representatives Caldier, Couture, Dent and Ybarra

Excused: Representatives Morgan and Paul

SECOND SUBSTITUTE HOUSE BILL NO. 1390, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1782, by Representatives McEntire and Fey

Addressing the operating and maintenance deficit of the Wahkiakum county ferry.

The bill was read the second time.

Representative Timmons moved the adoption of amendment (162):

On page 1, beginning on line 8, after "provides" strike all material through "providing" on line 10 and insert "(service which is primarily local in nature with secondary benefits to the state highway system in providing a bypass for state route 4 and providing) an important transportation bypass for state route 4 and provides"

Representatives Timmons and McEntire spoke in favor of the adoption of the amendment.

Amendment (162) was adopted.

The bill was ordered engrossed.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives McEntire and Timmons spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1782.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1782, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Hansen, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Morgan and Paul

ENGROSSED HOUSE BILL NO. 1782, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1322, by Representatives Rude, Chapman, Klicker, Lekanoff and Reeves

Concerning the Walla Walla water 2050 plan.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1322 was substituted for House Bill No. 1322 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1322 was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Rude and Santos spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1322.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1322, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Eslick, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Hansen, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Excused: Representatives Morgan and Paul

SECOND SUBSTITUTE HOUSE BILL NO. 1322, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1618, by Representatives Farivar, Simmons, Wylie, Berry, Walen, Fosse, Morgan, Macri, Pollet, Doglio, Reed, Caldier and Orwall

Concerning the statute of limitations for childhood sexual abuse.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1618 was substituted for House Bill No. 1618 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1618 was read the second time.

Representative Corry moved the adoption of amendment (167):

On page 2, after line 32, insert the following:

"NEW SECTION. Sec. 4. A new section is added to chapter 43.19 RCW to read as follows:

(1) The childhood sexual abuse victims compensation fund account is created in the custody of the state treasurer. Revenues to the account shall consist of appropriations and transfers by the legislature and all other moneys directed for deposit into the account. Expenditures from the account may only be used for the purpose of resolving retroactive claims brought against public agencies, as defined in RCW 4.24.470. Only the director of the department of enterprise services or the director's designee may authorize expenditures from the account. The account is subject to allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures.

(2) For the purposes of this section, a "retroactive claim" means a claim or action that is brought under RCW 4.16.340 on or after the effective date of this act, but that would have been time-barred by RCW 4.16.340 as it existed the date before the effective date of this act.

NEW SECTION. Sec. 5. The sum of \$645,000,000 for the fiscal year ending June 30, 2024, is appropriated from the general fund to the office of financial management for expenditure into the childhood sexual abuse victims compensation fund account created in section 4 of this act for the purposes of resolving retroactive claims brought against public agencies, as defined in RCW 4.24.470."

Renumber the remaining sections consecutively and correct any internal references accordingly.

Correct the title.

With the consent of the House, amendment (167) was withdrawn.

Representative Walsh moved the adoption of amendment (126):

On page 1, beginning on line 7, after "(1)" strike all material through "(2)" on page 2, line 19 and insert "All claims or causes of action based on intentional conduct brought by any person for recovery of damages for injury suffered as a result of childhood sexual abuse shall be commenced within the later of the following periods:

(a) Within ~~((three years of the act alleged to have caused the injury or condition))~~ 20 years of the victim reaching the age of 18 years;

(b) Within three years of the time the victim discovered or reasonably should have discovered that the injury or condition was caused by said act; or

(c) Within three years of the time the victim discovered that the act caused the injury for which the claim is brought:

PROVIDED, That the time limit for commencement of an action under this section is tolled for a child until the child reaches the age of eighteen years.

(2) The victim need not establish which act in a series of continuing sexual abuse

or exploitation incidents caused the injury complained of, but may compute the date of discovery from the date of discovery of the last act by the same perpetrator which is part of a common scheme or plan of sexual abuse or exploitation.

(3) The knowledge of a custodial parent or guardian shall not be imputed to a person under the age of eighteen years.

(4) For purposes of this section, "child" means a person under the age of eighteen years.

(5) "

Representative Walsh spoke in favor of the adoption of the amendment.

Representative Farivar spoke against the adoption of the amendment.

Amendment (126) was not adopted.

Representative Walsh moved the adoption of amendment (124):

On page 2, beginning on line 24, strike all of section 2

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 2, beginning on line 29, after "applies" strike all material through "prospectively" on line 32 and insert "prospectively to any claim or action that, as of the effective date of this act, would not have been time-barred under RCW 4.16.340 as it existed on the day before the effective date of this act"

Representative Walsh spoke in favor of the adoption of the amendment.

Representative Farivar spoke against the adoption of the amendment.

Amendment (124) was not adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Farivar and Griffey spoke in favor of the passage of the bill.

Representative Graham spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1618.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1618, and the bill passed the House by the following vote: Yeas, 82; Nays, 14; Absent, 0; Excused, 2

Voting Yea: Representatives Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Gregerson, Griffey, Hackney, Hansen, Harris, Hutchins, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Macri, Maycumber, McClintock, Mena, Mosbrucker, Ormsby, Ortiz-Self, Orwall, Peterson, Pollet, Ramel,

Ramos, Reed, Reeves, Riccelli, Robertson, Rule, Ryu, Santos, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Abbarno, Chambers, Chandler, Eslick, Graham, Jacobsen, Low, McEntire, Orcutt, Rude, Sandlin, Schmick, Volz and Walsh

Excused: Representatives Morgan and Paul

SECOND SUBSTITUTE HOUSE BILL NO. 1618, having received the necessary constitutional majority, was declared passed.

There being no objection, the House adjourned until 10:30 a.m., Friday, March 3, 2023, the 54th Day of the 2023 Regular Session.

LAURIE JINKINS, Speaker

BERNARD DEAN, Chief Clerk

Draft

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