SIXTY EIGHTH LEGISLATURE - REGULAR SESSION

FIFTY FIFTH DAY

House Chamber, Olympia, MARCH 4, 2023

The House was called to order at 9:30 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, Amber Tran and Kaiden Cook. The Speaker (Representative Orwall presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Representative Ryu, 32nd Legislative District.

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 fourth order of business.

INTRODUCTION & FIRST READING

E2SSB 5001 by Senate Committee on Transportation (originally sponsored by Hawkins, Hunt, Nguyen and Wilson, J.)

AN ACT Relating to public facilities districts created by at least two city or county legislative authorities; and amending RCW 35.57.010, 35.57.020, and 82.14.048.

Referred to Committee on Local Government.

SSB 5078 by Senate Committee on Ways & Means (originally sponsored by Pedersen, Dhingra, Frame, Hasegawa, Hunt, Keiser, Kuderer, Liias, Nguyen, Nobles, Rolfes, Saldaña, Stanford, Trudeau, Valdez and Wellman)

AN ACT Relating to protecting public safety by establishing duties of firearm industry members engaged in the sale, manufacturing, distribution, importing, or marketing of firearms, ammunition, component parts, or accessories, to adopt and implement reasonable controls to prevent the diversion of firearms and related products to straw purchasers, firearm traffickers, unauthorized individuals, and individuals who pose a risk to themselves or others, to prohibit such firearm industry members from creating or maintaining a public nuisance, and providing for investigation and enforcement by the attorney general; adding a new section to chapter 7.48 RCW; creating new sections; and prescribing penalties.

Referred to Committee on Civil Rights & Judiciary.

SSB 5096 by Senate Committee on Business, Financial Services, Gaming & Trade (originally sponsored by Padden, Pedersen, Hasegawa and Schoesler)

AN ACT Relating to expanding employee ownership; adding new sections to chapter 43.330 RCW; adding a new section to chapter 82.04 RCW; creating new sections; providing an effective date; and providing an expiration date.

Referred to Committee on Innovation, Community & Economic Development, & Veterans.

SSB 5165 by Senate Committee on Environment, Energy & Technology (originally sponsored by Nguyen, Mullet, Boehnke, Frame, Hasegawa, Keiser, Nobles and Stanford)

AN ACT Relating to electric power system transmission planning; amending RCW 19.280.030, 80.50.060, and 80.50.045; adding a new section to chapter 19.280 RCW; and creating a new section.

Referred to Committee on Environment & Energy.

SSB 5238 by Senate Committee on Ways & Means (originally sponsored by Saldaña, Randall, Conway, Frame, Hasegawa, Hunt, Keiser, Kuderer, Lovelett, Nguyen, Nobles, Shewmake, Stanford, Valdez and Wilson, C.)

AN ACT Relating to collective bargaining for employees who are enrolled in academic programs at public institutions of higher education; adding a new section to chapter 41.56 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Labor & Workplace Standards.

E2SSB 5278 by Senate Committee on Ways & Means (originally sponsored by Wilson, L., Fortunato, Lovick, Muzzall, Robinson, Shewmake, Torres, Warnick and Wilson, C.)

AN ACT Relating to implementing audit recommendations to reduce barriers to home care aide certification; amending RCW 18.88B.031; creating new sections; and providing an expiration date.

Referred to Committee on Postsecondary Education & Workforce.

SSB 5303 by Senate Committee on Ways & Means (originally sponsored by Mullet, Warnick, Boehnke, Holy, Keiser, Kuderer and Lovick)

AN ACT Relating to the public works revolving trust account; amending RCW 43.84.092, 43.155.020, 43.155.060, and 43.155.070; adding a new section to chapter 43.155 RCW; and providing a contingent effective date.

Referred to Committee on Appropriations.

SB 5324 by Senators Conway, Nobles, Lovick, Fortunato, Hunt, Wagoner, Randall and Wilson, C.

AN ACT Relating to the defense community compatibility account; and amending RCW 43.330.515 and 43.330.520.

Referred to Committee on Innovation, Community & Economic Development, & Veterans.

SSB 5353 by Senate Committee on Agriculture, Water, Natural Resources & Parks (originally sponsored by Wagoner, Van De Wege, Dozier, Salomon, Short, Warnick and Wilson, J.)

AN ACT Relating to the voluntary stewardship program; and amending RCW 36.70A.710 and 36.70A.740.

Referred to Committee on Local Government.

SB 5369 by Senators Billig, Padden, Short, Shewmake, Schoesler, Lovelett, Conway, Boehnke, Salomon, Nguyen, Van De Wege, Wagoner, Dhingra, Dozier, Hasegawa, Hunt, Keiser, Randall, Torres and Valdez

AN ACT Relating to reassessing standards for polychlorinated biphenyls in consumer products; adding new sections to chapter 70A.350 RCW; and creating a new section.

Referred to Committee on Environment & Energy.

SSB 5399 by Senate Committee on Business, Financial Services, Gaming & Trade (originally sponsored by Mullet and Dozier)

AN ACT Relating to future listing right purchase contracts; adding a new chapter to Title 61 RCW; and declaring an emergency.

Referred to Committee on Consumer Protection & Business.

SSB 5424 by Senate Committee on Labor & Commerce (originally sponsored by Lovick, Holy, Dhingra, Frame, Keiser, Kuderer, Shewmake, Stanford, Valdez, Warnick and Wellman)

AN ACT Relating to flexible work for general and limited authority Washington peace officers; amending RCW 41.26.030; reenacting and amending RCW 10.93.020; and adding a new section to chapter 49.28 RCW.

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

SSB 5436 by Senate Committee on Law & Justice (originally sponsored by Wilson, J., Dozier and Fortunato)

AN ACT Relating to transfers of firearms to museums and historical societies; and amending RCW 9.41.113.

Referred to Committee on Civil Rights & Judiciary.

SSB 5439 by Senate Committee on Agriculture, Water, Natural Resources & Parks (originally sponsored by Warnick, Dozier, Hasegawa, Lovelett, Salomon, Schoesler and Van De Wege)

AN ACT Relating to livestock identification; amending RCW 16.57.015, 16.57.015, 16.57.220, 16.57.460, 16.58.130, and 16.65.090; amending 2022 c 158 s 1 (uncodified); providing an effective date; and providing expiration dates.

Referred to Committee on Agriculture and Natural Resources.

2SSB 5502 by Senate Committee on Ways & Means (originally sponsored by Gildon, Boehnke, Torres, Wilson, J. and Wilson, L.)

AN ACT Relating to ensuring necessary access to substance use disorder treatment for individuals entering the graduated reentry program at the department of corrections; and amending RCW 9.94A.733.

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

2SSB 5518 by Senate Committee on Ways & Means (originally sponsored by Boehnke, Stanford, MacEwen, Muzzall, Fortunato, Frame, Kuderer, Valdez, Warnick and Wellman)

AN ACT Relating to cybersecurity; amending RCW 43.21F.045; reenacting and amending RCW 43.105.020 and 38.52.040; adding a new section to chapter 43.105 RCW; and adding a new section to chapter 42.56 RCW.

Referred to Committee on State Government & Tribal Relations.

SSB 5569 by Senate Committee on Health & Long Term Care (originally sponsored by Rivers and Dozier)

AN ACT Relating to creating exemptions from certificate of need requirements for kidney disease centers due to temporary emergency situations; and adding a new section to chapter 70.38 RCW.

Referred to Committee on Health Care & Wellness.

ESSB 5599 by Senate Committee on Human Services (originally sponsored by Liias, Wilson, C., Dhingra, Lovelett, Nguyen and Randall)

AN ACT Relating to supporting youth and young adults seeking protected health care services; amending RCW 13.32A.082 and 74.15.020; and creating a new section.

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

SSB 5687 by Senate Committee on Ways & Means (originally sponsored by Van De Wege)

AN ACT Relating to creating and supporting postsecondary wrestling grant programs; adding a new section to chapter 28B.77 RCW; and creating a new section.

Referred to Committee on Postsecondary Education & Workforce.

SB 5711 by Senators Nobles, Liias, Frame, Hasegawa, Hunt, Lovelett, Nguyen, Pedersen, Saldaña, Shewmake, Valdez and Wilson, C.

AN ACT Relating to extending the terms of eligibility for the Washington college grant program; amending RCW 28B.92.200; creating a new section; and declaring an emergency.

Referred to Committee on Postsecondary Education & Workforce.

SSB 5753 by Senate Committee on Transportation (originally sponsored by Shewmake and Lovelett)

AN ACT Relating to a cooperative agreement between the department of transportation and the Lummi Nation concerning construction of a roadway; and adding new sections to chapter 47.20 RCW.

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. 1216, by Representatives Fitzgibbon, Doglio, Berry, Reed, Simmons, Macri, Fosse and Pollet

Concerning clean energy siting.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1216 was substituted for House Bill No. 1216 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1216 was read the second time.

With the consent of the House, amendment (087) was withdrawn.

Representative Fitzgibbon moved the adoption of the striking amendment (178):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** STATEMENT OF LEGISLATIVE INTENT. (1) The legislature finds that efficient and effective siting and permitting of new clean energy projects throughout Washington is necessary to: Fight climate change and achieve the state's greenhouse gas emission limits; improve air quality; grow family-wage clean energy jobs and innovative clean energy businesses that provide economic benefits across the state; and make available secure domestic sources of the clean energy products needed to transition off fossil fuels.

(2) The legislature intends to: Enable more efficient and effective siting and permitting of clean energy projects with policies and investments that protect the environment, overburdened communities, and tribal rights, interests, and resources, including cultural resources; bring benefits to the communities that host clean energy projects; and facilitate the rapid transition to clean energy that is required to avoid the worst impacts of climate change on Washington's people and places. There is no single solution for improved siting and permitting processes. Rather, a variety of efforts and investments will help bring together state, local, tribal, and federal governments, communities, workers, clean energy project developers, and others to succeed in this essential task.

(3) Efficient and effective siting and permitting will benefit from early and meaningful community and tribal engagement, and from up-front planning including identification of areas of higher and lower levels of impact, and nonproject environmental review that identifies measures to avoid, minimize, and mitigate project impacts.

(4) Incorporating the principles and strategies identified in subsections (1), (2), and (3) of this section, the legislature intends to invest in, facilitate, and require better coordinated, faster environmental review and permitting decisions by state and local governments.

(5) Therefore, it is the intent of the legislature to support efficient, effective siting and permitting of clean energy projects through a variety of interventions, including:

(a) Establishing an interagency clean energy siting coordinating council to improve siting and permitting of clean energy projects;

(b) Creating a designation for clean energy projects of statewide significance;

(c) Creating a fully coordinated permit process for clean energy projects;

(d) Improving processes for review of clean energy projects under the state environmental policy act;

(e) Requiring preparation of separate nonproject environmental impact statements for green electrolytic and renewable hydrogen projects and colocated battery energy storage facilities, onshore utility-scale wind energy projects and colocated battery energy storage facilities, and for solar energy projects and colocated battery energy storage facilities, with the goal of preparing these nonproject reviews by June 30, 2025; and

(f) Requiring the Washington State University energy program to complete by June 30, 2025, a siting information process for pumped storage projects in Washington.

PART 1
INTERAGENCY CLEAN ENERGY SITING COORDINATING COUNCIL

NEW SECTION. **Sec. 101.** INTERAGENCY CLEAN ENERGY SITING COORDINATING COUNCIL. (1) The interagency clean energy siting coordinating council is created. The coordinating council is cochaired by the department of commerce and the department of ecology with participation from the following:

(a) The office of the governor;

(b) The energy facility site evaluation council;

(c) The department of fish and wildlife;

(d) The department of agriculture;

(e) The governor's office of Indian affairs;

(f) The department of archaeology and historic preservation;

(g) The department of natural resources;

(h) The department of transportation;

(i) The utilities and transportation commission;

(j) The governor's office for regulatory innovation and assistance; and

(k) Other state and federal agencies invited by the department of commerce and the department of ecology with key roles in siting clean energy to participate on an ongoing or ad hoc basis.

(2) The department of commerce and department of ecology shall assign staff in each agency to lead the coordinating council's work and provide ongoing updates to the governor and appropriate committees of the legislature, including those with jurisdiction over the environment, energy, or economic development policy.

(3) For purposes of this section and section 102 of this act, "coordinating council" means the interagency clean energy siting coordinating council created in this section.

NEW SECTION. **Sec. 102.** INTERAGENCY CLEAN ENERGY SITING COORDINATING COUNCIL DUTIES. (1) The responsibilities of the coordinating council include, but are not limited to:

(a) Identifying actions to improve siting and permitting of clean energy projects as defined in section 201 of this act, including through review of the recommendations of the department of ecology and department of commerce's 2022 *Low Carbon Energy Facility Siting Improvement Report*, creating implementation plans and timelines, and making recommendations for needed funding or policy changes;

(b) Tracking federal government efforts to improve clean energy project siting and permitting, including potential federal funding sources, and identifying state agency actions to improve coordination across state, local, and federal processes or to pursue supportive funding;

(c) Conducting outreach to parties with interests in clean energy siting and permitting for ongoing input on how to improve state agency processes and actions;

(d) Establishing work groups as needed to focus on specific energy types such as solar, wind, battery storage, or emerging technologies, or specific geographies for clean energy project siting;

(e) The creation of advisory committees deemed necessary to inform the development of items identified in (a) through (d) of this subsection;

(f) Supporting the governor's office of Indian affairs in creating and updating annually, or when requested by a federally recognized Indian tribe, a list of contacts at federally recognized Indian tribes, applicable tribal laws on consultation from federally recognized Indian tribes, and tribal preferences regarding outreach about clean energy project siting and permitting, such as outreach by developers directly, by state government in the government-to-government relationship, or both;

(g) Supporting the department of archaeology and historic preservation, the governor's office of Indian affairs, the department of commerce, and the energy facility site evaluation council in developing and providing to clean energy project developers a training on consultation and engagement processes for federally recognized Indian tribes. The governor's office of Indian affairs must collaborate with federally recognized Indian tribes in the development of the training;

(h) Supporting the department of archaeology and historic preservation in updating the statewide predictive archaeological model to provide clean energy project developers information about where archaeological resources are likely to be found and the potential need for archaeological investigations; and

(i) Supporting and promptly providing information to the department of ecology in support of the nonproject reviews required under section 303 of this act.

(2) The coordinating council shall provide an annual report beginning October 1, 2024, to the governor and the appropriate committees of the legislature summarizing: Progress on efficient, effective, and responsible siting and permitting of clean energy projects; areas of additional work, including where clean energy project siting and permitting outcomes are not broadly recognized as efficient, effective, or responsible; resource needs; and any needed policy changes to help achieve the deployment of clean energy necessary to meet the state's statutory greenhouse gas emissions limits, chapter 70A.45 RCW, and the clean energy transformation act requirements, chapter 19.405 RCW, and to support achieving the state energy strategy adopted by the department of commerce.

(3) The coordinating council shall:

(a) Advise the department of commerce in:

(i) Contracting with an external, independent third party to:

(A) Carry out an evaluation of state agency siting and permitting processes for clean energy projects and related federal and state regulatory requirements, including the energy facility site evaluation council permitting process authorized in chapter 80.50 RCW;

(B) Identify successful models used in other states for the siting and permitting of projects similar to clean energy projects, including local and state government programs to prepare build ready clean energy sites; and

(C) Develop recommendations for improving these processes, including potential policy changes and funding, with the goal of more efficient, effective siting of clean energy projects; and

(ii) Reporting on the evaluation and recommendations in (a)(i) of this subsection to the governor and the legislature by July 1, 2024;

(b) Pursue development of a consolidated clean energy application similar to the joint aquatic resources permit application for, at a minimum, state permits needed for clean energy projects. The department of ecology shall lead this effort and engage with federal agencies and local governments to explore inclusion of federal and local permit applications as part of the consolidated application. The department may design a single consolidated application for multiple clean energy project types, may design separate applications for individual clean energy technologies, or may design an application for related resources. The department of ecology shall provide an update on its development of consolidated permit applications for clean energy projects to the governor and legislature by December 31, 2024. The consolidated permit application process must be available, but not required, for clean energy projects;

(c) Explore development of a consolidated permit for clean energy projects. The department of ecology shall lead this effort and, in consultation with federally recognized Indian tribes, explore options including a clean energy project permit that consolidates department of ecology permits only, or that consolidates permits from multiple state and local agencies. The permit structure must identify criteria or conditions that must be met for projects to use the consolidated permit. The department of ecology may analyze criteria or conditions as part of a nonproject review under chapter 43.21C RCW. The department of ecology shall update the legislature on its evaluation of consolidated permit options and make recommendations by October 1, 2024; and

(d) Determine priorities for categories of clean energy projects to be the focus of new nonproject environmental impact statements under chapter 43.21C RCW for the legislature to fund subsequent to the nonproject environmental impact statements specified in section 302 of this act.

PART 2

CLEAN ENERGY PROJECTS OF STATEWIDE SIGNIFICANCE AND CLEAN ENERGY COORDINATED PERMITTING PROCESS

NEW SECTION. **Sec. 201.** DEFINITIONS. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Alternative energy resource" has the same meaning as defined in RCW 80.50.020.

(2) "Alternative jet fuel" means a fuel that can be blended and used with conventional petroleum jet fuels without the need to modify aircraft engines and existing fuel distribution infrastructure and that meets the greenhouse gas emissions reduction requirements that apply to biomass-derived fuels as defined in RCW 70A.65.010. "Alternative jet fuel" includes jet fuels derived from coprocessed feedstocks at a conventional petroleum refinery.

(3) "Applicant" means a person applying to the department of commerce for designation of a development project as a clean energy project of statewide significance under this chapter.

(4)(a) "Associated facilities" means storage, transmission, handling, or other related and supporting facilities connecting a clean energy project with the existing energy supply, processing, or distribution system including, but not limited to, battery energy storage communications, controls, mobilizing or maintenance equipment, instrumentation, and other types of ancillary storage and transmission equipment, off-line storage or venting required for efficient operation or safety of the transmission system and overhead, and surface or subsurface lines of physical access for the inspection, maintenance, and safe operations of the transmission facility and new transmission lines constructed to operate at nominal voltages of at least 115,000 volts to connect a clean energy project to the northwest power grid.

(b) Common carrier railroads or motor vehicles are not associated facilities.

(5) "Clean energy product manufacturing facility" means a facility or a project at any facility that exclusively or primarily manufactures the following products or components primarily used by such products:

(a) Vehicles, vessels, and other modes of transportation that emit no exhaust gas from the onboard source of power, other than water vapor;

(b) Charging and fueling infrastructure for electric, hydrogen, or other types of vehicles that emit no exhaust gas from the onboard source of power, other than water vapor;

(c) Renewable or green electrolytic hydrogen, including preparing renewable or green electrolytic hydrogen for distribution as an energy carrier or manufacturing feedstock, or converting it to a green hydrogen carrier;

(d) Equipment and products used to produce energy from alternative energy resources;

(e) Equipment and products used to produce nonemitting electric generation as defined in RCW 19.405.020;

(f) Equipment and products used at storage facilities;

(g) Equipment and products used to improve energy efficiency;

(h) Semiconductors or semiconductor materials as defined in RCW 82.04.2404; and

(i) Projects or facility upgrades undertaken by emissions-intensive trade-exposed industries as classified in RCW 70A.65.110 for which the facility can demonstrate expected reductions in overall facility greenhouse gas emissions faster than the rate of decline of free allowances allocated to emission-intensive trade-exposed industries under chapter 70A.65 RCW and assist in meeting the entity's compliance obligations under chapter 70A.65 RCW.

(6) "Clean energy project" means the following facilities together with their associated facilities:

(a) Clean energy product manufacturing facilities;

(b) Electrical transmission facilities;

(c) Facilities to produce nonemitting electric generation or electric generation from renewable resources, as defined in RCW 19.405.020, except for:

(i) Hydroelectric generation that includes new diversions, new impoundments, new bypass reaches, or the expansion of existing reservoirs constructed after May 7, 2019, unless the diversions, bypass reaches, or reservoir expansions are necessary for the operation of a pumped storage facility that: (A) Does not conflict with existing state or federal fish recovery plans; and (B) complies with all local, state, and federal laws and regulations; and

(ii) Hydroelectric generation associated with facilities or persons that have been the subject of an enforcement action, penalty order, or settled any enforcement action or penalty order with any agreement to pay a penalty or pay for or conduct mitigation under chapter 90.48 RCW during the preceding 15 years that resulted in the payment of a penalty of at least $100,000 or conducting mitigation with a value of at least $100,000;

(d) Storage facilities;

(e) Facilities or projects at any facilities that exclusively or primarily process biogenic feedstocks into biofuel as defined in RCW 80.50.020;

(f) Biomass energy facilities as defined in RCW 19.405.020; or

(g) Facilities or projects at any facilities that exclusively or primarily process alternative jet fuel.

(7) "Electrical transmission facilities" has the same meaning as defined in RCW 80.50.020, except excluding electrical transmission facilities that primarily or solely serve facilities that generate electricity from fossil fuels.

(8) "Fully coordinated permit process" means a comprehensive coordinated permitting assistance approach supported by a written agreement between the project proponent, the department of ecology, and the participating agencies.

(9) "Fully coordinated project" means a clean energy project subject to the fully coordinated permit process.

(10) "Green electrolytic hydrogen" has the same meaning as defined in RCW 80.50.020.

(11) "Green hydrogen carrier" has the same meaning as defined in RCW 80.50.020.

(12) "Overburdened community" has the same meaning as defined in RCW 70A.02.010.

(13) "Permit" means any permit, license, certificate, use authorization, or other form of governmental review or approval required in order to construct, expand, or operate a project in the state of Washington.

(14) "Permit agency" means any state or local agency authorized by law to issue permits.

(15) "Project proponent" means a person, business, or any entity applying for or seeking a permit or permits in the state of Washington.

(16) "Reasonable costs" means direct and indirect expenses incurred by the department of ecology, participating agencies, or local governments in carrying out the coordinated permit process established in this chapter, including the initial assessment, environmental review, and permitting. "Reasonable costs" includes work done by agency or local government staff or consultants hired by agencies or local governments to carry out the work plan. "Reasonable costs" may also include other costs agreed to between the applicant and the department of ecology, participating agencies, or local governments.

(17) "Renewable hydrogen" has the same meaning as defined in RCW 80.50.020.

(18) "Renewable natural gas" has the same meaning as defined in RCW 80.50.020.

(19) "Renewable resource" has the same meaning as defined in RCW 80.50.020.

(20) "Storage facility" has the same meaning as defined in RCW 80.50.020.

NEW SECTION. **Sec. 202.** CLEAN ENERGY PROJECTS OF STATEWIDE SIGNIFICANCE—APPLICATION PROCESS. (1) The department of commerce shall develop an application for the designation of clean energy projects as clean energy projects of statewide significance.

(2) An application to the department of commerce by an applicant under this section must include:

(a) Information regarding the location of the project;

(b) Information sufficient to demonstrate that the project qualifies as a clean energy project;

(c) An explanation of how the project is expected to contribute to the state's achievement of the greenhouse gas emission limits in chapter 70A.45 RCW and is consistent with the state energy strategy adopted by the department of commerce, as well as any contribution that the project is expected to make to other state regulatory requirements for clean energy and greenhouse gas emissions, including the requirements of chapter 19.405, 70A.30, 70A.60, 70A.65, 70A.535, or 70A.540 RCW;

(d) An explanation of how the project is expected to contribute to the state's economic development goals, including information regarding the applicant's average employment in the state for the prior year, estimated new employment related to the project, estimated wages of employees related to the project, and estimated time schedules for completion and operation;

(e) A plan for meaningful engagement and information sharing with potentially affected federally recognized Indian tribes;

(f) A description of potential community benefits and impacts from the project, a plan for meaningful community engagement in the project development, and an explanation of how the applicant might use a community benefit agreement or other legal document that stipulates the benefits that the developer agrees to fund or furnish, in exchange for community support of a project; and

(g) Other information required by the department of commerce.

NEW SECTION. **Sec. 203.** CLEAN ENERGY PROJECTS OF STATEWIDE SIGNIFICANCE—DEPARTMENT OF COMMERCE DECISION. (1)(a) The department of commerce, in consultation with natural resources agencies and other state agencies identified as likely to have a role in siting or permitting a project, must review applications received under section 202 of this act.

(b) The director of the department of commerce must determine within 60 days whether to designate an applicant's project as a clean energy project of statewide significance. The department of commerce may pause its review of an application and the applicability of the 60-day determination time frame under this subsection to request additional information from an applicant.

(2) The department of commerce may designate a clean energy project of statewide significance taking into consideration:

(a) Whether the project qualifies as a clean energy project;

(b) Whether the project will: Contribute to achieving state emission reduction limits under chapter 70A.45 RCW; be consistent with the state energy strategy adopted by the department of commerce; contribute to achieving other state requirements for clean energy and greenhouse gas emissions reductions; and support the state's economic development goals;

(c) Whether the level of applicant need for coordinated state assistance, including for siting and permitting and the complexity of the project, warrants the designation of a project;

(d) Whether the project is proposed for an area or for a clean energy technology that has been reviewed through a nonproject environmental review process, or least-conflict siting process including, but not limited to, the processes identified in sections 303 and 306 of this act, and whether the project is consistent with the recommendations of such processes;

(e) Whether the project is anticipated to have potential near-term or long-term significant positive or adverse impacts on environmental and public health, including impacts to:

(i) State or federal endangered species act listed species in Washington;

(ii) Overburdened communities; and

(iii) Rights, interests, and resources, including tribal cultural resources, of potentially affected federally recognized Indian tribes; and

(f) Input received from potentially affected federally recognized Indian tribes, which the department must solicit and acknowledge the receipt of.

(3) In determining whether to approve an application, the department of commerce must consider information contained in an application under section 202 of this act demonstrating an applicant's meaningful tribal outreach and engagement, engagement with the department of archaeology and historic preservation, and engagement with the governor's office of Indian affairs.

(4)(a) The department of commerce may designate an unlimited number of projects of statewide significance that meet the criteria of this section.

(b) An applicant whose application to the department of commerce under this chapter is not successful is eligible to reapply.

NEW SECTION. **Sec. 204.** CLEAN ENERGY COORDINATED PERMITTING PROCESS—DEPARTMENT OF ECOLOGY DUTIES. An optional, fully coordinated permit process is established for clean energy projects that do not apply to the energy facility site evaluation council under chapter 80.50 RCW. In support of the coordinated permitting process for clean energy projects, the department of ecology must:

(1) Act as the central point of contact for the project proponent for the coordinated permitting process for projects that do not apply to the energy facility site evaluation council under chapter 80.50 RCW and communicate with the project proponent about defined issues;

(2) Conduct an initial assessment of the proposed project review and permitting actions for coordination purposes as provided in section 205 of this act;

(3) Ensure that the project proponent has been informed of all the information needed to apply for the state and local permits that are included in the coordinated permitting process;

(4) Facilitate communication between project proponents and agency staff to promote timely permit decisions and promote adherence to agreed schedules;

(5) Verify completion among participating agencies of administrative review and permit procedures, such as providing public notice;

(6) Assist in resolving any conflict or inconsistency among permit requirements and conditions;

(7) Consult with potentially affected federally recognized Indian tribes as provided in section 209 of this act in support of the coordinated permitting process;

(8) Engage with potentially affected overburdened communities as provided in section 209 of this act;

(9) Manage a fully coordinated permitting process; and

(10) Coordinate with local jurisdictions to assist with fulfilling the requirements of chapter 36.70B RCW and other local permitting processes.

NEW SECTION. **Sec. 205.** CLEAN ENERGY COORDINATED PERMITTING PROCESS INITIAL ASSESSMENT. (1) Upon the request of a proponent of a clean energy project, the department of ecology must conduct an initial assessment to determine the level of coordination needed, taking into consideration the complexity of the project and the experience of those expected to be involved in the project application and review process.

(2) The initial project assessment must consider the complexity, size, and need for assistance of the project and must address as appropriate:

(a) The expected type of environmental review;

(b) The state and local permits or approvals that are anticipated to be required for the project;

(c) The permit application forms and other application requirements of the participating permit agencies;

(d) The anticipated information needs and issues of concern of each participating agency; and

(e) The anticipated time required for the environmental review process under chapter 43.21C RCW and permit decisions by each participating agency, including the estimated time required to determine if the permit applications are complete, to conduct the environmental review under chapter 43.21C RCW, and conduct permitting processes for each participating agency. In determining the estimated time required, full consideration must be given to achieving the greatest possible efficiencies through any concurrent studies and any consolidated applications, hearings, and comment periods.

(3) The outcome of the initial assessment must be documented in writing, furnished to the project proponent, and be made available to the public.

(4) The initial assessment must be completed within 60 days of the clean energy project proponent's request to the department under this section, unless information on the project is not complete.

NEW SECTION. **Sec. 206.** CLEAN ENERGY COORDINATED PERMITTING PROCESS REQUIREMENTS AND PROCEDURES. (1) A project proponent may submit a written request to the department of ecology pursuant to section 208 of this act and a local government development agreement to support local government actions pursuant to section 207 of this act for participation in a fully coordinated permitting process. To be eligible to participate in the fully coordinated permit process:

(a) The project proponent must:

(i) Enter into a cost-reimbursement agreement pursuant to section 208 of this act;

(ii) Provide sufficient information on the project and project site to identify probable significant adverse environmental impacts;

(iii) Provide information on any voluntary mitigation measures; and

(iv) Provide information on engagement actions taken by the proponent with federally recognized Indian tribes, local government, and overburdened communities; and

(b) The department of ecology must determine that the project raises complex coordination, permit processing, or substantive permit review issues.

(2) A project proponent who requests designation as a fully coordinated project must provide the department of ecology with a complete description of the project. The department of ecology may request any information from the project proponent that is necessary to make the designation under this section and may convene a meeting of the likely participating permit agencies.

(3) For a fully coordinated permitting process, the department of ecology must serve as the main point of contact for the project proponent and participating agencies with regard to coordinating the permitting process for the project as a whole. Each participating permit agency must designate a single point of contact for coordinating with the department of ecology. The department of ecology must keep a schedule identifying required procedural steps in the permitting process and highlighting substantive issues as appropriate that must be resolved in order for the project to move forward. In carrying out these responsibilities, the department of ecology must:

(a) Conduct the duties for the coordinated permitting process as described in section 205 of this act;

(b)(i) Reach out to tribal or federal jurisdictions responsible for issuing a permit for the project and invite them to participate in the coordinated permitting process or to receive periodic updates of the project;

(ii) Reach out to local jurisdictions responsible for issuing a permit for the project and inform them of their obligations under section 207 of this act.

(4) Within 30 days, or longer with agreement of the project proponent, of the date that the department of ecology determines a project is eligible for the fully coordinated permitting process, the department of ecology shall convene a work plan meeting with the project proponent, local government, and the participating permit agencies to develop a coordinated permitting process schedule. The work plan meeting agenda may include any of the following:

(a) Review of the permits that are anticipated for the project;

(b) A review of the permit application forms and other application requirements of the agencies that are participating in the coordinated permitting process;

(c) An estimation of the timelines that will be used by each participating permit agency to make permit decisions, including the estimated time periods required to determine if the permit applications are complete and to review or respond to each application or submittal of new information. In the development of this timeline, full attention must be given to achieving the maximum efficiencies possible through concurrent studies and consolidated applications, hearings, and comment periods; or

(d) An estimation of reasonable costs for the department of ecology, participating agencies, and the county, city, or town in which the project is proposed for environmental review and permitting, based on known information about the project.

(5) Each participating agency and the lead agency under chapter 43.21C RCW must send at least one representative qualified to discuss the applicability and timelines associated with all permits administered by that agency or jurisdiction to the work plan meeting. The department of ecology must notify any relevant federal agency or potentially affected federally recognized Indian tribe of the date of the meeting and invite them to participate in the process.

(6) Any accelerated time period for the consideration of a permit application or for the completion of the environmental review process under chapter 43.21C RCW must be consistent with any statute, rule, or regulation, or adopted state policy, standard, or guideline that requires the participation of other agencies, federally recognized Indian tribes, or interested persons in the application process.

(7) Upon the completion of the work plan meeting under subsection (4) of this section, the department of ecology must finalize the coordinated permitting process schedule, share it in writing with the project proponent, participating state agencies, lead agencies under chapter 43.21C RCW, and cities and counties subject to an agreement specified in section 207 of this act, and make the schedule available to the public.

(8) As part of the coordinated permit process, the developer may prepare a community benefit agreement or other similar document to identify how to mitigate potential community impacts or impacts to tribal rights and resources, including cultural resources. The agreement should include benefits in addition to jobs or tax revenues resulting from the project. Approval of any benefit agreement or other legal document stipulating the benefits that the developer agrees to fund or furnish, in exchange for community or tribal government support of the project, must be made by the local government legislative authority of the county, city, or town in which the project is proposed or by the relevant federally recognized Indian tribal government.

(9) If a lead agency under chapter 43.21C RCW, a permit agency, or the project proponent foresees, at any time, that it will be unable to meet the estimated timelines or other obligations under the schedule agreement, it must notify the department of ecology of the reasons for the delay and offer potential solutions or an amended timeline. The department of ecology must notify the participating agencies and the project proponent and, upon agreement of all parties, adjust the schedule or, if necessary, schedule another work plan meeting.

(10) The project proponent may withdraw from the coordinated permitting process by submitting to the department of ecology a written request that the process be terminated. Upon receipt of the request, the department of ecology must notify each participating agency that a coordinated permitting process is no longer applicable to the project.

NEW SECTION. **Sec. 207.** CLEAN ENERGY COORDINATED PERMITTING PROCESS—LOCAL JURISDICTION AGREEMENTS. (1)(a) Counties and cities with clean energy projects that are determined to be eligible for the fully coordinated permit process shall enter into an agreement with the department of ecology or with the project proponents of clean energy projects for expediting the completion of projects.

(b) For the purposes of this section, "expedite" means that a county or city will develop and implement a method to accelerate the process for permitting and environmental review. Expediting should not disrupt or otherwise delay the permitting and environmental review of other projects or require the county or city to incur additional costs that are not compensated.

(2) Agreements required by this section must include requirements that the county or city coordinate with the department of ecology and conduct environmental review and permitting to align with the work plan described in section 206(4) of this act and:

(a) Expedite permit processing for the design and construction of the project;

(b) Expedite environmental review processing;

(c) Expedite processing of requests for street, right-of-way, or easement vacations necessary for the construction of the project;

(d) Develop and follow a plan for consultation with potentially affected federally recognized Indian tribes; and

(e) Carry out such other actions identified by the department of ecology as needed for the fully coordinated permitting process.

NEW SECTION. **Sec. 208.** CLEAN ENERGY COORDINATED PERMITTING PROCESS—COST-REIMBURSEMENT AGREEMENTS. (1) For a fully coordinated permitting process, a project proponent must enter into a cost-reimbursement agreement with the department of ecology in accordance with RCW 43.21A.690. The cost-reimbursement agreement is to recover reasonable costs incurred by the department of ecology and participating agencies in carrying out the coordinated permitting process.

(2) The cost-reimbursement agreement may include deliverables and schedules for invoicing and reimbursement.

(3) For a fully coordinated permitting process, a project proponent must enter into a development agreement with the county, city, or town in which the project is proposed, in accordance with the authorization and requirements in RCW 36.70B.170 through 36.70B.210. The development agreement must detail the obligations of the local jurisdiction and the project applicant. It must also include, but not be limited to, the process the county, city, or town will implement for meeting its obligation to expedite the application, other clarifications for project phasing, and an estimate of reasonable costs.

(4) If a project proponent foresees, at any time, that it will be unable to meet its obligations under the agreement, it must notify the department of ecology and state the reasons, along with proposals for resolution.

NEW SECTION. **Sec. 209.** CLEAN ENERGY COORDINATED PERMITTING PROCESS—TRIBAL CONSULTATION AND OVERBURDENED COMMUNITY ENGAGEMENT. (1)(a) The department of ecology must offer early, meaningful, and individual consultation with any affected federally recognized Indian tribe on designated clean energy projects participating in the coordinated permitting process for the purpose of understanding potential impacts to tribal rights, interests, and resources, including tribal cultural resources, archaeological sites, sacred sites, fisheries, or other rights and interests in tribal lands and lands within which an Indian tribe or tribes possess rights reserved or protected by federal treaty, statute, or executive order. The consultation is independent of, and in addition to, any public participation process required by state law, or by a state agency. The goal of the consultation process is to support the coordinated permitting process by early identification of tribal rights, interests, and resources, including tribal cultural resources, potentially affected by the project, and identifying solutions, when possible, to avoid, minimize, or mitigate any adverse effects on tribal rights, interests, or resources, including tribal cultural resources, based on environmental or permit reviews.

(b) At the earliest possible date after the initiation of the coordinated permitting process under this chapter, the department of ecology shall engage in a preapplication process with all affected federally recognized Indian tribes.

(i) The department of ecology must notify the department of archaeology and historic preservation, the department of fish and wildlife, and all affected federally recognized Indian tribes within the project area. The notification must include geographical location, detailed scope of the proposed project, preliminary proposed project details available to federal, state, or local governmental jurisdictions, and all publicly available materials.

(ii) The department of ecology must also offer to discuss the project with the department of archaeology and historic preservation, the department of fish and wildlife, and all affected federally recognized Indian tribes within the project area. Discussions may include the project's impact to tribal rights, interests, and resources, including tribal cultural resources, archaeological sites, sacred sites, fisheries, or other rights and

interests in tribal lands and lands within which a tribe or tribes possess rights reserved or protected by federal treaty, statute, or executive order.

(iii) All affected federally recognized Indian tribes may submit to the department of ecology a summary of tribal issues, questions, concerns, or other statements regarding the project, which must become part of the official files maintained by the department of ecology for the coordinated permitting process. The summary does not limit what issues affected federally recognized Indian tribes may raise in the consultation process.

(iv) The notification and offer to initiate discussion must be documented by the department of ecology and delivered to the department of archaeology and historic preservation, the department of fish and wildlife, and to the affected federally recognized Indian tribe or tribes. If the discussions pursuant to (b)(ii) of this subsection do not occur, the department of ecology must document the reason why the discussion or discussions did not occur.

(v) Nothing in this section may be interpreted to require the disclosure of information that is exempt from disclosure pursuant to RCW 42.56.300 or federal law, including section 304 of the national historic preservation act of 1966. Any information that is exempt from disclosure pursuant to RCW 42.56.300 or federal law, including section 304 of the national historic preservation act of 1966, shall not become part of publicly available coordinated permitting process files.

(2) The department of ecology must identify overburdened communities, as defined in RCW 70A.02.010, which may be potentially affected by clean energy projects participating in the coordinated permitting process. The department of ecology must verify these communities have been meaningfully engaged in the regulatory processes in a timely manner by participating agencies and their comments considered for determining potential impacts.

NEW SECTION. **Sec. 210.** MISCELLANEOUS. (1) Nothing in this chapter:

(a) Prohibits an applicant, a project proponent, a state agency, a local government, or a federally recognized Indian tribe from entering into a nondisclosure agreement to protect confidential business information, trade secrets, financial information, or other proprietary information;

(b) Limits or affects other statutory provisions specific to any state agency related to that agency's procedures and protocols related to the identification, designation, or disclosure of information identified as confidential business information, trade secrets, financial information, or other proprietary information;

(c) Limits or affects the provisions of chapter 42.56 RCW as they apply to information or nondisclosure agreements obtained by a state agency under this chapter; or

(d) Relieves the responsible official under chapter 43.21C RCW for an action of the official's responsibilities under that chapter.

(2) The decisions by the department of commerce to designate a clean energy project of statewide significance must be made available to the public. Regardless of any exemptions otherwise set forth in RCW 42.56.270, publicly shared information must include the designee's name, a brief description of the project, the intended project location, a description of climate and economic development benefits to the state and communities therein, a tribal engagement plan, a community engagement plan, and a community benefit agreement if applicable.

(3) The department of commerce may terminate a designation of a clean energy project of statewide significance for reasons that include, but are not limited to, failure to comply with requirements of the designation or the emergence of new information that significantly alters the department of commerce's assessment of the applicant's application, project, or project proponent. The department of commerce must notify the applicant, project proponent, and the department of ecology of the termination in writing within 30 days.

(4) Nothing in this chapter affects the jurisdiction of the energy facility site evaluation council under chapter 80.50 RCW.

(5) This chapter does not limit or abridge the powers and duties granted to a participating permit agency under the law or laws that authorizes or requires the agency to issue a permit for a project. Each participating permit agency retains its authority to make all decisions on all substantive matters with regard to the respective component permit that is within its scope of its responsibility including, but not limited to, the determination of permit application completeness, permit approval or approval with conditions, or permit denial.

PART 3
PERMITTING AND ENVIRONMENTAL REVIEW PROVISIONS FOR CLEAN ENERGY PROJECTS

NEW SECTION. **Sec. 301.** A new section is added to chapter 43.21C RCW to read as follows:

SEPA CLEAN ENERGY FACILITIES. (1) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Alternative energy resource" has the same meaning as defined in RCW 80.50.020.

(b) "Alternative jet fuel" has the same meaning as defined in section 201 of this act.

(c) "Associated facilities" has the same meaning as defined in section 201 of this act.

(d) "Clean energy product manufacturing facility" has the same meaning as defined in section 201 of this act.

(e) "Clean energy project" has the same meaning as defined in section 201 of this act.

(f) "Closely related proposals" means proposals that:

(i) Cannot or will not proceed unless the other proposals, or parts of proposals, are implemented simultaneously with them; or

(ii) Are interdependent parts of a larger proposal and depend on the larger proposal as their justification or for their implementation.

(g) "Green electrolytic hydrogen" has the same meaning as defined in RCW 80.50.020.

(h) "Green hydrogen carrier" has the same meaning as defined in RCW 80.50.020.

(i) "Renewable hydrogen" has the same meaning as defined in RCW 80.50.020.

(j) "Renewable natural gas" has the same meaning as defined in RCW 80.50.020.

(k) "Renewable resource" has the same meaning as defined in RCW 80.50.020.

(l) "Storage facility" has the same meaning as defined in RCW 80.50.020.

(2)(a) After the submission of an environmental checklist and prior to issuing a threshold determination that a clean energy project proposal is likely to cause a probable significant adverse environmental impact consistent with RCW 43.21C.033, the lead agency must notify the project applicant and explain in writing the basis for its anticipated determination of significance. Prior to issuing the threshold determination of significance, the lead agency must give the project applicant the option of withdrawing and revising its application and the associated environmental checklist. The lead agency shall make its threshold determination based upon the changed or clarified application and associated environmental checklist. The responsible official has no more than 30 days from the date of the resubmission of a clarified or changed application to make a threshold determination, unless the applicant makes material changes that substantially modify the impact of the proposal, in which case the responsible official must treat the resubmitted clarified or changed application as new, and is subject to the timelines established in RCW 43.21C.033.

(b) The notification required under (a) of this subsection is not an official determination by the lead agency and is not subject to appeal under this chapter.

(c) Nothing in this subsection amends the requirements of RCW 43.21C.033 as they apply to proposals that are not for clean energy projects and nothing in this subsection precludes the lead agency from allowing an applicant for a proposal that is not a clean energy project to follow application processes similar to or the same as the application processes identified in this subsection.

(3)(a) When an environmental impact statement is required, a lead agency shall prepare a final environmental impact statement for clean energy projects within 24 months of a threshold determination of a probable significant, adverse environmental impact.

(b) A lead agency may work with clean energy project applicants to set or extend a time limit longer than 24 months under (a) of this subsection, provided the:

(i) Applicant agrees to a longer time limit; and

(ii) Responsible official for the lead agency maintains an updated schedule available for public review.

(c) For all clean energy projects that require the preparation of an environmental impact statement, the lead agency shall work collaboratively with applicants and all agencies that will have actions requiring review under this chapter to develop a schedule that shall:

(i) Include a list of, and roles and responsibilities for, all entities that have actions requiring review under this chapter for the project;

(ii) Include a comprehensive schedule of dates by which review under this chapter will be completed, all actions requiring review under this chapter will be taken, and the public will have an opportunity to participate;

(iii) Be completed within 60 days of issuance of a determination of significance;

(iv) Be updated as needed, but no later than 30 days of missing a date on the schedule; and

(v) Be available for public review on the state environmental policy act register.

(d) A lead agency may fulfill its responsibilities under this subsection with a coordinated project plan prepared pursuant to 42 U.S.C. Sec. 4370m-2(c)(1) if it includes all dates identified under (c)(ii) of this subsection.

(e) A failure to comply with the requirements in this subsection is not subject to appeal and does not provide a basis for the invalidation of the review by an agency under this chapter. Nothing in this subsection creates any civil liability for an agency or creates a new cause of action against an agency.

(f) For clean energy projects, the provisions of this subsection are in addition to the requirements of RCW 43.21C.0311.

(4) This subsection provides clarifications on the content of review under this chapter specific to clean energy projects.

(a) In defining the proposal that is the subject of review under this chapter, a lead agency may not combine the evaluation of a clean energy project proposal with other proposals unless the:

(i) Proposals are closely related; or

(ii) Applicant agrees to combining the proposals' evaluation.

(b) An agency with authority to impose mitigation under RCW 43.21C.060 may require mitigation measures for clean energy projects only to address the environmental impacts that are attributable to and caused by a proposal.

NEW SECTION. **Sec. 302.** A new section is added to chapter 43.21C RCW to read as follows:

NONPROJECT ENVIRONMENTAL IMPACT STATEMENTS. (1) The department of ecology shall prepare nonproject environmental impact statements, pursuant to RCW 43.21C.030, that assess and disclose the probable significant adverse environmental

impacts, and that identify related mitigation measures, for each of the following categories of clean energy projects, and colocated battery energy storage projects that may be included in such projects:

(a) Green electrolytic or renewable hydrogen projects;

(b) Utility-scale solar energy projects, which will consider the findings of the Washington State University least-conflict solar siting process; and

(c) Onshore utility-scale wind energy projects.

(2) The scope of a nonproject environmental review shall be limited to the probable, significant adverse environmental impacts in geographic areas that are suitable for the applicable clean energy type. The department of ecology may consider standard attributes for likely development, proximity to existing transmission or complementary facilities, and planned corridors for transmission capacity construction, reconstruction, or enlargement. The nonproject review is not required to evaluate geographic areas that lack the characteristics necessary for the applicable clean energy project type.

(3)(a) The scope of nonproject environmental impact statements must consider, as appropriate, analysis of the following probable significant adverse environmental impacts, including direct, indirect, and cumulative impacts to:

(i) Historic and cultural resources;

(ii) Species designated for protection under RCW 77.12.020 or the federal endangered species act;

(iii) Landscape scale habitat connectivity and wildlife migration corridors;

(iv) Environmental justice and overburdened communities as defined in RCW 70A.02.010;

(v) Cultural resources and elements of the environment relevant to tribal rights, interests, and resources including tribal cultural resources, and fish, wildlife, and their habitat;

(vi) Land uses, including agricultural and ranching uses; and

(vii) Military installations and operations.

(b) The nonproject environmental impact statements must identify measures to avoid, minimize, and mitigate probable significant adverse environmental impacts identified during the review. These include measures to mitigate probable significant adverse environmental impacts to elements of the environment as defined in WAC 197-11-444 as it existed as of January 1, 2023, tribal rights, interests, and resources, including tribal cultural resources, as identified in RCW 70A.65.305, and overburdened communities as defined in RCW 70A.02.010. The department of ecology shall consult with federally recognized Indian tribes and other agencies with expertise in identification and mitigation of probable, significant adverse environmental impacts including, but not limited to, the department of fish and wildlife. The department of ecology shall further specify when probable, significant adverse environmental impacts cannot be mitigated.

(4) In defining the scope of nonproject review of clean energy projects, the department of ecology shall request input from agencies, federally recognized Indian tribes, industry, stakeholders, local governments, and the public to identify the geographic areas suitable for the applicable clean energy project type, based on the climatic and geophysical attributes conducive to or required for project development. The department of ecology will provide opportunities for the engagement of tribes, overburdened communities, and stakeholders that self-identify an interest in participating in the processes.

(5) The department of ecology will offer early and meaningful consultation with any affected federally recognized Indian tribe on the nonproject review under this section for the purpose of understanding potential impacts to tribal rights and resources, including tribal cultural resources, archaeological sites, sacred sites, fisheries, or other rights and interests in tribal lands and lands within which an Indian tribe or tribes possess rights reserved or protected by federal treaty, statute, or executive order. Certain information obtained by the department of ecology under this section is exempt from disclosure consistent with RCW 42.56.300.

(6) Final nonproject environmental review documents for the clean energy projects identified in subsection (1) of this section, where applicable, shall include maps identifying probable, significant adverse environmental impacts for the resources evaluated. Maps must be prepared with the intention to illustrate probable, significant impacts, creating a tool that may be used by project proponents, tribes, and government to inform decision making. The maps may not be used in the place of surveys on specific parcels of land or input of a potentially affected federally recognized Indian tribe regarding specific parcels.

(7) Following the completion of a nonproject review subject to this section, the interagency clean energy siting coordinating council created in section 101 of this act must consider the findings and make recommendations to the legislature and governor on potential areas to designate as clean energy preferred zones for the clean energy project technology analyzed, and any taxation, regulatory, environmental review, or other benefits that should accrue to projects in such designated preferred zones.

(8) Nothing in this section prohibits or precludes projects from being located outside areas designated as clean energy preferred zones.

NEW SECTION. **Sec. 303.** A new section is added to chapter 43.21C RCW to read as follows:

LEAD AGENCY USE OF NONPROJECT ENVIRONMENTAL IMPACT STATEMENT. (1) A lead agency conducting a project-level environmental review under this chapter of a clean energy project identified in section 302(1) of this act must consider a

nonproject environmental impact statement prepared pursuant to section 302 of this act in order to identify and mitigate project-level probable significant adverse environmental impacts.

(2)(a) Project-level environmental review conducted pursuant to this chapter of a clean energy project identified in section 302(1) of this act must begin with review of the applicable nonproject environmental impact statement prepared pursuant to section 302 of this act. The review must address any probable significant adverse environmental impacts associated with the proposal that were not analyzed in the nonproject environmental impact statements prepared pursuant to section 302 of this act. The review must identify any mitigation measures specific to the project for probable significant adverse environmental impacts.

(b) Lead agencies reviewing site-specific project proposals for clean energy projects under this chapter shall use the nonproject review described in this section through one of the following methods and in accordance with WAC 197-11-600, as it existed as of January 1, 2023:

(i) Use of the nonproject review unchanged, in accordance with RCW 43.21C.034, if the project does not cause any probable significant adverse environmental impact not identified in the nonproject review;

(ii) Preparation of an addendum;

(iii) Incorporation by reference; or

(iv) Preparation of a supplemental environmental impact statement.

(3) Clean energy project proposals following the recommendations developed in the nonproject environment review completed pursuant to section 302 of this act must be considered to have mitigated the probable significant adverse project-specific environmental impacts under this chapter for which recommendations were specifically developed unless the project-specific environmental review identifies project-level probable significant adverse environmental impacts not addressed in the nonproject environmental review.

NEW SECTION. **Sec. 304.** A new section is added to chapter 36.70B RCW to read as follows:

PROHIBITION ON DEMONSTRATION OF NEED. During project review of a project to construct or improve facilities for the generation, transmission, or distribution of electricity, a local government may not require a project applicant to demonstrate the necessity or utility of the project other than to require, as part of a completed application under RCW 36.70B.070(2), submission of any publicly available documentation required by the federal energy regulatory commission or its delegees or the utilities and transportation commission or its delegees, or from any other federal agency with regulatory authority over the assessment of electric power transmission and distribution needs as applicable.

NEW SECTION. **Sec. 305.** A new section is added to chapter 36.01 RCW to read as follows:

A county may not prohibit the installation of wind and solar resource evaluation equipment necessary for the design and environmental planning of a renewable energy project.

NEW SECTION. **Sec. 306.** IDENTIFYING INFORMATION FOR PUMPED STORAGE SITING. (1) The Washington State University energy program shall conduct a process to identify issues and interests related to siting pumped storage projects in Washington state, to support expanded capacity to store intermittently produced renewable energy, such as from wind and solar, as part of the state's transition from fossil fuel to 100 percent clean energy. The Washington State University energy program may decide to include within the process's scope the colocation of pumped storage with wind or solar energy generation. The goal of the process is to identify and understand issues and interests of various stakeholders and federally recognized Indian tribes related to areas where pumped storage might be sited, providing useful information to developers of potential projects, and for subsequent environmental reviews under the state environmental policy act.

(2) In carrying out this process, the Washington State University energy program shall provide ample opportunities for the engagement of federally recognized Indian tribes, local governments and special purpose districts, land use and environmental organizations, and additional stakeholders that self-identify as interested in participating in the process.

(3) The Washington State University energy program must develop and make available a map and associated GIS data layers, highlighting areas identified through the process.

(4) Any information provided by tribes will help to inform the map product, but the Washington State University energy program may not include sensitive tribal information, as identified by federally recognized Indian tribes, in the publicly available map or GIS data layers. The information developed by this process and creation of the map under this section does not supplant the need for project developers to conduct early and individual outreach to federally recognized Indian tribes and other affected communities. The Washington State University energy program must take precautions to prevent disclosure of any sensitive tribal information it receives during the process, consistent with RCW 42.56.300.

(5) The pumped storage siting information process must be completed by June 30, 2025.

NEW SECTION. **Sec. 307.** (1)(a) The department must consult with stakeholders from rural communities, agriculture, natural resource management and conservation, and forestry to gain a better understanding of the benefits and impacts of anticipated changes in the state's energy system, including the siting of facilities under the

jurisdiction of the energy facility site evaluation council, and to identify risks and opportunities for rural communities. This consultation must be conducted in compliance with the community engagement plan developed by the department under chapter 70A.02 RCW and with input from the environmental justice council, using the best recommended practices available at the time. The department must collect the best available information and learn from the lived experiences of people in rural communities, with the objective of improving state implementation of clean energy policies, including the siting of energy facilities under the jurisdiction of the energy facility site evaluation council, in ways that protect and improve life in rural Washington. The department must consult with an array of rural community members, including: Low-income community and vulnerable population members or representatives; legislators; local elected officials and staff; those involved with agriculture, forestry, and natural resource management and conservation; renewable energy project property owners; utilities; large energy consumers; and others.

(b) The consultation must include stakeholder meetings with at least one in eastern Washington and one in western Washington.

(c) The department's consultation with stakeholders may include, but is not limited to, the following topics:

(i) Energy facility siting under the jurisdiction of the energy facility site evaluation council, including placement of new renewable energy resources, such as wind and solar generation, pumped storage, and batteries or new nonemitting electric generation resources, and their contribution to resource adequacy;

(ii) Production of hydrogen, biofuels, and feedstocks for clean fuels;

(iii) Programs to reduce energy cost burdens on rural families and farm operations;

(iv) Electric vehicles, farm and warehouse equipment, and charging infrastructure suitable for rural use;

(v) Efforts to capture carbon or produce energy on agricultural, forest, and other rural lands, including dual use solar projects that ensure ongoing agricultural operations;

(vi) The use of wood products and forest practices that provide low-carbon building materials and renewable fuel supplies; and

(vii) The development of clean manufacturing facilities, such as solar panels, vehicles, and carbon fiber.

(2)(a) The department must complete a report on rural clean energy and resilience that takes into consideration the consultation with rural stakeholders as described in subsection (1) of this section. The report must include recommendations for how policies, projects, and investment programs, including energy facility siting through the energy facility site evaluation council, can be developed or amended to more equitably distribute costs and benefits to rural communities. The report must include an assessment of how to improve the total benefits to rural areas overall, as well as the equitable distribution of benefits and costs within rural communities.

(b) The report must include a baseline understanding of rural energy production and consumption, and collect data on their economic impacts. Specifically, the report must examine:

(i) Direct, indirect, and induced jobs in construction and operations;

(ii) Financial returns to property owners;

(iii) Effects on local tax revenues and public services, which must include whether any school districts had a net loss of resources from diminished local effort assistance payments required under chapter 28A.500 RCW and impacts to public safety, the 911 emergency communications system, mental health, criminal justice, and rural county roads;

(iv) Effects on other rural land uses, such as agriculture, natural resource management and conservation, and tourism;

(v) Geographic distribution of large energy projects previously sited or forecast to be sited in Washington;

(vi) Potential forms of economic development assistance and impact mitigation payments; and

(vii) Relevant information from the least-conflict priority solar siting pilot project in the Columbia basin of eastern and central Washington required under section 607, chapter 334, Laws of 2021.

(c) The report must include a forecast of what Washington's clean energy transition will require for siting energy projects in rural Washington. The department must gather and analyze the best available information to produce forecast scenarios.

(d) By December 1, 2024, the department must submit a final report on rural clean energy and resilience to the joint committee on energy supply, energy conservation, and energy resilience created in RCW 44.39.010 and the appropriate policy and fiscal committees of the legislature.

(3) For the purposes of this section, "department" means the department of commerce.

Sec. 308. RCW 44.39.010 and 2005 c 299 s 1 are each amended to read as follows:

There is hereby created the joint committee on energy supply ((~~and~~)), energy conservation, and energy resilience.

Sec. 309. RCW 44.39.012 and 2005 c 299 s 4 are each amended to read as follows:

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

(1) "Committee" means the joint committee on energy supply ((~~and~~)), energy conservation, and energy resilience.

(2) "Conservation" means reduced energy consumption or energy cost, or increased efficiency in the use of energy, and activities, measures, or equipment designed to achieve such results.

NEW SECTION. **Sec. 310.** (1) The committee shall review the report produced by the department of commerce under section

307 of this act and consider any policy or budget recommendations to reduce impacts and increase benefits of the clean energy transition for rural communities, including mechanisms to support local tax revenues and public services.

(2) The committee must hold at least two meetings, at least one of which must be in eastern Washington. The first meeting of the committee must occur by September 30, 2023.

(3) Relevant state agencies, departments, and commissions, including the energy facility site evaluation council, shall cooperate with the committee and provide information as the chair reasonably requests.

(4) The committee shall report its findings and any recommendations to the energy facility site evaluation council and the committees of the legislature with jurisdiction over environment and energy laws by December 1, 2024. Recommendations of the committee may be made by a simple majority of committee members. In the event that the committee does not reach majority-supported recommendations, the committee may report minority findings supported by at least two members of the committee.

(5) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Alternative energy" means energy derived from an alternative energy resource specified in RCW 80.50.020(1).

(b) "Committee" means the joint committee on energy supply, energy conservation, and energy resilience created in RCW 44.39.010.

(6) This section expires June 30, 2025.

PART 4
MISCELLANEOUS PROVISIONS

NEW SECTION. **Sec. 401.** Sections 101 and 102 of this act constitute a new chapter in Title 43 RCW.

NEW SECTION. **Sec. 402.** Sections 201 through 210 of this act constitute a new chapter in Title 43 RCW.

NEW SECTION. **Sec. 403.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

Correct the title.

Representative Ybarra moved the adoption of amendment (259) to the striking amendment (178):

On page 7, beginning on line 26 of the striking amendment, after "meeting" strike "the entity's"

Representatives Ybarra and Fitzgibbon spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (259) to the striking amendment (178) was adopted.

Representatives Fitzgibbon and Ybarra spoke in favor of the adoption of the striking amendment as amended.

The striking amendment (178), as amended, 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 Fitzgibbon, Dye and Stearns spoke in favor of the passage of the bill.

MOTION

On motion of Representative Ramel, Representatives Farivar, Hansen and Reeves were excused.

Representative Klicker spoke against the passage of the bill.

MOTION

On motion of Representative Griffey, Representative McEntire was excused.

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

Representative Dent 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 Second Substitute House Bill No. 1216.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1216, and the bill passed the House by the following vote: Yeas, 75; Nays, 20; Absent, 0; Excused, 3

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

Voting Nay: Representatives Barnard, Christian, Connors, Corry, Dent, Graham, Klicker, Kretz, Lekanoff, Maycumber, McClintock, Mosbrucker, Orcutt, Rude, Schmick, Schmidt, Volz, Walsh, Waters and Ybarra

Excused: Representatives Hansen, McEntire and Reeves

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1216, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1724, by Representatives Bateman, Macri, Taylor, Berry, Tharinger, Slatter, Callan, Leavitt, Reed and Shavers

Increasing the trained behavioral health workforce.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1724 was substituted for House Bill No. 1724 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1724 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 Bateman and Ybarra 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. 1724.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1724, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3

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, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, 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 Hansen, McEntire and Reeves

SECOND SUBSTITUTE HOUSE BILL NO. 1724, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1405, by Representatives Alvarado, Farivar, Taylor, Reeves, Senn, Mena, Berg, Cortes, Simmons, Berry, Ortiz-Self, Goodman, Lekanoff, Gregerson, Ramel, Macri, Reed, Ormsby, Doglio, Chopp and Santos

Preserving public benefit payments to people in the care of the department of children, youth, and families.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1405 was substituted for House Bill No. 1405 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1405 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 Alvarado and Couture spoke in favor of the passage of the bill.

Representatives Walsh 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 Second Substitute House Bill No. 1405.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1405, and the bill passed the House by the following vote: Yeas, 78; Nays, 17; Absent, 0; Excused, 3

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

Voting Nay: Representatives Caldier, Chambers, Christian, Corry, Dye, Goehner, Graham, Jacobsen, Klicker, McClintock, Mosbrucker, Robertson, Rude, Schmick, Steele, Walsh and Ybarra

Excused: Representatives Hansen, McEntire and Reeves

SECOND SUBSTITUTE HOUSE BILL NO. 1405, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1626, by Representatives Bronoske, Rude, Ryu, Griffey, Callan, Fosse, Senn, Macri, Pollet, Graham, Leavitt and Reed

Concerning coverage for colorectal screening tests under medical assistance programs.

The bill 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 Bronoske 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 House Bill No. 1626.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1626, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3

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, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, 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 Hansen, McEntire and Reeves

HOUSE BILL NO. 1626, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1599, by Representatives Goodman, Berry, Ramel and Pollet

Concerning court files and records exemptions for firearm background checks.

The bill 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 Goodman, Cheney and Walsh 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 House Bill No. 1599.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1599, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3

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, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, 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 Hansen, McEntire and Reeves

HOUSE BILL NO. 1599, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1542, by Representatives Bronoske, Fosse, Berry, Hackney, Abbarno, Griffey, Walsh, Ortiz-Self, Taylor, Ramel, Simmons, Jacobsen, Schmidt, Graham, Ormsby, Pollet, Kloba, Doglio, Bateman, Macri, Leavitt and Timmons

Requiring automated external defibrillators to be available and accessible when work is being performed on high voltage lines and equipment.

The bill 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 Bronoske and Schmidt 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 House Bill No. 1542.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1542, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3

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, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, 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 Hansen, McEntire and Reeves

HOUSE BILL NO. 1542, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1656, by Representatives Schmidt, Fosse, Berry, Robertson, Christian, Ormsby and Riccelli

Concerning unemployment insurance benefits appeal procedures.

The bill 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 Schmidt and Fosse 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 House Bill No. 1656.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1656, 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, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, 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 Hansen and McEntire

HOUSE BILL NO. 1656, having received the necessary constitutional majority, was declared passed.

POINT OF PERSONAL PRIVILEGE

Representative Volz congratulated Representative Schmidt on the passage of her first bill through the House and asked the Chamber to acknowledge her accomplishment.

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

SECOND READING

HOUSE BILL NO. 1736, by Representatives Cortes, Fey, Senn, Ryu, Wylie, Slatter, Reed and Pollet

Requiring the department of licensing to collect vehicle odometer readings at the time of original vehicle registration and registration renewal.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1736 was substituted for House Bill No. 1736 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1736 was read the second time.

Representative Cortes moved the adoption of amendment (218):

On page 2, beginning on line 27, after "to provide" strike "any or accurate" and insert "the"

On page 3, on line 17, after "provide" strike "any or accurate" and insert "the"

Representatives Cortes and Fey spoke in favor of the adoption of the amendment.

Representative Barkis spoke against the adoption of the amendment.

Amendment (218) was adopted.

Representative Low moved the adoption of amendment (258):

On page 6, after line 20, insert the following:

"NEW SECTION. **Sec. 5.** After one year of collecting vehicle odometer information, the department must provide a report with the number of people who provided their vehicle odometer mileage, the number of people who were asked to provide their vehicle odometer mileage, and the problems encountered in implementing the collection of vehicle odometer mileage. The report is due to the transportation committees of the legislature by May 1, 2025."

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

Correct the title.

Representatives Low and Fey spoke in favor of the adoption of the amendment.

Amendment (258) was adopted.

Representative Barkis moved the adoption of amendment (257):

On page 6, line 21, after "**Sec. 5.**" strike all material through "2024" and insert "The department must implement a system to collect the vehicle odometer mileage information in a manner which allows the calculation of the difference from prior odometer readings. The department may make other modifications to the system for collecting vehicle odometer mileage information which improve the usefulness of the data. The department must provide written notice to the governor, secretary of the senate, and the chief clerk of the house 90 days before the date of implementation of the system of collecting vehicle odometer mileage information.

NEW SECTION. **Sec. 6.** Sections 1 through 4 of this act take effect on the 90th day after the receipt of the notice required in section 5 of this act"

Correct the title.

With the consent of the House, amendment (257) was withdrawn.

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.

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

Representatives Barkis, Walsh, Schmick and Orcutt spoke against the passage of the bill.

MOTION

On motion of Representative Corry, Representative Eslick was excused.

The Speaker (Representative Bronoske presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1736.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1736, and the bill passed the House by the following vote: Yeas, 53; Nays, 43; Absent, 0; Excused, 2

Voting Yea: Representatives Alvarado, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Lekanoff, Macri, Mena, Morgan, 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, Caldier, Chambers, Chandler, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Leavitt, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Paul, Robertson, Rude, Rule, Sandlin, Schmick, Schmidt, Shavers, Steele, Stokesbary, Timmons, Volz, Walsh, Waters, Wilcox and Ybarra

Excused: Representatives Eslick and Hansen

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1736, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1316, by Representatives Paul, Ortiz-Self, Stonier, Bergquist, Lekanoff, Ramel, Santos, Reed, Pollet, Leavitt, Timmons, Chapman and Ormsby

Expanding access to dual credit programs.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1316 was substituted for House Bill No. 1316 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1316 was read the second time.

Representative Stokesbary moved the adoption of the striking amendment (270):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** The legislature finds that dual credit enrollment in high school improves college attendance, persistence, and completion, especially for low-income students. Students who enrolled in dual credit courses in high school improve their likelihood of college success. They are more likely to graduate college and

more likely to complete their bachelor's degree within four years. However, the legislature also finds that low-income students are less likely to access dual credit opportunities in high school, and they are subsequently less likely to apply to college and to complete their bachelor's degree within four years. The legislature finds that when students who have financial need in college first obtain dual credits while in high school, they improve their likelihood of college success. In addition, students who are eligible for financial aid in college actually reduce costs to the state by pursuing dual credit enrollment while in high school.

Therefore, it is the intent of the legislature to remove barriers to dual credit participation in high school, especially for low-income students, by subsidizing all dual credit costs and fees for students whose family incomes would make them eligible for state financial aid in college. It is also the intent of the legislature to encourage low-income students to complete dual credit courses in high school by sharing the savings to which these students' efforts contributed, in the form of a $1,000 payment to eligible students who complete their first year of college.

NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.600 RCW to read as follows:

(1) The office of the superintendent of public instruction shall administer a program to subsidize certain dual credit program costs for eligible students.

(2)(a) For eligible students enrolled in running start courses, the program must subsidize:

(i) Any student-voted fees, technology fees, course fees, laboratory fees, or other fees required for enrollment, up to 18 credits per quarter, that were not waived by the institution of higher education under RCW 28A.600.310; and

(ii) Textbooks and other course materials required by the institution of higher education.

(b) To subsidize the costs required by (a) of this subsection, the office of the superintendent of public instruction must transmit to each institution of higher education $1,000 per full-time equivalent eligible student per academic year. At the end of the academic year, each institution of higher education must return any unused funds to the office of the superintendent of public instruction.

(c) For the purposes of this subsection (2), "institution of higher education" has the same meaning as in RCW 28A.600.300.

(3) For eligible students enrolled in college in the high school program courses, the program must subsidize tuition fees permitted under RCW 28A.600.287.

(4) For eligible students enrolled in career and technical education dual credit courses, the program must subsidize transcription fees assessed by the institution of higher education.

(5) For eligible students taking advanced placement exams, international baccalaureate exams, and Cambridge international exams, the program must subsidize student fees related to exam registration and administration.

(6) The office of the superintendent of public instruction must collaborate with institutions of higher education to facilitate identification of eligible students who qualify for fee waivers for running start program courses under RCW 28A.600.310.

(7) The office of the superintendent of public instruction, school districts, institutions of higher education, and other recipients of program funds under this section may not use the funds to supplant federal and private funds that cover dual credit course costs or dual credit exam costs for eligible students.

(8) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Institution of higher education" has the same meaning as in RCW 28B.10.016, and also means a public tribal college located in Washington and accredited by the northwest commission on colleges and universities or another accrediting association recognized by the United States department of education.

(b) "Eligible student" means a student:

(i) Who is eligible for free or reduced-price school meals based on the income of the student's household;

(ii) Who is categorically eligible for free school meals without an application and not subject to income verification; or

(iii) Whose parent or legal guardian attests that the student demonstrates financial need equivalent to the financial need required to receive the maximum Washington college grant under RCW 28B.92.205, using the attestation form developed as required under section 3 of this act.

NEW SECTION. **Sec. 3.** A new section is added to chapter 28B.77 RCW to read as follows:

The council, in consultation with the office of the superintendent of public instruction, the state board for community and technical colleges, public four-year institutions of higher education, and other interested parties, shall develop and publish an income attestation form to be used to determine student eligibility for: (1) The dual credit subsidy program under section 2 of this act; and (2) fee waivers for running start program courses under RCW 28A.600.310.

NEW SECTION. **Sec. 4.** A new section is added to chapter 28A.600 RCW to read as follows:

(1) Prior to course scheduling or course registration for the next school term, each public school that serves students in any of grades nine through 12 must provide all students and their parents or legal guardians with: Information about each available dual credit program and any financial assistance available to reduce dual credit course and exam costs for students and their families. The information must be provided via email and other

communication methods, and, to the extent feasible, must be translated into the primary language of each parent or legal guardian.

(2) Public schools are encouraged to include in the notification required under subsection (1) of this section other information about advanced course taking that must be provided to parents and legal guardians under RCW 28A.320.195, 28A.600.287, and 28A.600.320.

(3) As used in this section, "public school" has the same meaning as in RCW 28A.150.010.

Sec. 5. RCW 28A.600.287 and 2021 c 71 s 1 are each amended to read as follows:

(1) College in the high school is a dual credit program located on a high school campus or in a high school environment in which a high school student is able to earn both high school and college credit by completing college level courses with a passing grade. A college in the high school program must meet the accreditation requirements in RCW 28B.10.035 and the requirements in this section.

(2) A college in the high school program may include both academic and career and technical education.

(3) Ninth, 10th, 11th, and 12th grade students, and students who have not yet received a high school diploma or its equivalent and are eligible to be in the ninth, 10th, 11th, or 12th grades, may participate in a college in the high school program.

(4) A college in the high school program must be governed by a local contract between an institution of higher education and a school district, charter school, or state-tribal compact school, in compliance with the rules adopted by the superintendent of public instruction under this section. The local contract must include the qualifications for students to enroll in a program course.

(5)(a) An institution of higher education may charge tuition fees per credit to each student enrolled in a program course as established in this subsection (5).

(b)(i) The maximum per college credit tuition fee for a program course is ((~~$65~~)) $42.50 per college credit adjusted for inflation using the implicit price deflator for that fiscal year, using fiscal year 2021 as the base, as compiled by the bureau of labor statistics, United States department of labor for the state of Washington.

(ii) Annually by July 1st, the office of the superintendent of public instruction must calculate the maximum per college credit tuition fee and post the fee on its website.

(c) The funds received by an institution of higher education under this subsection (5) are not tuition or operating fees and may be retained by the institution of higher education.

(6) Enrollment information on persons registered under this section must be maintained by the institution of higher education separately from other enrollment information and may not be included in official enrollment reports, nor may such persons be considered in any enrollment statistics that would affect higher education budgetary determinations.

(7) Each school district, charter school, and state-tribal compact school must award high school credit to a student enrolled in a program course if the student successfully completes the course. If no comparable course is offered by the school district, charter school, or state-tribal compact school, the chief administrator shall determine how many credits to award for the successful completion of the program course. The determination must be made in writing before the student enrolls in the program course. The awarded credit must be applied toward graduation requirements and subject area requirements. Evidence of successful completion of each program course must be included in the student's high school records and transcript.

(8) An institution of higher education must award college credit to a student enrolled in a program course if the student successfully completes the course. The awarded college credit must be applied toward general education requirements or degree requirements at the institution of higher education. Evidence of successful completion of each program course must be included in the student's college transcript.

(9)(a) A high school that offers a college in the high school program must provide general information about the program to all students in grades eight through 12 and to the parents and guardians of those students.

(b) A high school that offers a college in the high school program must include the following information about program courses in the high school catalogue or equivalent:

(i) There is no fee for students to enroll in a program course to earn only high school credit. Fees apply for students who choose to enroll in a program course to earn both high school and college credit;

(ii) A description and breakdown of the fees charged to students to earn college credit;

(iii) A description of fee payment and financial assistance options available to students; and

(iv) A notification that paying for college credit automatically starts an official college transcript with the institution of higher education offering the program course regardless of student performance in the program course, and ((~~that college credit earned upon successful completion of a program course may count only as elective credit if transferred to another institution of higher education~~))most but not all institutions of higher education may recognize and accept this credit.

(10) Full-time and part-time faculty at institutions of higher education, including adjunct faculty, are eligible to teach program courses.

(11) Students enrolled in a program course may pay college in the high school fees with advanced college tuition payment program tuition units at a rate set by the advanced college tuition payment program governing body under chapter 28B.95 RCW.

(12) The superintendent of public instruction shall adopt rules for the administration of this section. The rules must be jointly developed by the superintendent of public instruction, the state board for community and technical colleges, the student achievement council, and the public baccalaureate institutions. The association of Washington school principals must be consulted during the rules development. The rules must outline quality and eligibility standards that are informed by nationally recognized standards or models. In addition, the rules must encourage the maximum use of the program and may not narrow or limit the enrollment options.

(13) The definitions in this subsection apply throughout this section.

(a) "Charter school" means a school established under chapter 28A.710 RCW.

(b) "High school" means a public school, as defined in RCW 28A.150.010, that serves students in any of grades nine through 12.

(c) "Institution of higher education" has the same meaning as in RCW 28B.10.016, and also means a public tribal college located in Washington and accredited by the northwest commission on colleges and universities or another accrediting association recognized by the United States department of education.

(d) "Program course" means a college course offered in a high school under a college in the high school program.

(e) "State-tribal compact school" means a school established under chapter 28A.715 RCW.

NEW SECTION. **Sec. 6.** A new section is added to chapter 28A.600 RCW to read as follows:

(1) Students participating in running start programs may be funded up to a combined maximum enrollment of 1.6 full-time equivalents, including school district and institution of higher education enrollment.

(2) In calculating the combined full-time equivalents, the office of the superintendent of public instruction:

(a) Must adopt rules to fund the participating student's enrollment in running start courses provided by the institution of higher education during the summer academic term; and

(b) May average the participating student's September through June enrollment to account for differences in the start and end dates for courses provided by the high school and the institution of higher education.

(3) Running start programs as a service delivery model, associated funding levels beyond 1.0 full-time equivalent per student, and funding for high school graduates enrolled in running start courses under RCW 28A.600.310(2)(b), are not part of the state's statutory program of basic education under chapter 28A.150 RCW.

(4) The office of the superintendent of public instruction, in consultation with the state board for community and technical colleges, the participating institutions of higher education, the student achievement council, and the education data center, must annually track, and report to the fiscal committees of the legislature, the combined full-time equivalent experience of students participating in running start programs, including course load analyses and enrollments by high school and participating institutions of higher education.

Sec. 7. RCW 28A.600.310 and 2019 c 252 s 115 and 2019 c 176 s 2 are each reenacted and amended to read as follows:

(1) Every school district must allow eligible students as described in subsection (2) of this section to participate in the running start program.

(2) Student eligibility for the running start program is as follows:

(a) Eleventh and ((~~twelfth~~))12th grade students or students who have not yet received the credits required for the award of a high school diploma and are eligible to be in the ((~~eleventh~~))11th or ((~~twelfth~~))12th grade((~~s~~)), including students receiving home-based instruction under chapter 28A.200 RCW and students attending private schools approved under chapter 28A.195 RCW, may apply to a participating institution of higher education to enroll in courses or programs offered by the institution of higher education.

(b) ((~~The course sections and programs offered as running start courses must also be open for registration to matriculated students at the participating institution of higher education and may not be a course consisting solely of high school students offered at a high school campus.~~

~~(c) A student~~))High school graduates who have 15 or fewer college credits to earn before meeting associate degree requirements may continue participation in the running start program and earn up to 15 college credits during the summer academic term following their high school graduation.

(3) Students receiving home-based instruction under chapter 28A.200 RCW enrolling in a public high school for the sole purpose of participating in courses or programs offered by institutions of higher education shall not be counted by the school district in any required state or federal accountability reporting if the student's parents or guardians filed a declaration of intent to provide home-based instruction and the student received home-based instruction during the school year before the school year in which the student intends to participate in courses or programs offered by the institution of higher education. ((~~Students receiving home-based instruction under chapter 28A.200 RCW and students attending private schools approved under chapter 28A.195 RCW shall not be required to meet the student learning goals or to learn the state learning standards. However, students are eligible to enroll in courses or programs in participating universities only if the board of directors of the student's school district has decided to participate in the program.~~))

(4) Participating institutions of higher education, in consultation with school districts, may establish admission standards for ((~~these~~))eligible students. If the

institution of higher education accepts a secondary school ((~~pupil~~))student for enrollment under this section, the institution of higher education shall send written notice to the ((~~pupil~~))student and the ((~~pupil's~~))student's school district within ((~~ten~~))10 days of acceptance. The notice shall indicate the course and hours of enrollment for that ((~~pupil~~))student.

((~~(2)~~))(5) The course sections and programs offered as running start courses must be open for registration to matriculated students at the participating institution of higher education and may not be a course consisting solely of high school students offered at a high school campus.

(6)(a) In lieu of tuition and fees, as defined in RCW 28B.15.020 and 28B.15.041:

(i) Running start students shall pay to the community or technical college all other mandatory fees as established by each community or technical college and, in addition, the state board for community and technical colleges may authorize a fee of up to ((~~ten~~))10 percent of tuition and fees as defined in RCW 28B.15.020 and 28B.15.041; and

(ii) All other institutions of higher education operating a running start program may charge running start students a fee of up to ((~~ten~~))10 percent of tuition and fees as defined in RCW 28B.15.020 and 28B.15.041 in addition to technology fees.

(b) The fees charged under this subsection ((~~(2)~~))(6) shall be prorated based on credit load.

(c) Students may pay fees under this subsection (6) with advanced college tuition payment program tuition units at a rate set by the advanced college tuition payment program governing body under chapter 28B.95 RCW.

((~~(3)~~))(7)(a) The institutions of higher education must make available fee waivers for low-income running start students. A student shall be considered low income and eligible for a fee waiver upon proof that the student ((~~is currently qualified to receive~~))meets federal eligibility requirements for free or reduced-price ((~~lunch~~))school meals. Acceptable documentation of low-income status may also include, but is not limited to, documentation that a student has been deemed eligible for free or reduced-price lunches in the last five years, or other criteria established in the institution's policy.

(b)(i) By the beginning of the 2020-21 school year, school districts, upon knowledge of a low-income student's enrollment in running start, must provide documentation of the student's low-income status, under (a) of this subsection, directly to institutions of higher education.

(ii) Subject to the availability of amounts appropriated for this specific purpose, the office of the superintendent of public instruction, in consultation with the Washington student achievement council, shall develop a centralized process for school districts to provide students' low-income status to institutions of higher education to meet the requirements of (b)(i) of this subsection.

(c) Institutions of higher education, in collaboration with relevant student associations, shall aim to have students who can benefit from fee waivers take advantage of these waivers. Institutions shall make every effort to communicate to students and their families the benefits of the waivers and provide assistance to students and their families on how to apply. Information about waivers shall, to the greatest extent possible, be incorporated into financial aid counseling, admission information, and individual billing statements. Institutions also shall, to the greatest extent possible, use all means of communication, including but not limited to websites, online catalogues, admission and registration forms, mass email messaging, social media, and outside marketing to ensure that information about waivers is visible, compelling, and reaches the maximum number of students and families that can benefit.

((~~(4)~~))(8) The ((~~pupil's~~))student's school district shall transmit to the institution of higher education an amount per each full-time equivalent college student at statewide uniform rates for vocational and nonvocational students. The superintendent of public instruction shall separately calculate and allocate moneys appropriated for basic education under RCW 28A.150.260, and equivalent amounts for high school graduates enrolled in running start courses under subsection (2)(b) of this section, to school districts for purposes of making such payments and for granting school districts seven percent thereof to offset program related costs. The calculations and allocations shall be based upon the estimated statewide annual average per full-time equivalent high school student allocations under RCW 28A.150.260, excluding small high school enhancements, and applicable rules adopted under chapter 34.05 RCW. The superintendent of public instruction, participating institutions of higher education, and the state board for community and technical colleges shall consult on the calculation and distribution of the funds. The funds received by the institution of higher education from the school district shall not be deemed tuition or operating fees and may be retained by the institution of higher education. A student enrolled under this subsection shall be counted for the purpose of meeting enrollment targets in accordance with terms and conditions specified in the omnibus appropriations act.

(9) This section governs school operation and management under RCW 28A.710.040 and 28A.715.020 and applies to charter schools established under chapter 28A.710 RCW and state-tribal education compact schools established under chapter 28A.715 RCW to the same extent as it applies to school districts.

Sec. 8. RCW 28A.600.390 and 2012 c 229 s 506 are each amended to read as follows:

The superintendent of public instruction, the state board for community and technical colleges, and the student achievement council shall jointly develop and adopt rules governing RCW 28A.600.300 through

28A.600.380 and section 6 of this act, if rules are necessary. The rules shall be written to encourage the maximum use of the program and shall not narrow or limit the enrollment options under RCW 28A.600.300 through 28A.600.380.

Sec. 9. RCW 28A.600.400 and 1994 c 205 s 11 are each amended to read as follows:

RCW 28A.600.300 through 28A.600.390 are in addition to and not intended to adversely affect agreements between school districts and institutions of higher education in effect on April 11, 1990((~~, and in the future~~)).

Sec. 10. RCW 28B.92.030 and 2022 c 166 s 1 are each amended to read as follows:

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

(1) "Council" means the student achievement council.

(2) "Dual credit incentive rebate" means a one-time, lump sum grant provided in addition to the Washington college grant to provide supplementary financial support to low-income students.

(3) "Dual credit program" means a program in which a student qualifies for both postsecondary and high school credit upon either successfully completing a dual credit course or by passing a dual credit exam.

(4) "Financial aid" means either loans, grants, or both, to students who demonstrate financial need enrolled or accepted for enrollment as a student at institutions of higher education.

((~~(3)~~))(5) "Financial need" means a demonstrated financial inability to bear the total cost of education as directed in rule by the office.

((~~(4)~~))(6) "Institution" or "institutions of higher education" means:

(a) Any public university, college, community college, or technical college operated by the state of Washington or any political subdivision thereof; ((~~or~~))

(b) Any other university, college, school, or institute in the state of Washington offering instruction beyond the high school level that is a member institution of an accrediting association recognized by rule of the council for the purposes of this section and that agrees to and complies with program rules adopted pursuant to RCW 28B.92.150. However, any institution, branch, extension or facility operating within the state of Washington that is affiliated with an institution operating in another state must be:

(i) A separately accredited member institution of any such accrediting association;

(ii) A branch of a member institution of an accrediting association recognized by rule of the council for purposes of this section, that is eligible for federal student financial aid assistance and has operated as a nonprofit college or university delivering on-site classroom instruction for a minimum of ((~~twenty~~))20 consecutive years within the state of Washington, and has an annual enrollment of at least ((~~seven hundred~~))700 full-time equivalent students; or

(iii) A nonprofit institution recognized by the state of Washington as provided in RCW 28B.77.240; or

((~~(iv)~~))(c) An approved apprenticeship program under chapter 49.04 RCW.

((~~(5)~~))(7) "Maximum Washington college grant":

(a) For students attending two or four-year institutions of higher education as defined in RCW 28B.10.016, is tuition and estimated fees for ((~~fifteen~~))15 quarter credit hours or the equivalent, as determined by the office, including operating fees, building fees, and services and activities fees.

(b) For students attending private four-year not-for-profit institutions of higher education in Washington, in the 2019-20 academic year, is ((~~nine thousand seven hundred thirty-nine dollars~~))$9,739 and may increase each year afterwards by no more than the tuition growth factor.

(c) For students attending two-year private not-for-profit institutions of higher education in Washington, in the 2019-20 academic year, is ((~~three thousand six hundred ninety-four dollars~~))$3,694 and may increase each year afterwards by no more than the tuition growth factor.

(d) For students attending four-year private for-profit institutions of higher education in Washington, in the 2019-20 academic year, is ((~~eight thousand five hundred seventeen dollars~~))$8,517 and may increase each year afterwards by no more than the tuition growth factor.

(e) For students attending two-year private for-profit institutions of higher education in Washington, in the 2019-20 academic year, is ((~~two thousand eight hundred twenty-three dollars~~))$2,823 and may increase each year afterwards by no more than the tuition growth factor.

(f) For students attending Western Governors University-Washington, as established in RCW 28B.77.240, in the 2019-20 academic year, is ((~~five thousand six hundred nineteen dollars~~))$5,619 and may increase each year afterwards by no more than the tuition growth factor.

(g) For students attending approved apprenticeship programs, beginning in the 2022-23 academic year, is the same amount as the maximum Washington college grant for students attending two-year institutions of higher education as defined in (a) of this subsection to be used for tuition and fees, program supplies and equipment, and other costs that facilitate educational endeavors.

((~~(6)~~))(8) "Office" means the office of student financial assistance.

((~~(7)~~))(9) "Tuition growth factor" means an increase of no more than the average annual percentage growth rate of the median hourly wage for Washington for the previous ((~~fourteen~~))14 years as the wage is determined by the federal bureau of labor statistics.

NEW SECTION. **Sec. 11.** A new section is added to chapter 28B.92 RCW to read as follows:

The dual credit incentive rebate is created. The office shall award a dual credit incentive rebate of $1,000 to a Washington college grant recipient who:

(1) Earned at least 24 quarter credits or the equivalent at the postsecondary level through one or more dual credit programs; and

(2) Earned at least an additional 24 quarter credits or the equivalent at the postsecondary level after graduating high school.

NEW SECTION. **Sec. 12.** The following acts or parts of acts are each repealed:

(1) RCW 28A.320.196 (Academic acceleration incentive program—Dual credit courses—Allocation of funds—Reports) and 2022 c 75 s 4, 2021 c 71 s 4, 2015 c 202 s 2, & 2013 c 184 s 3;

(2) RCW 28A.600.290 (College in the high school program—Funding) and 2021 c 71 s 2, 2015 c 202 s 3, 2012 c 229 s 801, & 2009 c 450 s 3;

(3) RCW 28B.76.730 (Washington dual enrollment scholarship pilot program) and 2021 c 71 s 6, 2020 c 259 s 1, & 2019 c 176 s 1;

(4) RCW 43.131.427 (Washington dual enrollment scholarship pilot program—Termination) and 2019 c 176 s 3; and

(5) RCW 43.131.428 (Washington dual enrollment scholarship pilot program—Repeal) and 2019 c 176 s 4."

Correct the title.

Representatives Stokesbary, Chambers, Walsh, Rude, Schmidt and Corry spoke in favor of the adoption of the striking amendment.

Representative Bergquist spoke against the adoption of the striking amendment.

Division was demanded and the demand was sustained. The Speaker (Representative Bronoske presiding) divided the House. The result was 39 - YEAS; 57 - NAYS.

The striking amendment (270) 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 Paul spoke in favor of the passage of the bill.

Representatives Stokesbary, Ybarra, Volz and Chambers 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. 1316.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1316, and the bill passed the House by the following vote: Yeas, 60; Nays, 36; 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, Goehner, Goodman, Gregerson, Hackney, Harris, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Ormsby, Ortiz-Self, Orwall, Paul, 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, 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 Eslick and Hansen

SECOND SUBSTITUTE HOUSE BILL NO. 1316, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1728, by Representatives Donaghy, Rule, Reeves, Morgan, Ramel, Reed and Leavitt

Creating a statewide resiliency program.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1728 was substituted for House Bill No. 1728 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1728 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 Donaghy spoke in favor of the passage of the bill.

Representative Volz 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. 1728.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1728, and the bill passed the House by the following vote: Yeas, 68; Nays, 28; Absent, 0; Excused, 2

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

Voting Nay: Representatives Barkis, Chambers, Chandler, Christian, Connors, Corry, Couture, Dent, Dye, Graham, Griffey, Harris, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, McEntire, Robertson, Schmick, Schmidt, Stokesbary, Volz, Walsh, Waters, Wilcox and Ybarra

Excused: Representatives Eslick and Hansen

SECOND SUBSTITUTE HOUSE BILL NO. 1728, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1622, by Representatives Fey, Rude, Simmons, Schmidt, Cortes, Senn, Slatter, Alvarado, Ryu, Wylie, Bergquist, Paul, Gregerson, Morgan, Macri, Pollet, Doglio, Timmons and Leavitt

Supporting the needs of students experiencing homelessness.

The bill 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 Fey and Rude 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 House Bill No. 1622.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1622, 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, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, 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 Eslick and Hansen

HOUSE BILL NO. 1622, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1652, by Representatives Taylor, Couture and Rule

Concerning child support pass through.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1652 was substituted for House Bill No. 1652 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1652 was read the second time.

Representative Couture moved the adoption of amendment (125):

On page 2, line 39, after "current child support" strike "and child support arrears"

On page 3, line 6, after "current child support" strike "and child support arrears"

Representatives Couture and Taylor spoke in favor of the adoption of the amendment.

Amendment (125) 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 Taylor and Couture 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. 1652.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1652, and the bill passed the House by the following vote: Yeas, 89; Nays, 7; Absent, 0; Excused, 2

Voting Yea: Representatives Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, 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 Abbarno, Caldier, Chambers, Chandler, Jacobsen, McEntire and Walsh

Excused: Representatives Eslick and Hansen

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1652, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1203, by Representatives Ormsby and Macri

Improving the fiscal process by updating accounts administered by the office of financial management, creating new accounts including one for the opioid litigation settlement and one for the receipt of federal funds, and reenacting accounts created in the supplemental budget bill.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1203 was substituted for House Bill No. 1203 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1203 was read the second time.

Representative Ormsby moved the adoption of amendment (297):

On page 3, at the beginning of line 4, strike "(4)" and insert "((~~(4)~~))"

On page 3, at the beginning of line 12, strike "(1)" and insert "((~~(1)~~))"

On page 3, line 18, after "RCW." strike all material through "section, an" on line 19 and insert "((~~Subject to the requirements of subsection (2) of this section, an~~)) An"

On page 3, at the beginning of line 30, strike "(2)" and insert "((~~(2)~~))"

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

Amendment (297) 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 Ormsby and Orcutt 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. 1203.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1203, 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, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, 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 Eslick and Hansen

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1203, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1705, by Representatives Griffey, Couture and Wylie

Concerning stormwater control facilities and county jurisdiction.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1705 was substituted for House Bill No. 1705 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1705 was read the second time.

Representative Duerr moved the adoption of amendment (091):

On page 2, line 14, after "district" strike "must notify and consult with" and insert "should notify"

On page 2, line 15, after "district." insert "The ordinary maintenance of stormwater control facilities by a county does not require notification to a diking or drainage district."

On page 2, line 25, after "thereof" strike "is" and insert "pursuant to a written agreement as provided for in subsection (3)(b) of this section may be"

Representatives Duerr and Griffey spoke in favor of the adoption of the amendment.

Amendment (091) 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 Griffey and Duerr 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. 1705.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1705, and the bill passed the House by the following vote: Yeas, 95; Nays, 1; 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, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Robertson, Rude, Rule, Ryu, Sandlin, Santos, Schmick, Schmidt, Senn, Simmons, Slatter, Springer, Stearns, Steele, Stokesbary, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Walsh, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representative Shavers

Excused: Representatives Eslick and Hansen

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1705, having received the necessary constitutional majority, was declared passed.

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

HOUSE BILL NO. 1392, by Representatives Gregerson, Kretz, Ryu, Dent, Berry, Fitzgibbon, Reed, Ramel, Pollet and Macri

Promoting the fair servicing and repair of digital electronic equipment.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1392 was substituted for House Bill No. 1392 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1392 was read the second time.

With the consent of the House, amendments (224) and (235) were withdrawn.

Representative Corry moved the adoption of amendment (226):

On page 2, after line 11, insert the following:

"(f) Consumers demand that when their digital electronic device is being repaired that their personal financial and health data and images must be protected from theft."

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

Representative Gregerson spoke against the adoption of the amendment.

Amendment (226) was not adopted.

Representative Stokesbary moved the adoption of amendment (195):

On page 2, line 36, after "tablet computer," insert "video game console,"

With the consent of the House, amendment (195) was withdrawn.

Representative Walsh moved the adoption of amendment (230):

On page 3, line 6, after "equipment." insert "Documentation also includes trade secrets of an original manufacturer."

On page 5, line 31, after "2017." insert ""Trade secret" also means an original manufacturer's intellectual property or proprietary information as determined by the original manufacturer and includes any documentation needed to access and reset the lock or function of any digital electronic equipment when disabled in the course of diagnosis, maintenance, or repair of such equipment."

On page 7, line 29, after "property" insert "or proprietary information"

Representatives Walsh, Corry, Stokesbary, Orcutt and Cheney spoke in favor of the adoption of the amendment.

Representatives Reeves and Gregerson spoke against the adoption of the amendment.

Amendment (230) was not adopted.

Representative Walsh moved the adoption of amendment (232):

On page 5, line 32, after "2024," insert "unless an original manufacturer of digital electronic equipment has an agreement with an authorized repair provider to repair the original manufacturer's digital electronic equipment,"

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

Representative Walen spoke against the adoption of the amendment.

Amendment (232) was not adopted.

Representative Stokesbary moved the adoption of amendment (228):

On page 6, after line 33, insert the following:
"(5) If an independent repair provider attempts to repair a customer's digital electronic equipment that is under the original manufacturer's warranty period and such attempted repair renders the digital electronic device inoperable, the independent repair provider shall provide the customer with an identical replacement of the digital electronic equipment or, if an identical replacement is not available, an upgraded version of the digital electronic equipment."

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

Representative Walen spoke against the adoption of the amendment.

Amendment (228) was not adopted.

Representative Schmidt moved the adoption of amendment (233):

On page 7, beginning on line 8, after "(b)" strike all material through "repairs" on line 9 and insert "Prohibiting the sharing of passcodes and passwords to protect the customer's privacy"

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

Representative Gregerson spoke against the adoption of the amendment.

Amendment (233) was not adopted.

Representative Walsh moved the adoption of amendment (231):

On page 7, line 12, after "accounts;" strike "and"

On page 7, line 26, after "reputation" insert ";
"(4) Repairs not performed by the original manufacturer or an original manufacturer's authorized repair provider may void the warranty of digital electronic equipment; and
(5) A disclosure that includes information about all safety issues related to the replacement of a battery if a battery is installed in the digital electronic equipment during a repair."

Representatives Walsh and Corry spoke in favor of the adoption of the amendment.

Representative Walen spoke against the adoption of the amendment.

Amendment (231) was not adopted.

Representative Corry moved the adoption of amendment (176):

On page 8, after line 33, insert the following:
"(8) Nothing in this chapter shall apply to a:
(a) Motor vehicle manufacturer, manufacturer of motor vehicle equipment, or motor vehicle dealer acting in that capacity or to any product or service of a motor vehicle manufacturer, manufacturer of motor vehicle equipment, or motor vehicle dealer acting in that capacity; or
(b) Manufacturer, distributor, importer, or dealer of any power generation or storage equipment, or equipment for fueling or charging motor vehicles."

Representatives Corry and Reeves spoke in favor of the adoption of the amendment.

Amendment (176) was adopted.

Representative Volz moved the adoption of amendment (229):

On page 9, after line 5, insert the following:

"(3) An independent repair provider may not conduct repairs on digital electronic equipment owned by a public school, as defined in RCW 28A.150.010, if such a repair would void the original manufacturer's warranty."

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

Representative Reeves spoke against the adoption of the amendment.

Amendment (229) was not adopted.

Representative McClintock moved the adoption of amendment (225):

On page 9, after line 15, insert the following:
"NEW SECTION. **Sec. 8.** The department of licensing shall make recommendations to the legislature on a licensure program for independent repair providers that provide diagnosis, maintenance, and repair services for digital electronic equipment. The department of licensing shall submit a report to the legislature in accordance with RCW 43.01.036 on its recommendations by October 31, 2023. The report must address the following:
(1) A minimum of 25 hours of training per type of digital electronic equipment in a manner specified by the original manufacturer of the digital electronic equipment;
(2) Cybersecurity training requirements;
(3) Recommended training opportunities with the state's community and technical colleges;
(4) Commercial insurance requirements that include coverage for breach of a customer's personal data; and
(5) Continuing education requirements that include courses or training in cybersecurity and how to protect a customer's personal health data, financial data, and electronic images stored on digital electronic equipment."

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

On page 9, line 18, after "through" strike "8" and insert "9"

On page 9, after line 19, insert the following:
"NEW SECTION. **Sec. 11.** This act shall take effect after the legislature adopts a licensure program for independent repair providers based on recommendations provided by the department of licensing under section 8 of this act."
Renumber the remaining sections consecutively and correct any internal references accordingly.
Correct the title.

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

Representative Walen spoke against the adoption of the amendment.

Amendment (225) was not adopted.

Representative Corry moved the adoption of amendment (234):

On page 6, beginning on line 25, strike all of subsection (4)

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

Representative Gregerson spoke against the adoption of the amendment.

Amendment (234) 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.

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

Representatives Walsh, Cheney, Stokesbary and Corry 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 Second Substitute House Bill No. 1392.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1392, 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, Callan, Chambers, Chopp, Cortes, Davis, Dent, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Kretz, Lekanoff, Low, Macri, Mena, Morgan, Ormsby, Ortiz-Self, Orwall, Paul, 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, Bronoske, Caldier, Chandler, Chapman, Cheney, Christian, Connors, Corry, Couture, Dye, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Leavitt, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Volz, Walsh, Waters, Wilcox and Ybarra

Excused: Representatives Eslick and Hansen

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1392, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1217, by Representatives Ortiz-Self, Fosse, Berry, Reed, Simmons, Gregerson, Ramel, Macri and Pollet

Concerning wage complaints.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1217 was substituted for House Bill No. 1217 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1217 was read the second time.

Representative Robertson moved the adoption of amendment (279):

On page 1, beginning on line 6, strike all of section 1

Renumber the remaining section consecutively.

On page 4, line 7, after "order;" strike "and"

On page 4, line 10, after "violations" insert "; and
(c) The appropriate time to impose interest on wages owed"

Correct the title.

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

Representative Ortiz-Self spoke against the adoption of the amendment.

Amendment (279) 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 Ortiz-Self spoke in favor of the passage of the bill.

Representative Abbarno 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. 1217.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1217, 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, Kloba, Lekanoff, Macri, Mena, Morgan, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Senn, Simmons, Slatter, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, 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, Leavitt, Low, Maycumber, McClintock, McEntire, Mosbrucker, Orcutt, Robertson, Rude, Sandlin, Schmick, Schmidt, Shavers, Springer, Steele, Stokesbary, Volz, Walen, Walsh, Waters, Wilcox and Ybarra
Excused: Representatives Eslick and Hansen

SUBSTITUTE HOUSE BILL NO. 1217, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1717, by Representatives Rule, Corry, Paul, Stonier, Chapman, Duerr and Timmons

Supporting innovation at associate development organizations.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1717 was substituted for House Bill No. 1717 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1717 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 Rule, Barnard, Volz, Waters, Corry and Reeves 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. 1717.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1717, and the bill passed the House by the following vote: Yeas, 90; Nays, 6; 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, Doglio, Donaghy, Duerr, Dye, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rude, Rule, Ryu, Sandlin, Santos, Schmidt, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Steele, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Volz, Walen, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker
Voting Nay: Representatives Dent, McEntire, Robertson, Schmick, Stokesbary and Walsh
Excused: Representatives Eslick and Hansen

SUBSTITUTE HOUSE BILL NO. 1717, having received the necessary constitutional majority, was declared passed.

The Speaker assumed the chair.

HOUSE BILL NO. 1155, by Representatives Slatter, Street, Reed, Ryu, Berg, Alvarado, Taylor, Bateman, Ramel, Senn, Goodman, Fitzgibbon, Macri, Simmons, Reeves, Lekanoff, Orwall, Duerr, Thai, Gregerson, Wylie, Ortiz-Self, Stonier, Pollet, Riccelli, Donaghy, Fosse and Ormsby

Addressing the collection, sharing, and selling of consumer health data.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1155 was substituted for House Bill No. 1155 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1155 was read the second time.

With the consent of the House, amendments (040), (045), (077), (096), (097), (109), (136), (138) and (179) were withdrawn.

Representative Low moved the adoption of amendment (145):

On page 2, beginning on line 33, after "generated" strike all material through "information" on page 3, line 5 and insert "by automatic measurements of an individual's biological characteristics, such as a fingerprint, voiceprint, eye retinas, irises, or other unique biological

patterns or characteristics that is used to identify a specific individual. "Biometric data" does not include a physical or digital photograph, video or audio recording or data generated therefrom, or information collected, used, or stored for health care treatment, payment, or operations under the federal health insurance portability and accountability act of 1996"

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

Representative Kloba spoke against the adoption of the amendment.

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (145) and the amendment was not adopted by the following vote: Yeas, 40; Nays, 56; Absent, 0; Excused, 2

Voting Yea: 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, Robertson, Rude, Rule, Sandlin, Schmick, Schmidt, Steele, Stokesbary, 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, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie and Mme. Speaker

Excused: Representatives Eslick and Hansen

Amendment (145) was not adopted.

Representative Chambers moved the adoption of amendment (092):

On page 3, line 28, after "that" strike "identifies" and insert "a regulated entity uses to identify"

Representatives Chambers, Corry and Walsh spoke in favor of the adoption of the amendment.

Representative Simmons spoke against the adoption of the amendment.

Amendment (092) was not adopted.

Representative Chambers moved the adoption of amendment (093):

On page 4, line 5, after "(8)(a);" insert "or"

On page 4, beginning on line 8, after "supplies" strike all material through "learning)" on line 12

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

Representative Reed spoke against the adoption of the amendment.

Amendment (093) was not adopted.

Representative Corry moved the adoption of amendment (128):

On page 4, line 22, after "reidentification." insert ""Consumer health data" does not include personal information that is collected or generated by a device or by a product that is intended to contain or display the informational output from a device, as that term is defined in Section 321 of the federal food, drug, and cosmetic act (21 U.S.C. Sec. 301 et seq.)."

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

Representative Stonier spoke against the adoption of the amendment.

Amendment (128) was not adopted.

Representative Walsh moved the adoption of amendment (078):

On page 7, beginning on line 11, after "entity"" strike all material through "agency" on line 13 and insert "includes government agencies and tribal nations"

Representatives Walsh and Corry spoke in favor of the adoption of the amendment.

Representative Simmons spoke against the adoption of the amendment.

Amendment (078) was not adopted.

Representative Corry moved the adoption of amendment (159):

On page 8, line 4, after "the" strike "sharing" and insert "exchange"

On page 8, line 6, after "the" strike "sharing" and insert "exchange"

On page 8, line 13, after "such" strike "sharing" and insert "exchange"

Representatives Corry and Berg spoke in favor of the adoption of the amendment.

Amendment (159) was adopted.

Representative Cheney moved the adoption of amendment (154):

On page 9, line 34, after "purpose;" strike "or"

On page 9, line 37, after "entity" insert "; or
(c) For treatment, payment, and health care operations, as defined in 45 C.F.R. Sec. 164.501"

On page 10, line 3, after "data;" strike "or"

On page 10, line 6, after "entity" insert "; or
(c) For treatment, payment, and health care operations, as defined in 45 C.F.R. Sec. 164.501"

On page 16, line 6, after "164.512;" strike "or"

On page 16, after line 8, after "RCW" insert "; or

"(e) A regulated entity that is governed by or able to show compliance with the privacy, security, and data breach notification rules of the federal health insurance portability and accountability act, 45 C.F.R. Part 160 and 45 C.F.R. Part 164"

Representatives Cheney and Corry spoke in favor of the adoption of the amendment.

Representative Reeves spoke against the adoption of the amendment.

Amendment (154) was not adopted.

Representative McEntire moved the adoption of amendment (137):

On page 13, line 10, after "regulated entity" insert "with regard to such data"

On page 13, line 11, after "chapter" insert "with regard to such data"

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

Amendment (137) was adopted.

Representative Slatter moved the adoption of amendment (102):

On page 14, beginning on line 21, after "geofence" strike all material through "in-person" on line 23 and insert "around an entity that provides in-person health care services where such geofence is used to: (1) Identify or track consumers seeking health care services; (2) collect consumer health data from consumers; or (3) send notifications, messages, or advertisements to consumers related to their consumer health data or"

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

Amendment (102) was adopted.

Representative Walen moved the adoption of amendment (168):

On page 14, line 24, after "**Sec. 11.**" strike "The" and insert "(1) For actions brought by the attorney general to enforce this chapter, the"

On page 14, after line 31, insert the following:

"(2) Any consumer injured by a violation of this chapter may bring an action under chapter 19.86 RCW, but must establish all required elements of an action under chapter 19.86 RCW before relief may be granted."

Representatives Walen and Walsh spoke in favor of the adoption of the amendment.

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (168) and the amendment was adopted by the following vote: Yeas, 81; Nays, 15; Absent, 0; Excused, 2

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

Voting Nay: Representatives Alvarado, Berry, Chopp, Farivar, Fosse, Kloba, Macri, Mena, Ormsby, Ramos, Reed, Riccelli, Simmons, Thai and Wylie

Excused: Representatives Eslick and Hansen

Amendment (168) was adopted.

Representative Corry moved the adoption of amendment (129):

On page 14, line 24, after "**Sec. 11.**" insert "(1) This chapter may be enforced solely by the attorney general under the consumer protection act, chapter 19.86 RCW.

(2)(a)"

On page 14, after line 31, insert the following:

"(b) The legislative declarations in this subsection do not apply to any claim or action by any party other than the attorney general alleging that conduct regulated by this chapter violates chapter 19.86 RCW, and this chapter does not incorporate RCW 19.86.093.

(3) A violation of this chapter may not serve as the basis for, or be subject to, a private right of action under this chapter or under any other law.

(4) Prior to commencing an enforcement action for a violation of this chapter, if the attorney general determines that it is possible to cure the violation, the attorney general must issue a notice of the violation to the regulated entity or processor. If, at least 60 days after issuing the notice, the attorney general believes the regulated entity or processor has failed to cure the violation, the attorney general may bring an action against the regulated entity or processor as provided in this chapter."

Representatives Corry, Stokesbary, Cheney and Walsh spoke in favor of the adoption of the amendment.

Representatives Simmons and Slatter spoke against the adoption of the amendment.

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (129) and the amendment was not adopted by the following vote: Yeas, 42; Nays, 54; Absent, 0; Excused, 2

Voting Yea: 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, Robertson, Rude, Sandlin, Schmick, Schmidt, Springer, Steele, Stokesbary, Timmons, Volz, Walen, 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, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Rule, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Wylie and Mme. Speaker

Excused: Representatives Eslick and Hansen

Amendment (129) was not adopted.

Representative Corry moved the adoption of amendment (135):

On page 9, at the beginning of line 2, strike "consumer health data"

On page 9, at the beginning of line 16, strike all material through "homepage" and insert "privacy policy on its homepage or in another manner that is clear and conspicuous to consumers"

On page 9, beginning on line 18, after "the" strike all material through "data" on line 19

On page 9, beginning on line 23, after "the" strike all material through "data" on line 24

On page 9, line 29, after "entity's" strike "consumer health data"

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

Representative Wylie spoke against the adoption of the amendment.

Amendment (135) was not adopted.

Representative Walsh moved the adoption of amendment (076):

On page 14, beginning on line 20, strike all of section 10

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

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

Representative Taylor spoke against the adoption of the amendment.

Amendment (076) was not adopted.

Representative Walsh moved the adoption of amendment (075):

On page 14, beginning on line 24, strike all of section 11

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

With the consent of the House, amendment (075) was withdrawn.

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 Slatter, Kloba and Thai spoke in favor of the passage of the bill.

Representatives Walsh, Cheney, Corry and Chambers spoke against the passage of the bill.

The Speaker stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1155.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1155, and the bill passed the House by the following vote: Yeas, 57; Nays, 39; 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, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Ormsby, Ortiz-Self, Orwall, Paul, 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, 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: Representatives Eslick and Hansen

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1155, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1645, by Representatives Barnard, Duerr, Connors, Riccelli, Cheney, Hutchins, McClintock, Chambers, McEntire, Sandlin, Eslick, Low, Street, Maycumber, Fitzgibbon, Macri, Reed, Rude, Lekanoff and Ramel

Concerning meetings of county legislative authorities.

The bill 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 Barnard and Stonier spoke in favor of the passage of the bill.

The Speaker stated the question before the House to be the final passage of House Bill No. 1645.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1645, 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, Farivar, Fey, Fitzgibbon, Fosse, Goehner,

Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, 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 Eslick and Hansen

HOUSE BILL NO. 1645, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1032, by Representatives Dent, Chapman, Ryu, Reed, Graham, Ramel, Pollet, Griffey, Reeves, Tharinger, Wylie, Springer, Kloba and Donaghy

Mitigating the risk of wildfires through electric utility planning and identification of best management practices appropriate to each electric utility's circumstances.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1032 was substituted for House Bill No. 1032 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1032 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 Dent and Chapman spoke in favor of the passage of the bill.

The Speaker stated the question before the House to be the final passage of Second Substitute House Bill No. 1032.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1032, 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, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, 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 Eslick and Hansen

SECOND SUBSTITUTE HOUSE BILL NO. 1032, having received the necessary constitutional majority, was declared passed.

The Speaker called upon Representative Orwall to preside.

HOUSE BILL NO. 1357, by Representatives Simmons, Schmick, Stonier, Cortes, Reed, Bateman, Harris, Alvarado, Pollet and Caldier

Modernizing the prior authorization process.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1357 was substituted for House Bill No. 1357 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1357 was read the second time.

Representative Simmons moved the adoption of the striking amendment (266):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** A new section is added to chapter 48.43 RCW to read as follows:

(1) Each carrier offering a health plan issued or renewed on or after January 1, 2024, shall comply with the following standards related to prior authorization for health care services and prescription drugs:

(a) The carrier shall meet the following time frames for prior authorization determinations and notifications to a participating provider or facility that submits the prior authorization request through an electronic prior authorization process, as designated by each carrier:

(i) For electronic standard prior authorization requests, the carrier shall make a decision and notify the provider or facility of the results of the decision within three calendar days, excluding holidays, of submission of an electronic prior authorization request by the provider or facility that contains the necessary information to make a determination. If insufficient information has been provided to the carrier to make a decision, the carrier shall request any additional information from the provider or facility within one calendar day of submission of the electronic prior authorization request.

(ii) For electronic expedited prior authorization requests, the carrier shall make a decision and notify the provider or facility of the results of the decision within one calendar day of submission of an electronic prior authorization request by the provider or facility that contains the necessary information to make a determination. If insufficient information has been provided to the carrier to make a decision, the carrier shall request any additional information from the provider or facility within one calendar day of submission of the electronic prior authorization request.

(b) The carrier shall meet the following time frames for prior authorization determinations and notifications to a participating provider or facility that submits the prior authorization request through a process other than an electronic prior authorization process:

(i) For nonelectronic standard prior authorization requests, the carrier shall make a decision and notify the provider or facility of the results of the decision within five calendar days of submission of a nonelectronic prior authorization request by the provider or facility that contains the necessary information to make a determination. If insufficient information

has been provided to the carrier to make a decision, the carrier shall request any additional information from the provider or facility within five calendar days of submission of the nonelectronic prior authorization request.

(ii) For nonelectronic expedited prior authorization requests, the carrier shall make a decision and notify the provider or facility of the results of the decision within two calendar days of submission of a nonelectronic prior authorization request by the provider or facility that contains the necessary information to make a determination. If insufficient information has been provided to the carrier to make a decision, the carrier shall request any additional information from the provider or facility within one calendar day of submission of the nonelectronic prior authorization request.

(c) In any instance in which a carrier has determined that a provider or facility has not provided sufficient information for making a determination under (a) and (b) of this subsection, a carrier may establish a specific reasonable time frame for submission of the additional information. This time frame must be communicated to the provider or enrollee with a carrier's request for additional information.

(d) The carrier's prior authorization requirements must be described in detail and written in easily understandable language. The carrier shall make its most current prior authorization requirements and restrictions, including the written clinical review criteria, available to providers and facilities in an electronic format upon request. The prior authorization requirements must be based on peer-reviewed clinical review criteria. The clinical review criteria must be evidence-based criteria and must accommodate new and emerging information related to the appropriateness of clinical criteria with respect to black and indigenous people, other people of color, gender, and underserved populations. The clinical review criteria must be evaluated and updated, if necessary, at least annually.

(2)(a) Each carrier shall build and maintain a prior authorization application programming interface that automates the process for in-network providers to determine whether a prior authorization is required, identify prior authorization information and documentation requirements, and facilitate the exchange of prior authorization requests and determinations from its electronic health records or practice management system. The application programming interface must:

(i) Use fast health care interoperability resources;

(ii) Automate the process to determine whether a prior authorization is required for durable medical equipment, a health care service, or a prescription drug;

(iii) Allow providers to query the carrier's prior authorization documentation requirements;

(iv) Support an automated approach using nonproprietary open workflows to compile and exchange the necessary data elements to populate the prior authorization requirements that are compliant with the federal health insurance portability and accountability act of 1996 or have an exception from the federal centers for medicare and medicaid services; and

(v) Indicate that a prior authorization denial or authorization of a service less intensive than that included in the original request is an adverse benefit determination and is subject to the carrier's grievance and appeal process under RCW 48.43.535.

(b)(i) Beginning January 1, 2025, the application programming interface must support the exchange of prior authorization requests and determinations for health care services.

(ii) Beginning January 1, 2027, the application programming interface must support the exchange of prior authorization requests and determinations for prescription drugs, including information on covered alternative prescription drugs in the event of denials.

(c) If federal rules related to standards for using an application programming interface to communicate prior authorization status to providers are not finalized by the federal centers for medicare and medicaid services by September 13, 2023, the requirements of (b)(i) of this subsection may not be enforced until January 1, 2026.

(d)(i) If a carrier determines that it will not be able to satisfy the requirements of (a) of this subsection by January 1, 2025, the carrier shall submit a narrative justification to the commissioner describing:

(A) The reasons that the carrier cannot reasonably satisfy the requirements;

(B) The impact of noncompliance upon providers and enrollees;

(C) The current or proposed means of providing health information to the providers; and

(D) A timeline and implementation plan to achieve compliance with the requirements.

(ii) The commissioner may grant a one-year delay in enforcement of the requirements of (a) of this subsection (2) if the commissioner determines that the carrier has made a good faith effort to comply with the requirements.

(iii) This subsection (2)(d) shall not apply if the delay in enforcement in (c) of this subsection takes effect because the federal centers for medicare and medicaid services did not finalize the applicable regulations by September 13, 2023.

(3) Nothing in this section applies to prior authorization determinations made pursuant to RCW 48.43.761.

(4) For the purposes of this section:

(a) "Expedited prior authorization request" means a request by a provider or facility for approval of a health care service or prescription drug where:

(i) The passage of time:

(A) Could seriously jeopardize the life or health of the enrollee;

(B) Could seriously jeopardize the enrollee's ability to regain maximum function; or

(C) In the opinion of a provider or facility with knowledge of the enrollee's medical condition, would subject the enrollee to severe pain that cannot be

adequately managed without the health care service or prescription drug that is the subject of the request; or

(ii) The enrollee is undergoing a current course of treatment using a nonformulary drug.

(b) "Standard prior authorization request" means a request by a provider or facility for approval of a health care service or prescription drug where the request is made in advance of the enrollee obtaining a health care service or prescription drug that is not required to be expedited.

NEW SECTION. **Sec. 2.** A new section is added to chapter 41.05 RCW to read as follows:

(1) A health plan offered to public employees, retirees, and their covered dependents under this chapter issued or renewed on or after January 1, 2024, shall comply with the following standards related to prior authorization for health care services and prescription drugs:

(a) The health plan shall meet the following time frames for prior authorization determinations and notifications to a participating provider or facility that submits the prior authorization request through an electronic prior authorization process:

(i) For electronic standard prior authorization requests, the health plan shall make a decision and notify the provider or facility of the results of the decision within three calendar days, excluding holidays, of submission of an electronic prior authorization request by the provider or facility that contains the necessary information to make a determination. If insufficient information has been provided to the health plan to make a decision, the health plan shall request any additional information from the provider or facility within one calendar day of submission of the electronic prior authorization request.

(ii) For electronic expedited prior authorization requests, the health plan shall make a decision and notify the provider or facility of the results of the decision within one calendar day of submission of an electronic prior authorization request by the provider or facility that contains the necessary information to make a determination. If insufficient information has been provided to the health plan to make a decision, the health plan shall request any additional information from the provider or facility within one calendar day of submission of the electronic prior authorization request.

(b) The health plan shall meet the following time frames for prior authorization determinations and notifications to a participating provider or facility that submits the prior authorization request through a process other than an electronic prior authorization process described in subsection (2) of this section:

(i) For nonelectronic standard prior authorization requests, the health plan shall make a decision and notify the provider or facility of the results of the decision within five calendar days of submission of a nonelectronic prior authorization request by the provider or facility that contains the necessary information to make a determination. If insufficient information has been provided to the health plan to make a decision, the health plan shall request any additional information from the provider or facility within five calendar days of submission of the nonelectronic prior authorization request.

(ii) For nonelectronic expedited prior authorization requests, the health plan shall make a decision and notify the provider or facility of the results of the decision within two calendar days of submission of a nonelectronic prior authorization request by the provider or facility that contains the necessary information to make a determination. If insufficient information has been provided to the health plan to make a decision, the health plan shall request any additional information from the provider or facility within one calendar day of submission of the nonelectronic prior authorization request.

(c) In any instance in which the health plan has determined that a provider or facility has not provided sufficient information for making a determination under (a) and (b) of this subsection, the health plan may establish a specific reasonable time frame for submission of the additional information. This time frame must be communicated to the provider or enrollee with the health plan's request for additional information.

(d) The prior authorization requirements of the health plan must be described in detail and written in easily understandable language. The health plan shall make its most current prior authorization requirements and restrictions, including the written clinical review criteria, available to providers and facilities in an electronic format upon request. The prior authorization requirements must be based on peer-reviewed clinical review criteria. The clinical review criteria must be evidence-based criteria and must accommodate new and emerging information related to the appropriateness of clinical criteria with respect to black and indigenous people, other people of color, gender, and underserved populations. The clinical review criteria must be evaluated and updated, if necessary, at least annually.

(2)(a) Each health plan offered to public employees, retirees, and their covered dependents under this chapter shall build and maintain a prior authorization application programming interface that automates the process for in-network providers to determine whether a prior authorization is required, identify prior authorization information and documentation requirements, and facilitate the exchange of prior authorization requests and determinations from its electronic health records or practice management system. The application programming interface must:

(i) Use fast health care interoperability resources;

(ii) Automate the process to determine whether a prior authorization is required for durable medical equipment, a health care service, or a prescription drug;

(iii) Allow providers to query the health plan's prior authorization documentation requirements;

(iv) Support an automated approach using nonproprietary open workflows to compile and exchange the necessary data elements to populate the prior authorization requirements that are compliant with the federal health insurance portability and accountability act of 1996 or have an exception from the federal centers for medicare and medicaid services; and

(v) Indicate that a prior authorization denial or authorization of a service less intensive than that included in the original request is an adverse benefit determination and is subject to the health plan's grievance and appeal process under RCW 48.43.535.

(b)(i) Beginning January 1, 2025, the application programming interface must support the exchange of prior authorization requests and determinations for health care services.

(ii) Beginning January 1, 2027, the application programming interface must support the exchange of prior authorization requests and determinations for prescription drugs, including information on covered alternative prescription drugs in the event of denials.

(c) If federal rules related to standards for using an application programming interface to communicate prior authorization status to providers are not finalized by the federal centers for medicare and medicaid services by September 13, 2023, the requirements of (b)(i) of this subsection may not be enforced until January 1, 2026.

(d)(i) If the health plan determines that it will not be able to satisfy the requirements of (a) of this subsection by January 1, 2025, the health plan shall submit a narrative justification to the authority describing:

(A) The reasons that the health plan cannot reasonably satisfy the requirements;

(B) The impact of noncompliance upon providers and enrollees;

(C) The current or proposed means of providing health information to the providers; and

(D) A timeline and implementation plan to achieve compliance with the requirements.

(ii) The authority may grant a one-year delay in enforcement of the requirements of (a) of this subsection (2) if the authority determines that the health plan has made a good faith effort to comply with the requirements.

(iii) This subsection (2)(d) shall not apply if the delay in enforcement in (c) of this subsection takes effect because the federal centers for medicare and medicaid services did not finalize the applicable regulations by September 13, 2023.

(3) Nothing in this section applies to prior authorization determinations made pursuant to RCW 41.05.526.

(4) For the purposes of this section:

(a) "Expedited prior authorization request" means a request by a provider or facility for approval of a health care service or prescription drug where:

(i) The passage of time:

(A) Could seriously jeopardize the life or health of the enrollee;

(B) Could seriously jeopardize the enrollee's ability to regain maximum function; or

(C) In the opinion of a provider or facility with knowledge of the enrollee's medical condition, would subject the enrollee to severe pain that cannot be adequately managed without the health care service or prescription drug that is the subject of the request; or

(ii) The enrollee is undergoing a current course of treatment using a nonformulary drug.

(b) "Standard prior authorization request" means a request by a provider or facility for approval of a health care service or prescription drug where the request is made in advance of the enrollee obtaining a health care service that is not required to be expedited.

NEW SECTION. **Sec. 3.** A new section is added to chapter 74.09 RCW to read as follows:

(1) Beginning January 1, 2024, the authority shall require each managed care organization to comply with the following standards related to prior authorization for health care services and prescription drugs:

(a) The managed care organization shall meet the following time frames for prior authorization determinations and notifications to a participating provider or facility that submits the prior authorization request through an electronic prior authorization process, as designated by each managed care organization:

(i) For electronic standard prior authorization requests, the managed care organization shall make a decision and notify the provider or facility of the results of the decision within three calendar days, excluding holidays, of submission of an electronic prior authorization request by the provider or facility that contains the necessary information to make a determination. If insufficient information has been provided to the managed care organization to make a decision, the managed care organization shall request any additional information from the provider or facility within one calendar day of submission of the electronic prior authorization request.

(ii) For electronic expedited prior authorization requests, the managed care organization shall make a decision and notify the provider or facility of the results of the decision within one calendar day of submission of an electronic prior authorization request by the provider or facility that contains the necessary information to make a determination. If insufficient information has been provided to the managed care organization to make a decision, the managed care organization shall request any additional information from the provider or facility within one calendar day of submission of the electronic prior authorization request.

(b) The managed care organization shall meet the following time frames for prior authorization determinations and notifications to a participating provider or facility that submits the prior authorization request through a process other than an electronic prior authorization process described in subsection (2) of this section:

(i) For nonelectronic standard prior authorization requests, the managed care organization shall make a decision and notify the provider or facility of the results of the decision within five calendar days of submission of a nonelectronic prior authorization request by the provider or facility that contains the necessary information to make a determination. If insufficient information has been provided to the managed care organization to make a decision, the managed care organization shall request any additional information from the provider or facility within five calendar days of submission of the nonelectronic prior authorization request.

(ii) For nonelectronic expedited prior authorization requests, the managed care organization shall make a decision and notify the provider or facility of the results of the decision within two calendar days of submission of a nonelectronic prior authorization request by the provider or facility that contains the necessary information to make a determination. If insufficient information has been provided to the managed care organization to make a decision, the managed care organization shall request any additional information from the provider or facility within one calendar day of submission of the nonelectronic prior authorization request.

(c) In any instance in which a managed care organization has determined that a provider or facility has not provided sufficient information for making a determination under (a) and (b) of this subsection, a managed care organization may establish a specific reasonable time frame for submission of the additional information. This time frame must be communicated to the provider or enrollee with a managed care organization's request for additional information.

(d) The prior authorization requirements of the managed care organization must be described in detail and written in easily understandable language. The managed care organization shall make its most current prior authorization requirements and restrictions, including the written clinical review criteria, available to providers and facilities in an electronic format upon request. The prior authorization requirements must be based on peer-reviewed clinical review criteria. The clinical review criteria must be evidence-based criteria and must accommodate new and emerging information related to the appropriateness of clinical criteria with respect to black and indigenous people, other people of color, gender, and underserved populations. The clinical review criteria must be evaluated and updated, if necessary, at least annually.

(2)(a) Each managed care organization shall build and maintain a prior authorization application programming interface that automates the process for in-network providers to determine whether a prior authorization is required, identify prior authorization information and documentation requirements, and facilitate the exchange of prior authorization requests and determinations from its electronic health records or practice management system. The application programming interface must:

(i) Use fast health care interoperability resources;

(ii) Automate the process to determine whether a prior authorization is required for durable medical equipment, a health care service, or a prescription drug;

(iii) Allow providers to query the managed care organization's prior authorization documentation requirements;

(iv) Support an automated approach using nonproprietary open workflows to compile and exchange the necessary data elements to populate the prior authorization requirements that are compliant with the federal health insurance portability and accountability act of 1996 or have an exception from the federal centers for medicare and medicaid services; and

(v) Indicate that a prior authorization denial or authorization of a service less intensive than that included in the original request is an adverse benefit determination and is subject to the managed care organization's grievance and appeal process under RCW 48.43.535.

(b)(i) Beginning January 1, 2025, the application programming interface must support the exchange of prior authorization requests and determinations for health care services.

(ii) Beginning January 1, 2027, the application programming interface must support the exchange of prior authorization requests and determinations for prescription drugs, including information on covered alternative prescription drugs in the event of denials.

(c) If federal rules related to standards for using an application programming interface to communicate prior authorization status to providers are not finalized by September 13, 2023, the requirements of (b)(i) of this subsection may not be enforced until January 1, 2026.

(d)(i) If a managed care organization determines that it will not be able to satisfy the requirements of (a) of this subsection by January 1, 2025, the managed care organization shall submit a narrative justification to the authority describing:

(A) The reasons that the managed care organization cannot reasonably satisfy the requirements;

(B) The impact of noncompliance upon providers and enrollees;

(C) The current or proposed means of providing health information to the providers; and

(D) A timeline and implementation plan to achieve compliance with the requirements.

(ii) The authority may grant a one-year delay in enforcement of the requirements of (a) of this subsection (2) if the authority determines that the managed care

organization has made a good faith effort to comply with the requirements.

(iii) This subsection (2)(d) shall not apply if the delay in enforcement in (c) of this subsection takes effect because the federal centers for medicare and medicaid services did not finalize the applicable regulations by September 13, 2023.

(3) Nothing in this section applies to prior authorization determinations made pursuant to RCW 71.24.618.

(4) For the purposes of this section:

(a) "Expedited prior authorization request" means a request by a provider or facility for approval of a health care service or prescription drug where:

(i) The passage of time:

(A) Could seriously jeopardize the life or health of the enrollee;

(B) Could seriously jeopardize the enrollee's ability to regain maximum function; or

(C) In the opinion of a provider or facility with knowledge of the enrollee's medical condition, would subject the enrollee to severe pain that cannot be adequately managed without the health care service or prescription drug that is the subject of the request; or

(ii) The enrollee is undergoing a current course of treatment using a nonformulary drug.

(b) "Standard prior authorization request" means a request by a provider or facility for approval of a health care service or prescription drug where the request is made in advance of the enrollee obtaining a health care service or prescription drug that is not required to be expedited.

Sec. 4. RCW 48.43.0161 and 2020 c 316 s 1 are each amended to read as follows:

(1) ((~~Except as provided in subsection (2) of this section, by~~))By October 1, 2020, and annually thereafter, for individual and group health plans issued by a carrier that has written at least one percent of the total accident and health insurance premiums written by all companies authorized to offer accident and health insurance in Washington in the most recently available year, the carrier shall report to the commissioner the following aggregated and deidentified data related to the carrier's prior authorization practices and experience for the prior plan year:

(a) Lists of the ((~~ten~~))10 inpatient medical or surgical codes:

(i) With the highest total number of prior authorization requests during the previous plan year, including the total number of prior authorization requests for each code and the percent of approved requests for each code;

(ii) With the highest percentage of approved prior authorization requests during the previous plan year, including the total number of prior authorization requests for each code and the percent of approved requests for each code; and

(iii) With the highest percentage of prior authorization requests that were initially denied and then subsequently approved on appeal, including the total number of prior authorization requests for each code and the percent of requests that were initially denied and then subsequently approved for each code;

(b) Lists of the ((~~ten~~))10 outpatient medical or surgical codes:

(i) With the highest total number of prior authorization requests during the previous plan year, including the total number of prior authorization requests for each code and the percent of approved requests for each code;

(ii) With the highest percentage of approved prior authorization requests during the previous plan year, including the total number of prior authorization requests for each code and the percent of approved requests for each code; and

(iii) With the highest percentage of prior authorization requests that were initially denied and then subsequently approved on appeal, including the total number of prior authorization requests for each code and the percent of requests that were initially denied and then subsequently approved for each code;

(c) Lists of the ((~~ten~~))10 inpatient mental health and substance use disorder service codes:

(i) With the highest total number of prior authorization requests during the previous plan year, including the total number of prior authorization requests for each code and the percent of approved requests for each code;

(ii) With the highest percentage of approved prior authorization requests during the previous plan year, including the total number of prior authorization requests for each code and the percent of approved requests for each code; ((~~[and]~~))and

(iii) With the highest percentage of prior authorization requests that were initially denied and then subsequently approved on appeal, including the total number of prior authorization requests for each code and the percent of requests that were initially denied and then subsequently approved for each code;

(d) Lists of the ((~~ten~~))10 outpatient mental health and substance use disorder service codes:

(i) With the highest total number of prior authorization requests during the previous plan year, including the total number of prior authorization requests for each code and the percent of approved requests for each code;

(ii) With the highest percentage of approved prior authorization requests during the previous plan year, including the total number of prior authorization requests for each code and the percent of approved requests for each code; ((~~[and]~~))and

(iii) With the highest percentage of prior authorization requests that were initially denied and then subsequently approved on appeal, including the total number of prior authorization requests for each code and the percent of requests that were initially denied and then subsequently approved;

(e) Lists of the ((~~ten~~))10 durable medical equipment codes:

(i) With the highest total number of prior authorization requests during the

previous plan year, including the total number of prior authorization requests for each code and the percent of approved requests for each code;

(ii) With the highest percentage of approved prior authorization requests during the previous plan year, including the total number of prior authorization requests for each code and the percent of approved requests for each code; ((~~[and]~~))and

(iii) With the highest percentage of prior authorization requests that were initially denied and then subsequently approved on appeal, including the total number of prior authorization requests for each code and the percent of requests that were initially denied and then subsequently approved for each code;

(f) Lists of the ((~~ten~~))10 diabetes supplies and equipment codes:

(i) With the highest total number of prior authorization requests during the previous plan year, including the total number of prior authorization requests for each code and the percent of approved requests for each code;

(ii) With the highest percentage of approved prior authorization requests during the previous plan year, including the total number of prior authorization requests for each code and the percent of approved requests for each code; ((~~[and]~~))and

(iii) With the highest percentage of prior authorization requests that were initially denied and then subsequently approved on appeal, including the total number of prior authorization requests for each code and the percent of requests that were initially denied and then subsequently approved for each code;

(g) Lists of the 10 prescription drugs:

(i) With the highest total number of prior authorization requests during the previous plan year, including the total number of prior authorization requests for each prescription drug and the percent of approved requests for each prescription drug;

(ii) With the highest percentage of approved prior authorization requests during the previous plan year, including the total number of prior authorization requests for each prescription drug and the percent of approved requests for each prescription drug; and

(iii) With the highest percentage of prior authorization requests that were initially denied and then subsequently approved on appeal, including the total number of prior authorization requests for each prescription drug and the percent of requests that were initially denied and then subsequently approved for each prescription drug; and

(h) The average determination response time in hours for prior authorization requests to the carrier with respect to each code reported under (a) through (f) of this subsection for each of the following categories of prior authorization:

(i) Expedited decisions;

(ii) Standard decisions; and

(iii) Extenuating circumstances decisions.

(2) ((~~For the October 1, 2020, reporting deadline, a carrier is not required to report data pursuant to subsection (1)(a)(iii), (b)(iii), (c)(iii), (d)(iii), (e)(iii), or (f)(iii) of this section until April 1, 2021, if the commissioner determines that doing so constitutes a hardship.~~

~~(3)~~)) By January 1, 2021, and annually thereafter, the commissioner shall aggregate and deidentify the data collected under subsection (1) of this section into a standard report and may not identify the name of the carrier that submitted the data. ((~~The initial report due on January 1, 2021, may omit data for which a hardship determination is made by the commissioner under subsection (2) of this section. Such data must be included in the report due on January 1, 2022.~~)) The commissioner must make the report available to interested parties.

((~~(4)~~))(3) The commissioner may request additional information from carriers reporting data under this section.

((~~(5)~~))(4) The commissioner may adopt rules to implement this section. In adopting rules, the commissioner must consult stakeholders including carriers, health care practitioners, health care facilities, and patients.

((~~(6)~~))(5) For the purpose of this section, "prior authorization" means a mandatory process that a carrier or its designated or contracted representative requires a provider or facility to follow before a service is delivered, to determine if a service is a benefit and meets the requirements for medical necessity, clinical appropriateness, level of care, or effectiveness in relation to the applicable plan, including any term used by a carrier or its designated or contracted representative to describe this process.

NEW SECTION. **Sec. 5.** Section 4 of this act takes effect January 1, 2024.

NEW SECTION. **Sec. 6.** 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."

Correct the title.

Representatives Simmons and Schmick spoke in favor of the adoption of the striking amendment.

The striking amendment (266) 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 Simmons, Schmick, Connors, Abbarno, Sandlin, Walsh, Riccelli, Corry, Barnard and Low 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. 1357.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1357, 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, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, 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 Eslick and Hansen

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1357, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1746, by Representatives Ryu, Berry, Couture, Griffey, Thai, Reed, Gregerson, Sandlin, Tharinger, Walen, Paul, Kloba, Volz, Reeves, Rule and Ormsby

Concerning a state broadband map.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1746 was substituted for House Bill No. 1746 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1746 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 Ryu, Steele, Ybarra, Corry, Graham, Barkis, Sandlin, Low, Volz, Goehner, McEntire, Dent, Abbarno, Walsh, Orcutt and Kretz 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 Second Substitute House Bill No. 1746.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1746, and the bill passed the House by the following vote: Yeas, 95; Nays, 1; 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, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, 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

Voting Nay: Representative Dye

Excused: Representatives Eslick and Hansen

SECOND SUBSTITUTE HOUSE BILL NO. 1746, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1369, by Representatives Griffey, Bronoske, Riccelli, Maycumber, Couture, Abbarno, Volz, Barkis, Christian and Leavitt

Concerning off-duty employment of fish and wildlife officers.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1369 was substituted for House Bill No. 1369 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1369 was read the second time.

Representative Stearns moved the adoption of amendment (313):

On page 1, line 14, after "property." insert "For any employment authorized under this section that occurs on reservation, trust, or allotted lands of a federally-recognized Indian tribe, a Washington fish and wildlife officer must have taken the violence de-escalation and mental health training provided by the criminal justice training commission, including the curriculum of the history of police interactions with Native American communities."

Representatives Stearns and Griffey spoke in favor of the adoption of the amendment.

Amendment (313) 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 Griffey and Goodman 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 Substitute House Bill No. 1369.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1369, 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, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, 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 Eslick and Hansen

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1369, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1122, by Representatives Doglio, Berry, Reed, Ramel, Simmons, Reeves, Lekanoff, Bergquist, Kloba, Pollet, Donaghy, Fosse and Ormsby

Granting Washington management service employees the right to collectively bargain.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1122 was substituted for House Bill No. 1122 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1122 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 Doglio and Robertson 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. 1122.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1122, and the bill passed the House by the following vote: Yeas, 88; Nays, 8; 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, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Ormsby, Ortiz-Self, Orwall, Paul, 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, Waters, Wilcox, Wylie, Ybarra and Mme. Speaker

Voting Nay: Representatives Corry, Dye, Jacobsen, Klicker, McEntire, Orcutt, Schmick and Walsh

Excused: Representatives Eslick and Hansen

SECOND SUBSTITUTE HOUSE BILL NO. 1122, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote NAY on Second Substitute House Bill No. 1122.

Representative McClintock, 18th District

STATEMENT FOR THE JOURNAL

I intended to vote NAY on Second Substitute House Bill No. 1122.

Representative Mosbrucker, 14th District

SECOND READING

HOUSE BILL NO. 1707, by Representatives Kloba, Reed and Eslick

Concerning bingo conducted by bona fide charitable or nonprofit organizations.

The bill 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 Kloba, Chambers, Barkis and Peterson 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 House Bill No. 1707.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1707, 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, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, 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 Eslick and Hansen

HOUSE BILL NO. 1707, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1274, by Representatives Couture, Lekanoff, Eslick, Waters, Walsh, Griffey, Low, Hutchins, Dent, Taylor, Barnard, Connors, Rude, Sandlin, Slatter, Stonier, Harris, Reeves, Abbarno, Robertson, Senn, Davis, Gregerson, Christian, Schmidt, Orwall, Ramel and Pollet

Creating a child malnutrition field guide for the department of children, youth, and families.

The bill was read the second time.

Representative Rule moved the adoption of amendment (212):

On page 1, line 11, after "concise" insert ", but provide references to additional comprehensive and trauma-informed resources for department staff to access if needed"

Representatives Rule and Couture spoke in favor of the adoption of the amendment.

Amendment (212) 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 Couture, Senn 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 Engrossed House Bill No. 1274.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1274, 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, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, 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 Eslick and Hansen

ENGROSSED HOUSE BILL NO. 1274, having received the necessary constitutional majority, was declared passed.

POINT OF PERSONAL PRIVILEGE

Representative Griffey congratulated Representative Couture on the passage of his first bill through the House and asked the Chamber to acknowledge his accomplishment.

SECOND READING

HOUSE BILL NO. 1579, by Representatives Stonier, Bateman, Lekanoff, Reed, Pollet and Macri

Establishing a mechanism for independent prosecutions within the office of the attorney general of criminal conduct arising from police use of force.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1579 was substituted for House Bill No. 1579 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1579 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 Stonier spoke in favor of the passage of the bill.

Representative Mosbrucker 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. 1579.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1579, and the bill passed the House by the following vote: Yeas, 52; Nays, 44; Absent, 0; Excused, 2

Voting Yea: Representatives Alvarado, Bateman, Berg, Bergquist, Berry, Callan, Chapman, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Lekanoff, Macri, Mena, Morgan, Ormsby, Ortiz-Self, Orwall, Paul, 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, Bronoske, Caldier, Chambers, Chandler, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, 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

Excused: Representatives Eslick and Hansen

SECOND SUBSTITUTE HOUSE BILL NO. 1579, having received the necessary constitutional majority, was declared passed.

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

MOTIONS

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. 1143
HOUSE BILL NO. 1240
HOUSE BILL NO. 1252
HOUSE BILL NO. 1265
HOUSE BILL NO. 1317
HOUSE BILL NO. 1364
HOUSE BILL NO. 1378
HOUSE BILL NO. 1427
HOUSE BILL NO. 1518
HOUSE BILL NO. 1527
HOUSE BILL NO. 1530
HOUSE BILL NO. 1578
HOUSE BILL NO. 1636
HOUSE BILL NO. 1639
HOUSE BILL NO. 1663
HOUSE BILL NO. 1709
HOUSE BILL NO. 1745

There being no objection, the Committee on Rules was relieved of the following bill and the bill was placed on the suspension calendar:

HOUSE BILL NO. 1714

The Speaker assumed the chair.

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

SECOND READING

HOUSE BILL NO. 1301, by Representatives McClintock and Cheney

Creating license review and reporting requirements.

The bill 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 McClintock and Paul spoke in favor of the passage of the bill.

The Speaker stated the question before the House to be the final passage of House Bill No. 1301.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1301, 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, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, 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 Eslick and Hansen

HOUSE BILL NO. 1301, having received the necessary constitutional majority, was declared passed.

POINT OF PERSONAL PRIVILEGE

Representative Cheney congratulated Representative McClintock on the passage of her first bill through the House and asked the Chamber to acknowledge her accomplishment.

SECOND READING

HOUSE BILL NO. 1421, by Representatives Chambers, Rule, Jacobsen, Dent, Taylor, Barkis, Christian, Springer, Lekanoff, Berg, Schmick, Klicker, Goehner, Eslick and Robertson

Adding counties to the voluntary stewardship program.

The bill 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 Chambers and Duerr spoke in favor of the passage of the bill.

The Speaker stated the question before the House to be the final passage of House Bill No. 1421.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1421, 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, Caldier, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Lekanoff, Low, Macri, Maycumber, McClintock, McEntire, Mena, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, 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

Voting Nay: Representatives Bronoske and Leavitt

Excused: Representatives Eslick and Hansen

HOUSE BILL NO. 1421, having received the necessary constitutional majority, was declared passed.

MOTION

On motion of Representative Griffey, Representative McEntire was excused.

RECONSIDERATION

There being no objection, the House immediately reconsidered the vote by which HOUSE BILL NO. 1421 passed the House.

The Speaker stated the question before the House to be the final passage of House Bill No. 1421, on reconsideration.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1421, and the bill passed the House by the following vote: Yeas, 92; Nays, 3; Absent, 0; Excused, 3

Voting Yea: Representatives Abbarno, Alvarado, Barkis, Barnard, Bateman, Berg, Bergquist, Berry, Caldier, Callan, Chambers, Chandler, Chapman, Cheney, Chopp, Christian, Connors, Corry, Cortes, Couture, Davis, Dent, Doglio, Donaghy, Duerr, Dye, Entenman, Farivar, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, 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

Voting Nay: Representatives Bronoske, Fey and Leavitt

Excused: Representatives Eslick, Hansen and McEntire

HOUSE BILL NO. 1421, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1514, by Representatives Robertson, Berry, Schmidt, Ormsby, Doglio, Reed and Fosse

Addressing the purchase and distribution of insignia to manufacturers of recreational vehicles and/or park trailers.

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

The Speaker stated the question before the House to be the final passage of House Bill No. 1514.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1514, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3

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, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, 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 Eslick, Hansen and McEntire

HOUSE BILL NO. 1514, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1048, by Representatives Mena, Simmons, Goodman, Berry, Ramel, Peterson, Pollet, Doglio, Macri, Morgan, Wylie, Gregerson, Bergquist, Street, Cortes, Santos, Ormsby and Farivar

Enhancing the Washington voting rights act.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1048 was substituted for House Bill No. 1048 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1048 was read the second time.

With the consent of the House, amendment (274) was withdrawn.

Representative Stokesbary moved the adoption of amendment (305):

On page 2, line 18, after "choices" insert ", and as it is further defined in case law regarding enforcement of the federal voting rights act, 52 U.S.C. 10301 et seq"

On page 2, beginning on line 25, after "difference" strike all material through "~~seq.,~~))" on line 26 and insert ", as defined in case law regarding enforcement of the federal voting rights act, 52 U.S.C. 10301 et seq.,"

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

Representative Reed spoke against the adoption of the amendment.

Amendment (305) was not adopted.

Representative Stokesbary moved the adoption of amendment (304):

On page 5, after line 33, insert the following:
"(3) Nothing in this section shall be interpreted to relieve a party of the requirement to establish standing as provided in Washington case law when commencing an action under this title."

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

Amendment (304) was adopted.

Representative Sandlin moved the adoption of amendment (300):

On page 10, line 13, after "action" insert ". The total amount of fees and costs awarded under this subsection may not exceed $50,000"

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

Representative Mena spoke against the adoption of the amendment.

Amendment (300) was not adopted.

Representative Walsh moved the adoption of amendment (273):

On page 3, beginning on line 39, after "(5)" strike all material through "(6)" on page 4, line 4

On page 4, at the beginning of line 7, strike "((~~(6)~~)) (7)" and insert "(6)"

On page 4, beginning on line 18, strike all of subsection (8)

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

Representative Ramos spoke against the adoption of the amendment.

Amendment (273) was not adopted.

Representative Abbarno moved the adoption of amendment (272):

On page 8, beginning on line 13, strike all of subsection (5)
On page 9, beginning on line 29, strike all of subsection (4)

On page 10, beginning on line 13, after "action." strike all material through "~~filed.~~))" on line 14 and insert "No fees or costs may be awarded if no action is filed."

On page 10, beginning on line 15, after "(2)" strike all material through "(3)" on line 23

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

Representative Mena spoke against the adoption of the amendment.

Amendment (272) was not adopted.

Representative Corry moved the adoption of amendment (310):

On page 11, line 11, after "may" strike "reasonably"

On page 11, line 16, after "order" strike "a reasonable" and insert "an"

On page 11, after line 20, insert the following:
"(3) Unless otherwise authorized by law, the number of elected commissioners may not be increased to more than five."

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

Representative Mena spoke against the adoption of the amendment.

Amendment (310) was not adopted.

Representative Corry moved the adoption of amendment (311):

On page 11, after line 20, insert the following:
"(3) Districts created under this section must be as nearly as possible equal in population."

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

With the consent of the House, amendment (311) was withdrawn.

Representative Stokesbary moved the adoption of amendment (296):

On page 3, beginning on line 22, after "class." strike all material through "subdivision." on line 25

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

Representative Ramos spoke against the adoption of the amendment.

Amendment (296) was not adopted.

Representative Walsh moved the adoption of amendment (275):

On page 10, beginning on line 15, after "(2)" strike all material through "(3)" on line 23

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

Representative Alvarado spoke against the adoption of the amendment.

Amendment (275) 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 Mena and Ybarra spoke in favor of the passage of the bill.

Representatives Abbarno and Stokesbary spoke against the passage of the bill.

The Speaker stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1048.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1048, and the bill passed the House by the following vote: Yeas, 57; Nays, 38; Absent, 0; Excused, 3

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, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, Ryu, Santos, Senn, Shavers, Simmons, Slatter, Springer, Stearns, Stonier, Street, Taylor, Thai, Tharinger, Timmons, Walen, Wylie, Ybarra 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, Mosbrucker, Orcutt, Robertson, Rude, Rule, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Volz, Walsh, Waters and Wilcox

Excused: Representatives Eslick, Hansen and McEntire

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1048, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1117, by Representatives Mosbrucker, Dye, Leavitt, Schmidt, Christian and Walsh

Addressing the extent to which Washington residents are at risk of rolling blackouts and power supply inadequacy events.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1117 was substituted for House Bill No. 1117 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1117 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 Mosbrucker and Doglio 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. 1117.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1117, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3

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, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, 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 Eslick, Hansen and McEntire

SUBSTITUTE HOUSE BILL NO. 1117, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1167, by Representatives Duerr, Low, Walen, Reed, Bateman, Ramel, Fitzgibbon, Taylor, Macri, Gregerson, Wylie, Pollet, Kloba and Tharinger

Concerning residential housing regulations.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1167 was substituted for House Bill No. 1167 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1167 was read the second time.

Representative Duerr moved the adoption of the striking amendment (216):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** A new section is added to chapter 36.70A RCW to read as follows:

(1) The department shall develop and administer a grant program to provide direct financial assistance to counties and cities for the adoption of preapproved accessory dwelling unit plans.

(2) When a preapproved plan is submitted to a county or city during the process of seeking permit approval for the development of an accessory dwelling unit, the county's or city's review of the preapproved plan may not be more than administrative.

(3) For the purpose of this section, "preapproved accessory dwelling unit plans" means a selection of architectural plans for accessory dwelling units that have been reviewed by county or city code officials and approved for compliance with applicable building codes within the county or city.

NEW SECTION. **Sec. 2.** A new section is added to chapter 19.27 RCW to read as follows:

(1)(a) The state building code council shall convene a work group for the purpose of simplifying the production of middle housing by recommending a mechanism in the international residential code that adopts by reference the provisions for multiplex housing in the international building code. The mechanism must include those sections from the international building code necessary to ensure public health, safety, and general welfare in multiplex housing, and may not reduce any requirements for multiplex housing contained in the international building code.

(b) The work group shall provide its recommendations to the council in time for the council to adopt or amend rules or codes as necessary for implementation in the 2024 international residential code. The council shall take action to adopt additions and amendments to rules or codes as necessary to apply the new reference mechanism in the international residential code to multiplex housing by July 1, 2026.

(c) For purposes of this subsection, "multiplex housing" means a building with at least three but no more than six dwelling units in a single structure with common walls and floors and a functional primary street entrance, with no more than three stories above grade plane.

(2)(a) The state building code council shall convene a work group for the purpose of recommending modifications and limitations to the international building code that would allow a single exit stairway to serve multifamily residential structures up to six stories above grade plane. The recommendations must include considerations for water supply, the presence of a professional fire department, and any other provisions necessary to ensure public health, safety, and general welfare.

(b) The work group shall provide its recommendations to the council in time for the council to adopt or amend rules or codes as necessary for implementation in the 2024 international building code. The council shall take action to adopt additions and amendments to rules or codes as necessary by July 1, 2026.

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

(1) Cities planning under RCW 36.70A.040 must adopt or amend by ordinance and incorporate into their development regulations, zoning regulations, and other official controls the requirements of subsection (3) of this section, to take effect six months after the jurisdiction's next periodic comprehensive plan update required under RCW 36.70A.130, within urban growth areas designated according to RCW 36.70A.110.

(2) The requirements of subsection (3) of this section:

(a) Apply and take effect in any city that has not adopted or amended ordinances, regulations, or other official controls as required under this section; and

(b) Supersede, preempt, and invalidate any local development regulations that conflict with this section.

(3) Within residential zones that allow for middle housing, cities shall not require through development regulations any standards for middle housing that are more restrictive than those required for detached single-family residences, unless otherwise required by state law including, but not limited to, shoreline regulations under chapter 90.58 RCW, building codes under chapter 19.27 RCW, energy codes under chapter 19.27A RCW, electrical codes under chapter 19.28 RCW, or critical areas protection, but may apply any objective development regulations that are required for detached single-family residences, including setback and tree canopy and retention requirements.

(4) Beginning July 1, 2026, cities may not require more than a single stairway in residential buildings of six or fewer stories if the conditions in the international building code are met.

(5) For the purposes of this section:

(a) "Cottage housing" means residential units on a lot with a common open space that either: (i) Is owned in common; or (ii) has units owned as condominium units with property owned in common and a minimum of 20 percent of the lot size as open space.

(b) "Courtyard apartments" means up to four attached dwelling units arranged on two or three sides of a yard or court.

(c) "Middle housing" means buildings that are compatible in scale, form, and character with single-family homes and contain two or more attached, stacked, or clustered homes, duplexes, triplexes, fourplexes, fiveplexes, sixplexes, cottage housing, stacked flats, townhouses, or courtyard apartments.

(d) "Stacked flat" means dwelling units in a residential building of no more than three stories on a residential zoned lot in which each floor may be separately rented or owned.

(e) "Townhouses" means buildings that contain three or more attached single-family dwelling units that extend from foundation

to roof and that have a yard or public way on not less than two sides.

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

All cities and counties may adopt development regulations that create a simple, low cost, expedited permit process for development of single-family, duplex, triplex, or accessory dwelling housing units with less than 1,801 square feet per unit for property situated within cities or urban growth areas in locations designated for residential housing. This process should make it easy for an applicant to submit and receive approval for all permits required to build housing units. The expedited process should lower costs and simplify the building of housing units tailored to be priced for extremely low-income, low-income, or moderate-income households.

Sec. 5. RCW 36.70B.020 and 1995 c 347 s 402 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Closed record appeal" means an administrative appeal on the record to a local government body or officer, including the legislative body, following an open record hearing on a project permit application when the appeal is on the record with no or limited new evidence or information allowed to be submitted and only appeal argument allowed.

(2) "Local government" means a county, city, or town.

(3) "Open record hearing" means a hearing, conducted by a single hearing body or officer authorized by the local government to conduct such hearings, that creates the local government's record through testimony and submission of evidence and information, under procedures prescribed by the local government by ordinance or resolution. An open record hearing may be held prior to a local government's decision on a project permit to be known as an "open record predecision hearing." An open record hearing may be held on an appeal, to be known as an "open record appeal hearing," if no open record predecision hearing has been held on the project permit.

(4) "Project permit" or "project permit application" means any land use or environmental permit or license required from a local government for a project action, including but not limited to building permits, subdivisions, binding site plans, planned unit developments, conditional uses, shoreline substantial development permits, site plan review, permits or approvals required by critical area ordinances, site-specific rezones authorized by a comprehensive plan or subarea plan, but excluding the adoption or amendment of a comprehensive plan, subarea plan, or development regulations except as otherwise specifically included in this subsection.

(5) "Public meeting" means an informal meeting, hearing, workshop, or other public gathering of people to obtain comments from the public or other agencies on a proposed project permit prior to the local government's decision. A public meeting may include, but is not limited to, ((~~a design review or~~))an architectural control board meeting, a special review district or community council meeting, or a scoping meeting on a draft environmental impact statement. A public meeting does not include an open record hearing. The proceedings at a public meeting may be recorded and a report or recommendation may be included in the local government's project permit application file.

Sec. 6. RCW 36.70B.120 and 1995 c 347 s 416 are each amended to read as follows:

(1) Each local government planning under RCW 36.70A.040 shall establish a permit review process that provides for the integrated and consolidated review and decision on two or more project permits relating to a proposed project action, including a single application review and approval process covering all project permits requested by an applicant for all or part of a project action and a designated permit coordinator. If an applicant elects the consolidated permit review process, the determination of completeness, notice of application, and notice of final decision must include all project permits being reviewed through the consolidated permit review process.

(2) Consolidated permit review may provide different procedures for different categories of project permits, but if a project action requires project permits from more than one category, the local government shall provide for consolidated permit review with a single open record hearing and no more than one closed record appeal as provided in RCW 36.70B.060. Each local government shall determine which project permits are subject to an open record hearing and a closed record appeal. Examples of categories of project permits include but are not limited to:

(a) Proposals that are categorically exempt from chapter 43.21C RCW, such as construction permits, that do not require environmental review or public notice;

(b) Permits that require environmental review, but no open record predecision hearing; and

(c) Permits that require a threshold determination and an open record predecision hearing and may provide for a closed record appeal to a hearing body or officer or to the local government legislative body.

(3) A local government may provide by ordinance or resolution for the same or a different decision maker or hearing body or officer for different categories of project permits. In the case of consolidated project permit review, the local government shall specify which decision makers shall make the decision or recommendation, conduct the hearing, or decide the appeal to ensure that consolidated permit review occurs as provided in this section. The consolidated permit review may combine an open record predecision hearing on one or more permits with an open record appeal hearing on other permits. In such cases, the local government

by ordinance or resolution shall specify which project permits, if any, shall be subject to a closed record appeal.

(4)(a) When reviewing a housing development permit application, a local government planning under RCW 36.70A.040 may only require administrative design review to determine compliance with any applicable design standards.

(b) For the purposes of this subsection (4):

(i) "Administrative design review" means a development permit process whereby an application is reviewed, approved, or denied by the planning director or the planning director's designee based solely on objective design and development standards without a public meeting or hearing, unless such review is otherwise required by state or federal law, or the structure is a designated landmark or historic district established under a local preservation ordinance.

(ii) "Housing development" means a proposed or existing structure that is used as a home, residence, or place to sleep by one or more persons including, but not limited to, single-family residences, manufactured homes, multifamily housing, group homes, and foster care facilities.

(5) A local government planning under RCW 36.70A.040 must comply with the requirements of subsection (4) of this section beginning six months after its next periodic comprehensive plan update required under RCW 36.70A.130.

NEW SECTION. **Sec. 7.** The office of regulatory innovation and assistance shall contract with a qualified external consultant or entity to develop a standard plan set demonstrating a prescriptive compliance pathway that will meet or exceed all energy code regulations for residential housing in the state subject to the international residential code. The standard plan set may be used, but is not required, by local governments and building industries. In developing the standard plan set, the consultant shall, at a minimum, seek feedback from cities, counties, building industries, and building officials. The standard plan set must be completed by June 30, 2024.

NEW SECTION. **Sec. 8.** 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."

Correct the title.

Representatives Duerr and Low spoke in favor of the adoption of the striking amendment.

The striking amendment (216) 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 Duerr and Low spoke in favor of the passage of the bill.

The Speaker stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1167.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1167, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3

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, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, 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 Eslick, Hansen and McEntire

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1167, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1189, by Representatives Hackney, Reed, Simmons, Wylie, Santos and Ormsby

Concerning the release of incarcerated individuals from total confinement prior to the expiration of a sentence.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1189 was substituted for House Bill No. 1189 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1189 was read the second time.

Representative Corry moved the adoption of amendment (287):

On page 7, line 21, after "may" strike "((~~grant an extraordinary release for~~)) commute an individual's sentence:" and insert "grant an extraordinary release ((~~for~~)):"

Representatives Corry and Goodman spoke in favor of the adoption of the amendment.

Amendment (287) was adopted.

Representative Harris moved the adoption of amendment (285):

On page 9, line 5, after "diversity." insert "In addition, the board members must be qualified by education, training, experience, or credentials in the administration of community corrections, pardons, criminal justice, criminology, evaluating or supervising offenders, or providing mental health services to offenders."

On page 9, line 5, after "of" insert "at least seven"

On page 9, line 14, after "judge;" strike "and"

On page 9, line 15, after "(f)" insert "A representative of a statewide organization representing criminal defense attorneys;
(g) A law enforcement professional;
(h) A representative of a statewide organization representing prosecuting attorneys; and
(i)"

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

Representative Simmons spoke against the adoption of the amendment.

Amendment (285) was not adopted.

Representative Low moved the adoption of amendment (283):

On page 10, line 21, after "(2)" insert "Under no circumstances may the clemency and pardons board consider a petition from an individual who is serving a sentence for a conviction for a serious violent offense or aggravated first degree murder.
(3)"

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

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

Representative Hackney spoke against the adoption of the amendment.

Amendment (283) was not adopted.

Representative Barnard moved the adoption of amendment (286):

On page 11, after line 27, insert the following:
"(d) The board shall provide written notification to any victims, survivors of victims, or witnesses who participate in the hearing or provide written testimony about the department of correction's victim notification program and the victim information and notification everyday service administered by the Washington association of sheriffs and police chiefs."

Representatives Barnard, Goodman and Simmons spoke in favor of the adoption of the amendment.

Amendment (286) was adopted.

Representative Griffey moved the adoption of amendment (284):

On page 12, line 37, after "any;" strike "and"

On page 12, line 38, after "(m)" insert "Statements of correctional staff, program supervisors, and volunteer facilitators regarding the incarcerated individual. Such statements shall be voluntary and withheld as confidential. The board shall not publicly identify the names, content, or statement in the hearing or its written decision;
(n)"

Representatives Griffey and Simmons spoke in favor of the adoption of the amendment.

Amendment (284) was adopted.

Representative Graham moved the adoption of amendment (288):

On page 13, line 35, after "legislature," strike "as often as the governor may require it" and insert "at least annually"

On page 13, line 37, after "relevant." insert "The information must include the names of any offenders granted clemency or pardons in the previous calendar year, the crimes of which those offenders were convicted, and any known acts of recidivism during the preceding calendar year by any offender listed in any report submitted under this section."

Representatives Graham and Goodman spoke in favor of the adoption of the amendment.

Amendment (288) was adopted.

Representative Jacobsen moved the adoption of amendment (281):

On page 14, after line 4, insert the following:

"NEW SECTION. **Sec. 10. FOR THE CLEMENCY AND PARDONS BOARD**
General Fund--State Appropriation (FY 2023) $5,718,000
TOTAL APPROPRIATION $5,718,000
The appropriation in this section is subject to the following conditions and limitations: $5,718,000 of the general fund--state appropriation for fiscal year 2023 is provided solely for the clemency and pardons board to provide grants to drug and alcohol rehabilitation programs, college and trade educational programs, diversity and equity programs, gang intervention, youth programs to prevent and reduce crime, DARE programs, or victim compensation and restitution."

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

Representative Hackney spoke against the adoption of the amendment.

Amendment (281) 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 Hackney and Simmons spoke in favor of the passage of the bill.

Representatives Walsh, Griffey, Graham, Jacobsen and Mosbrucker spoke against the passage of the bill.

The Speaker stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1189.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1189, and the bill passed the House by the following vote: Yeas, 53; Nays, 42; Absent, 0; Excused, 3

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, Kloba, Leavitt, Lekanoff, Macri, Mena, Morgan, 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, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Low, Maycumber, McClintock, Mosbrucker, Orcutt, Paul, Robertson, Rude, Rule, Sandlin, Schmick, Schmidt, Shavers, Steele, Stokesbary, Timmons, Volz, Walsh, Waters, Wilcox and Ybarra

Excused: Representatives Eslick, Hansen and McEntire

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1189, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1466, by Representatives Riccelli, Leavitt and Morgan

Concerning currently credentialed dental auxiliaries.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1466 was substituted for House Bill No. 1466 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1466 was read the second time.

Representative Riccelli moved the adoption of amendment (215):

On page 2, line 12, after "~~months~~))" strike "three" and insert "five"

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

Amendment (215) 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 and Schmick spoke in favor of the passage of the bill.

The Speaker stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1466.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1466, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3

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, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, 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 Eslick, Hansen and McEntire

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1466, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1576, by Representatives Caldier, Schmidt, Leavitt and Volz

Concerning the dentist and dental hygienist compact.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1576 was substituted for House Bill No. 1576 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1576 was read the second time.

Representative Caldier moved the adoption of amendment (085):

On page 2, line 29, after "Active" strike "duty military" and insert "military member"

On page 2, line 30, after "in the" strike "active uniformed service" and insert "armed forces"

On page 8, line 36, after "An" strike "active duty military individual" and insert "active military member"

On page 9, beginning on line 1, after "an" strike "active duty military individual" and insert "active military member"

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

Amendment (085) 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 Caldier and Leavitt spoke in favor of the passage of the bill.

The Speaker stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1576.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1576, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3

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, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, 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 Eslick, Hansen and McEntire

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1576, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1678, by Representatives Riccelli, Lekanoff, Stonier, Morgan, Bateman, Macri, Ormsby, Slatter, Entenman, Ramos, Peterson, Tharinger, Chopp, Ryu, Pollet, Davis, Harris, Taylor, Simmons, Kloba and Gregerson

Establishing and authorizing the profession of dental therapy.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1678 was substituted for House Bill No. 1678 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1678 was read the second time.

Representative Riccelli moved the adoption of the striking amendment (183):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** The legislature finds that good oral health is an integral piece of overall health and well-being. Without treatment, dental disease compromises overall health and requires increasingly costly interventions. However, most dental disease can be prevented at little cost through routine dental care and disease prevention.

Dental-related issues are a leading reason that Washingtonians seek care in hospital emergency departments, which has become the source of care for many, especially uninsured and low-income populations.

It is the intent of the legislature to expand access to oral health care for all Washingtonians through an evidence-based mid-level dental provider called a dental therapist. Dental therapy is a strategy to address racial and ethnic disparities in health and rural health care access gaps. Dental therapists are also a strategy to increase workforce diversity in health care and expand career opportunities for existing members of the dental care workforce such as dental hygienists.

It is the legislature's intent that dental therapists will meet the needs of local communities as they work under the direction of a dentist licensed in accordance with state or federal law. The legislature intends for dental therapists to be incorporated into the dental care workforce and used to effectively treat more patients.

It is the intent of the legislature to follow the national commission on dental accreditation's standards for dental therapy education. This will ensure that dental therapists are trained to the highest quality standards and provide state-to-state consistency. It is the intent of the legislature that incorporating the commission on dental accreditation's standards for dental therapy education will pave the way for Washington education institutions to become accredited programs and for students to qualify for financial aid.

It is also the intent of the legislature to provide an efficient and reasonable pathway, through a limited license, for federally certified dental health aide therapists or tribally licensed dental therapists to become a Washington state licensed dental therapist.

NEW SECTION. **Sec. 2.** The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Close supervision of a dentist" means that a supervising dentist:

(a) Has personally examined and diagnosed the patient and has personally authorized the procedures to be performed;

(b) Is continuously on-site while the procedure in question is being performed; and

(c) Is capable of responding immediately in the event of an emergency.

(2) "Committee" means the dental hygiene examining committee established in chapter 18.29 RCW.

(3) "Dental therapist" means a person licensed to practice dental therapy under this chapter.

(4) "Dental therapy" means the services and procedures specified in section 6 of this act.

(5) "Dentist" means a person licensed to practice dentistry under chapter 18.32 RCW or exempt from such licensure pursuant to Title 25 U.S.C. Sec. 1621t of the Indian health care improvement act.

(6) "Denturist" means a person licensed to engage in the practice of denturism under chapter 18.30 RCW.

(7) "Department" means the department of health.

(8) "Off-site supervision" means supervision that does not require the dentist to be personally on-site when services are provided or to previously examine or diagnose the patient.

(9) "Practice plan contract" means a document that is signed by a dentist and a dental therapist and outlines the functions the dentist authorizes the dental therapist to perform and the level and type of dentist supervision that is required.

(10) "Secretary" means the secretary of health.

NEW SECTION. **Sec. 3.** No person may practice dental therapy or represent himself

or herself as a dental therapist without being licensed by the department under this chapter. Every person licensed to practice dental therapy in this state shall renew their license and comply with administrative procedures, administrative requirements, continuing education requirements, and fees provided in RCW 43.70.250 and 43.70.280. The department shall establish by rule mandatory continuing education requirements to be met by dental therapists applying for license renewal.

NEW SECTION. **Sec. 4.** (1) The department shall issue a license to practice as a dental therapist to any applicant who:

(a) Pays any applicable fees established by the secretary under RCW 43.70.110 and 43.70.250;

(b) Except as provided in subsection (2) of this section, successfully completes a dental therapist program that is accredited or has received initial accreditation by the American dental association's commission on dental accreditation;

(c) Passes an examination approved by the committee; and

(d) Submits, on forms provided by the secretary, the applicant's name, address, and other applicable information as determined by the secretary.

(2) Applicants who successfully completed a dental therapist program before September 30, 2022, that was not accredited by the American dental association's commission on dental accreditation but that the committee determines is substantially equivalent to an accredited education program meet the criteria described in subsection (1)(b) of this section if the applicant also, has proof of at least 400 preceptorship hours under the close supervision of a dentist.

(3) When considering and approving the exam under subsection (1)(c) of this section, the committee must consult with tribes that license dental health aide therapists and with dental therapy education programs located in this state.

(4) The secretary in consultation with the committee must establish by rule the procedures to implement this section.

NEW SECTION. **Sec. 5.** An applicant holding a valid license and currently engaged in practice in another state may be granted a license without examination required by this chapter, on the payment of any required fees, if the secretary determines that the other state's licensing standards are substantively equivalent to the standards in this state: PROVIDED, That the secretary may require the applicant to: (1) File with the secretary documentation certifying the applicant is licensed to practice in another state; and (2) provide information as the secretary deems necessary pertaining to the conditions and criteria of the uniform disciplinary act, chapter 18.130 RCW, and to demonstrate to the secretary a knowledge of Washington law pertaining to the practice of dental therapy.

NEW SECTION. **Sec. 6.** (1) Subject to the limitations in this section, a licensed dental therapist may provide the following services and procedures under the supervision of a licensed dentist as provided under section 7 of this act and to the extent the supervising dentist authorizes the service or procedure to be provided by the dental therapist:

(a) Oral health instruction and disease prevention education, including nutritional counseling and dietary analysis;

(b) Comprehensive charting of the oral cavity;

(c) Making radiographs;

(d) Mechanical polishing;

(e) Prophylaxis;

(f) Periodontal scaling and root planing;

(g) Application of topical preventative or prophylactic agents, including fluoride and pit and fissure sealants;

(h) Pulp vitality testing;

(i) Application of desensitizing medication or resin;

(j) Fabrication of athletic mouth guards;

(k) Placement of temporary restorations;

(l) Fabrication of soft occlusal guards;

(m) Tissue conditioning and soft reline;

(n) Atraumatic restorative therapy and interim restorative therapy;

(o) Dressing changes;

(p) Administration of local anesthetic;

(q) Administration of nitrous oxide;

(r) Emergency palliative treatment of dental pain limited to the procedures in this section;

(s) The placement and removal of space maintainers;

(t) Cavity preparation;

(u) Restoration of primary and permanent teeth;

(v) Placement of temporary crowns;

(w) Preparation and placement of preformed crowns for patients 18 years of age or older;

(x) Indirect and direct pulp capping on primary and permanent teeth;

(y) Stabilization of reimplanted teeth;

(z) Extractions of primary teeth;

(aa) Suture removal;

(bb) Brush biopsies;

(cc) Minor adjustments and repairs on removable prostheses;

(dd) Recementing of permanent crowns;

(ee) Oral evaluation and assessment of dental disease and the formulation of an individualized treatment plan. When possible, a dental therapist must collaborate with the supervising dentist to formulate a patient's individualized treatment plan;

(ff) Identification of oral and systemic conditions requiring evaluation and treatment by a dentist, physician, or other health care provider, and management of referrals;

(gg) The supervision of expanded function dental auxiliaries and dental assistants. However, a dental therapist may supervise no more than a total of three expanded function dental auxiliaries and dental assistants at any one time in any one practice setting. A dental therapist may not supervise an expanded function dental auxiliary or dental assistant with respect to tasks that the dental therapist is not authorized to perform;

(hh) Nonsurgical extractions of erupted permanent teeth under limited conditions; and

(ii) The dispensation and oral administration of drugs pursuant to subsection (2) of this section.

(2)(a) A dental therapist may dispense and orally administer the following drugs within the parameters of the practice plan contract established in section 7 of this act: Nonnarcotic analgesics, anti-inflammatories, preventive agents, and antibiotics.

(b) The authority to dispense and orally administer drugs extends only to the drugs identified in this subsection and may be further limited by the practice plan contract.

(c) The authority to dispense includes the authority to dispense sample drugs within the categories established in this subsection if the dispensing is permitted under the practice plan contract.

(d) A dental therapist may not dispense or administer narcotic drugs as defined in chapter 69.50 RCW.

(e) A dental therapist does not have the authority to prescribe drugs.

(3) A dental therapist may only provide services and procedures in which they have been educated.

(4) A dental therapist may not provide any service or procedure that is not both authorized by this section and been authorized by the supervising dentist via inclusion in the dental therapist's practice plan contract.

NEW SECTION. **Sec. 7.** (1) A dental therapist may only practice dental therapy under the supervision of a dentist and pursuant to a written practice plan contract with the supervising dentist. A dental therapist may not practice independently. In circumstances authorized by the supervising dentist in the written practice plan contract, a dental therapist may provide services under off-site supervision. The contract must, at a minimum, contain the following elements:

(a) The level of supervision required and circumstances when the prior knowledge and consent of the supervising dentist is required;

(b) Practice settings where services and procedures may be provided;

(c) Any limitations on the services or procedures the dental therapist may provide;

(d) Age and procedure-specific practice protocols, including case selection criteria, assessment guidelines, and imaging frequency;

(e) Procedures for creating and maintaining dental records for patients treated by the dental therapist;

(f) A plan to manage medical emergencies in each practice setting where the dental therapist provides care;

(g) A quality assurance plan for monitoring care provided by the dental therapist or, including patient care review, referral follow-up, and a quality assurance chart review;

(h) Protocols for administering and dispensing medications, including the specific circumstances under which the medications may be dispensed and administered;

(i) Criteria relating to the provision of care to patients with specific medical conditions or complex medical histories, including requirements for consultation prior to the initiation of care; and

(j) Specific written protocols governing situations where the dental therapist encounters a patient requiring treatment that exceeds the dental therapist's scope of practice or capabilities and protocols for referral of patients requiring evaluation and treatment by dentists, denturists, physicians, advanced registered nurse practitioners, or other health care providers.

(2) The dental therapist shall accept responsibility for all services and procedures provided by the dental therapist or any auxiliary dental providers the dental therapist is supervising pursuant to the practice plan contract.

(3) A supervising dentist licensed under chapter 18.32 RCW who knowingly permits a dental therapist to provide a service or procedure that is not authorized in the practice plan contract, or any dental therapist who provides a service or procedure that is not authorized in the practice plan contract, commits unprofessional conduct for purposes of chapter 18.130 RCW.

(4) A dentist who enters into a written practice plan contract with a dental therapist shall:

(a) Directly provide or arrange for another dentist, denturist, or specialist to provide any necessary advanced procedures or services needed by the patient or any treatment that exceeds the dental therapist's scope of practice or capabilities;

(b) Ensure that he or she or another dentist is available to the dental therapist for timely communication during treatment if needed.

(5) A dental therapist shall perform only those services authorized by the supervising dentist and written practice plan contract and shall maintain an appropriate level of contact with the supervising dentist.

(6) A supervising dentist may supervise no more than a total of five dental therapists at any one time.

(7) Practice plan contracts must be signed and maintained by both the supervising dentist and the dental therapist.

(8) A dental therapist must submit a signed copy of the practice plan contract to the secretary at the time of licensure renewal. If the practice plan contract is revised in between license renewal, a signed copy of the revised practice plan contract must be submitted as soon as practicable after the revision is made.

NEW SECTION. **Sec. 8.** Nothing in this chapter prohibits or affects:

(1) The practice of dental therapy by an individual otherwise licensed under this title and performing services within his or her scope of practice;

(2) The practice of dental therapy in the discharge of official duties on behalf of the United States government including, but not limited to, the armed forces, coast guard, public health service, veterans' bureau, or bureau of Indian affairs;

(3) The practice of dental therapy pursuant to an education program described in section 4 of this act;

(4) The practice of dental therapy under the supervision of a dentist necessary to meet the clinical experience or preceptorship requirements of section 4 of this act; or

(5) The practice of federally certified dental health aide therapists or tribally licensed dental health aide therapists as authorized under chapter 70.350 RCW.

NEW SECTION. **Sec. 9.** (1) A dental therapist may practice only in federally qualified health centers, tribal federally qualified health centers, and federally qualified health center look-alikes.

(2) For purposes of this section, a "tribal federally qualified health center" means a tribal facility operating in accordance with Title XIX Sec. 1905(l)(2)(B) of the social security act and the Indian self-determination and education assistance act (P.L. 93-638) and that enrolls in Washington medicaid as a tribal federally qualified health center.

NEW SECTION. **Sec. 10.** The uniform disciplinary act, chapter 18.130 RCW, governs the issuance and denial of licenses, unlicensed practice, and the discipline of persons licensed under this chapter. The dental quality assurance commission is the disciplining authority under this chapter.

NEW SECTION. **Sec. 11.** (1) The department shall issue a limited license to any applicant who, as determined by the secretary:

(a) Holds a valid license, certification, or recertification in another state, Canadian province, or has been certified or licensed by a federal or tribal governing board in the previous two years, that allows a substantially equivalent, but not the entire scope of practice in section 6 of this act;

(b) Is currently engaged in active practice in another state, Canadian province, or tribe;

(c) Files with the secretary documentation certifying that the applicant:

(i)(A) Has graduated from a dental therapy school accredited by the commission on dental accreditation; or

(B) Has graduated from a dental therapy education program before September 30, 2022, that the dental hygiene examining committee determines is substantially equivalent to an accredited education program; and

(ii) Is licensed or certified to practice in another state or Canadian province, or has been certified or licensed by a federal or tribal governing board in the previous two years;

(d) Provides such information as the secretary deems necessary pertaining to the conditions and criteria of the uniform disciplinary act, chapter 18.130 RCW;

(e) Demonstrates to the secretary knowledge of Washington state law pertaining to the practice of dental therapy; and

(f) Pays any required fees.

(2) A person practicing with a limited license granted under this section has the authority to perform only those dental therapy procedures in section 6 of this act that he or she was licensed or certified to practice in their previous state, tribe, or Canadian province.

(3) Upon demonstration of competency in all procedures in section 6 of this act, the limited license holder may apply for licensure as a dental therapist under section 4 of this act.

(4) The department may adopt rules necessary to implement and administer this section.

Sec. 12. RCW 18.32.030 and 2017 c 5 s 5 are each amended to read as follows:

The following practices, acts, and operations are excepted from the operation of the provisions of this chapter:

(1) The rendering of dental relief in emergency cases in the practice of his or her profession by a physician or surgeon, licensed as such and registered under the laws of this state, unless the physician or surgeon undertakes to or does reproduce lost parts of the human teeth in the mouth or to restore or to replace in the human mouth lost or missing teeth;

(2) The practice of dentistry in the discharge of official duties by dentists in the United States federal services on federal reservations, including but not limited to the armed services, coast guard, public health service, veterans' bureau, or bureau of Indian affairs;

(3) Dental schools or colleges approved under RCW 18.32.040, and the practice of dentistry by students in accredited dental schools or colleges approved by the commission, when acting under the direction and supervision of Washington state-licensed dental school faculty;

(4) The practice of dentistry by licensed dentists of other states or countries while appearing as clinicians at meetings of the Washington state dental association, or component parts thereof, or at meetings sanctioned by them, or other groups approved by the commission;

(5) The use of roentgen and other rays for making radiographs or similar records of dental or oral tissues, under the supervision of a licensed dentist or physician;

(6) The making, repairing, altering, or supplying of artificial restorations, substitutions, appliances, or materials for the correction of disease, loss, deformity, malposition, dislocation, fracture, injury to the jaws, teeth, lips, gums, cheeks, palate, or associated tissues or parts; providing the same are made, repaired, altered, or supplied pursuant to the written instructions and order of a licensed dentist which may be accompanied by casts, models, or impressions furnished by the dentist, and the prescriptions shall be retained and

filed for a period of not less than three years and shall be available to and subject to the examination of the secretary or the secretary's authorized representatives;

(7) The removal of deposits and stains from the surfaces of the teeth, the application of topical preventative or prophylactic agents, and the polishing and smoothing of restorations, when performed or prescribed by a dental hygienist licensed under the laws of this state;

(8) A qualified and licensed physician and surgeon or osteopathic physician and surgeon extracting teeth or performing oral surgery pursuant to the scope of practice under chapter 18.71 or 18.57 RCW;

(9) The performing of dental operations or services by registered dental assistants and licensed expanded function dental auxiliaries holding a credential issued under chapter 18.260 RCW when performed under the supervision of a licensed dentist, by dental therapists licensed under chapter 18.--- RCW (the new chapter created in section 22 of this act), or by other persons not licensed under this chapter if the person is licensed pursuant to chapter 18.29, 18.57, 18.71, or 18.79 RCW as it applies to registered nurses and advanced registered nurse practitioners, each while acting within the scope of the person's permitted practice under the person's license: PROVIDED HOWEVER, That such persons shall in no event perform the following dental operations or services unless permitted to be performed by the person under this chapter or chapters 18.29, 18.57, 18.71, 18.79 as it applies to registered nurses and advanced registered nurse practitioners, and 18.260 RCW:

(a) Any removal of or addition to the hard or soft tissue of the oral cavity;

(b) Any diagnosis of or prescription for treatment of disease, pain, deformity, deficiency, injury, or physical condition of the human teeth or jaws, or adjacent structure;

(c) Any administration of general or injected local anaesthetic of any nature in connection with a dental operation, including intravenous sedation;

(d) Any oral prophylaxis;

(e) The taking of any impressions of the teeth or jaw or the relationships of the teeth or jaws, for the purpose of fabricating any intra-oral restoration, appliance, or prosthesis;

(10) The performing of dental services described in RCW 18.350.040 by dental anesthesia assistants certified under chapter 18.350 RCW when working under the supervision and direction of an oral and maxillofacial surgeon or dental anesthesiologist; and

(11) The performance of dental health aide therapist services to the extent authorized under chapter 70.350 RCW.

Sec. 13. RCW 18.32.0351 and 2022 c 240 s 1 are each amended to read as follows:

The Washington state dental quality assurance commission is established, consisting of ((~~seventeen~~))19 members each appointed by the governor to a four-year term. No member may serve more than two consecutive full terms. Members of the commission hold office until their successors are appointed. All members shall be appointed to full four-year terms. Twelve members of the commission must be dentists, two members must be dental therapists licensed under chapter 18.--- RCW (the new chapter created in section 22 of this act), two members must be expanded function dental auxiliaries licensed under chapter 18.260 RCW, and three members must be public members.

Sec. 14. RCW 18.120.020 and 2020 c 80 s 22 are each amended to read as follows:

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

(1) "Applicant group" includes any health professional group or organization, any individual, or any other interested party which proposes that any health professional group not presently regulated be regulated or which proposes to substantially increase the scope of practice of the profession.

(2) "Certificate" and "certification" mean a voluntary process by which a statutory regulatory entity grants recognition to an individual who (a) has met certain prerequisite qualifications specified by that regulatory entity, and (b) may assume or use "certified" in the title or designation to perform prescribed health professional tasks.

(3) "Grandfather clause" means a provision in a regulatory statute applicable to practitioners actively engaged in the regulated health profession prior to the effective date of the regulatory statute which exempts the practitioners from meeting the prerequisite qualifications set forth in the regulatory statute to perform prescribed occupational tasks.

(4) "Health professions" means and includes the following health and health-related licensed or regulated professions and occupations: Podiatric medicine and surgery under chapter 18.22 RCW; chiropractic under chapter 18.25 RCW; dental hygiene under chapter 18.29 RCW; dentistry under chapter 18.32 RCW; denturism under chapter 18.30 RCW; dental anesthesia assistants under chapter 18.350 RCW; dispensing opticians under chapter 18.34 RCW; hearing instruments under chapter 18.35 RCW; naturopaths under chapter 18.36A RCW; embalming and funeral directing under chapter 18.39 RCW; midwifery under chapter 18.50 RCW; nursing home administration under chapter 18.52 RCW; optometry under chapters 18.53 and 18.54 RCW; ocularists under chapter 18.55 RCW; osteopathic medicine and surgery under chapter 18.57 RCW; pharmacy under chapters 18.64 and 18.64A RCW; medicine under chapters 18.71 and 18.71A RCW; emergency medicine under chapter 18.73 RCW; physical therapy under chapter 18.74 RCW; practical nurses under chapter 18.79 RCW; psychologists under chapter 18.83 RCW; registered nurses under chapter 18.79 RCW; occupational therapists licensed under chapter 18.59 RCW; respiratory care practitioners licensed under chapter 18.89 RCW; veterinarians and veterinary technicians under chapter 18.92 RCW; massage

therapists under chapter 18.108 RCW; acupuncturists or acupuncture and Eastern medicine practitioners licensed under chapter 18.06 RCW; persons registered under chapter 18.19 RCW; persons licensed as mental health counselors, marriage and family therapists, and social workers under chapter 18.225 RCW; dietitians and nutritionists certified by chapter 18.138 RCW; radiologic technicians under chapter 18.84 RCW; nursing assistants registered or certified under chapter 18.88A RCW; reflexologists certified under chapter 18.108 RCW; medical assistants-certified, medical assistants-hemodialysis technician, medical assistants-phlebotomist, forensic phlebotomist, and medical assistants-registered certified and registered under chapter 18.360 RCW; ((~~and~~)) licensed behavior analysts, licensed assistant behavior analysts, and certified behavior technicians under chapter 18.380 RCW; and dental therapists licensed under chapter 18.--- RCW (the new chapter created in section 22 of this act).

(5) "Inspection" means the periodic examination of practitioners by a state agency in order to ascertain whether the practitioners' occupation is being carried out in a fashion consistent with the public health, safety, and welfare.

(6) "Legislative committees of reference" means the standing legislative committees designated by the respective rules committees of the senate and house of representatives to consider proposed legislation to regulate health professions not previously regulated.

(7) "License," "licensing," and "licensure" mean permission to engage in a health profession which would otherwise be unlawful in the state in the absence of the permission. A license is granted to those individuals who meet prerequisite qualifications to perform prescribed health professional tasks and for the use of a particular title.

(8) "Practitioner" means an individual who (a) has achieved knowledge and skill by practice, and (b) is actively engaged in a specified health profession.

(9) "Professional license" means an individual, nontransferable authorization to carry on a health activity based on qualifications which include: (a) Graduation from an accredited or approved program, and (b) acceptable performance on a qualifying examination or series of examinations.

(10) "Public member" means an individual who is not, and never was, a member of the health profession being regulated or the spouse of a member, or an individual who does not have and never has had a material financial interest in either the rendering of the health professional service being regulated or an activity directly related to the profession being regulated.

(11) "Registration" means the formal notification which, prior to rendering services, a practitioner shall submit to a state agency setting forth the name and address of the practitioner; the location, nature and operation of the health activity to be practiced; and, if required by the regulatory entity, a description of the service to be provided.

(12) "Regulatory entity" means any board, commission, agency, division, or other unit or subunit of state government which regulates one or more professions, occupations, industries, businesses, or other endeavors in this state.

(13) "State agency" includes every state office, department, board, commission, regulatory entity, and agency of the state, and, where provided by law, programs and activities involving less than the full responsibility of a state agency.

Sec. 15. RCW 18.130.040 and 2022 c 217 s 5 are each amended to read as follows:

(1) This chapter applies only to the secretary and the boards and commissions having jurisdiction in relation to the professions licensed under the chapters specified in this section. This chapter does not apply to any business or profession not licensed under the chapters specified in this section.

(2)(a) The secretary has authority under this chapter in relation to the following professions:

(i) Dispensing opticians licensed and designated apprentices under chapter 18.34 RCW;

(ii) Midwives licensed under chapter 18.50 RCW;

(iii) Ocularists licensed under chapter 18.55 RCW;

(iv) Massage therapists and businesses licensed under chapter 18.108 RCW;

(v) Dental hygienists licensed under chapter 18.29 RCW;

(vi) Acupuncturists or acupuncture and Eastern medicine practitioners licensed under chapter 18.06 RCW;

(vii) Radiologic technologists certified and X-ray technicians registered under chapter 18.84 RCW;

(viii) Respiratory care practitioners licensed under chapter 18.89 RCW;

(ix) Hypnotherapists and agency affiliated counselors registered and advisors and counselors certified under chapter 18.19 RCW;

(x) Persons licensed as mental health counselors, mental health counselor associates, marriage and family therapists, marriage and family therapist associates, social workers, social work associates—advanced, and social work associates—independent clinical under chapter 18.225 RCW;

(xi) Persons registered as nursing pool operators under chapter 18.52C RCW;

(xii) Nursing assistants registered or certified or medication assistants endorsed under chapter 18.88A RCW;

(xiii) Dietitians and nutritionists certified under chapter 18.138 RCW;

(xiv) Substance use disorder professionals, substance use disorder professional trainees, or co-occurring disorder specialists certified under chapter 18.205 RCW;

(xv) Sex offender treatment providers and certified affiliate sex offender treatment providers certified under chapter 18.155 RCW;

(xvi) Persons licensed and certified under chapter 18.73 RCW or RCW 18.71.205;

(xvii) Orthotists and prosthetists licensed under chapter 18.200 RCW;
(xviii) Surgical technologists registered under chapter 18.215 RCW;
(xix) Recreational therapists under chapter 18.230 RCW;
(xx) Animal massage therapists certified under chapter 18.240 RCW;
(xxi) Athletic trainers licensed under chapter 18.250 RCW;
(xxii) Home care aides certified under chapter 18.88B RCW;
(xxiii) Genetic counselors licensed under chapter 18.290 RCW;
(xxiv) Reflexologists certified under chapter 18.108 RCW;
(xxv) Medical assistants-certified, medical assistants-hemodialysis technician, medical assistants-phlebotomist, forensic phlebotomist, and medical assistants-registered certified and registered under chapter 18.360 RCW;
(xxvi) Behavior analysts, assistant behavior analysts, and behavior technicians under chapter 18.380 RCW; and
(xxvii) Birth doulas certified under chapter 18.47 RCW.
(b) The boards and commissions having authority under this chapter are as follows:
(i) The podiatric medical board as established in chapter 18.22 RCW;
(ii) The chiropractic quality assurance commission as established in chapter 18.25 RCW;
(iii) The dental quality assurance commission as established in chapter 18.32 RCW governing licenses issued under chapter 18.32 RCW, licenses and registrations issued under chapter 18.260 RCW, licenses issued under chapter 18.--- RCW (the new chapter created in section 22 of this act), and certifications issued under chapter 18.350 RCW;
(iv) The board of hearing and speech as established in chapter 18.35 RCW;
(v) The board of examiners for nursing home administrators as established in chapter 18.52 RCW;
(vi) The optometry board as established in chapter 18.54 RCW governing licenses issued under chapter 18.53 RCW;
(vii) The board of osteopathic medicine and surgery as established in chapter 18.57 RCW governing licenses issued under chapter 18.57 RCW;
(viii) The pharmacy quality assurance commission as established in chapter 18.64 RCW governing licenses issued under chapters 18.64 and 18.64A RCW;
(ix) The Washington medical commission as established in chapter 18.71 RCW governing licenses and registrations issued under chapters 18.71 and 18.71A RCW;
(x) The board of physical therapy as established in chapter 18.74 RCW;
(xi) The board of occupational therapy practice as established in chapter 18.59 RCW;
(xii) The nursing care quality assurance commission as established in chapter 18.79 RCW governing licenses and registrations issued under that chapter;
(xiii) The examining board of psychology and its disciplinary committee as established in chapter 18.83 RCW;
(xiv) The veterinary board of governors as established in chapter 18.92 RCW;
(xv) The board of naturopathy established in chapter 18.36A RCW, governing licenses and certifications issued under that chapter; and
(xvi) The board of denturists established in chapter 18.30 RCW.
(3) In addition to the authority to discipline license holders, the disciplining authority has the authority to grant or deny licenses. The disciplining authority may also grant a license subject to conditions.
(4) All disciplining authorities shall adopt procedures to ensure substantially consistent application of this chapter, the uniform disciplinary act, among the disciplining authorities listed in subsection (2) of this section.

Sec. 16. RCW 18.260.010 and 2007 c 269 s 1 are each amended to read as follows:
The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.
(1) "Close supervision" means that a supervising dentist or supervising dental therapist whose patient is being treated has personally diagnosed the condition to be treated and has personally authorized the procedures to be performed. The supervising dentist or supervising dental therapist is continuously on-site and physically present in the treatment facility while the procedures are performed by the assistive personnel and capable of responding immediately in the event of an emergency. The term does not require a supervising dentist or supervising dental therapist to be physically present in the operatory.
(2) "Commission" means the Washington state dental quality assurance commission created in chapter 18.32 RCW.
(3) "Dental assistant" means a person who is registered by the commission to provide supportive services to a licensed dentist or a licensed dental therapist to the extent provided in this chapter and under the close supervision of a dentist or close supervision of a dental therapist.
(4) "Dental therapist" means an individual who holds a license to practice as a dental therapist under chapter 18.--- RCW (the new chapter created in section 22 of this act).
(5) "Dentist" means an individual who holds a license to practice dentistry under chapter 18.32 RCW.
((~~(5)~~)) (6) "Department" means the department of health.
((~~(6)~~)) (7) "Expanded function dental auxiliary" means a person who is licensed by the commission to provide supportive services to a licensed dentist or dental therapist to the extent provided in this chapter and under the specified level of supervision of a dentist or dental therapist.
((~~(7)~~)) (8) "General supervision" means that a supervising dentist or dental therapist has examined and diagnosed the patient and provided subsequent instructions to be performed by the assistive personnel, but does not require that the dentist or

dental therapist be physically present in the treatment facility.

((~~(8)~~))(9) "Secretary" means the secretary of health.

((~~(9)~~))(10) "Supervising dental therapist" means a dental therapist licensed under chapter 18.--- RCW (the new chapter created in section 22 of this act) who is responsible for providing the appropriate level of supervision for dental assistants and expanded function dental auxiliaries.

(11) "Supervising dentist" means a dentist licensed under chapter 18.32 RCW that is responsible for providing the appropriate level of supervision for dental assistants and expanded function dental auxiliaries.

Sec. 17. RCW 18.260.040 and 2015 c 120 s 3 are each amended to read as follows:

(1)(a) The commission shall adopt rules relating to the scope of dental assisting services related to patient care and laboratory duties that may be performed by dental assistants.

(b) In addition to the services and duties authorized by the rules adopted under (a) of this subsection, a dental assistant may apply topical anesthetic agents.

(c) All dental services performed by dental assistants under (a) or (b) of this subsection must be performed under the close supervision of a supervising dentist or supervising dental therapist as the dentist or dental therapist may allow.

(2) In addition to any other limitations established by the commission, dental assistants may not perform the following procedures:

(a) Any scaling procedure;

(b) Any oral prophylaxis, except coronal polishing;

(c) Administration of any general or local anesthetic, including intravenous sedation;

(d) Any removal of or addition to the hard or soft tissue of the oral cavity;

(e) Any diagnosis of or prescription for treatment of disease, pain, deformity, deficiency, injury, or physical condition of the human teeth, jaw, or adjacent structures; and

(f) The taking of any impressions of the teeth or jaw or the relationships of the teeth or jaws, for the purpose of fabricating any intra-oral restoration, appliance, or prosthesis, other than impressions allowed as a delegated duty for dental assistants pursuant to rules adopted by the commission.

(3) A dentist or dental therapist may not assign a dental assistant to perform duties until the dental assistant has demonstrated skills necessary to perform competently all assigned duties and responsibilities.

Sec. 18. RCW 18.260.070 and 2007 c 269 s 6 are each amended to read as follows:

(1) The commission shall adopt rules relating to the scope of expanded function dental auxiliary services related to patient care and laboratory duties that may be performed by expanded function dental auxiliaries.

(2) The scope of expanded function dental auxiliary services that the commission identifies in subsection (1) of this section includes:

(a) In addition to the dental assisting services that a dental assistant may perform under the close supervision of a supervising dentist or supervising dental therapist, the performance of the following services under the general supervision of a supervising dentist or supervising dental therapist as the dentist or dental therapist may allow:

(i) Performing coronal polishing;

(ii) Giving fluoride treatments;

(iii) Applying sealants;

(iv) Placing dental x-ray film and exposing and developing the films;

(v) Giving patient oral health instruction; and

(b) Notwithstanding any prohibitions in RCW 18.260.040, the performance of the following services under the close supervision of a supervising dentist or supervising dental therapist as the dentist or dental therapist may allow:

(i) Placing and carving direct restorations; and

(ii) Taking final impressions.

(3) A dentist or dental therapist may not assign an expanded function dental auxiliary to perform services until the expanded function dental auxiliary has demonstrated skills necessary to perform competently all assigned duties and responsibilities.

Sec. 19. RCW 18.260.080 and 2007 c 269 s 7 are each amended to read as follows:

A supervising dentist or supervising dental therapist is responsible for:

(1) Maintaining the appropriate level of supervision for dental assistants and expanded function dental auxiliaries; and

(2) Ensuring that the dental assistants and expanded function dental auxiliaries that the dentist or dental therapist supervises are able to competently perform the tasks that they are assigned.

Sec. 20. RCW 69.41.010 and 2020 c 80 s 40 are each amended to read as follows:

As used in this chapter, the following terms have the meanings indicated unless the context clearly requires otherwise:

(1) "Administer" means the direct application of a legend drug whether by injection, inhalation, ingestion, or any other means, to the body of a patient or research subject by:

(a) A practitioner; or

(b) The patient or research subject at the direction of the practitioner.

(2) "Commission" means the pharmacy quality assurance commission.

(3) "Community-based care settings" include: Community residential programs for persons with developmental disabilities, certified by the department of social and health services under chapter 71A.12 RCW; adult family homes licensed under chapter 70.128 RCW; and assisted living facilities licensed under chapter 18.20 RCW. Community-based care settings do not include acute care or skilled nursing facilities.

(4) "Deliver" or "delivery" means the actual, constructive, or attempted transfer

from one person to another of a legend drug, whether or not there is an agency relationship.

(5) "Department" means the department of health.

(6) "Dispense" means the interpretation of a prescription or order for a legend drug and, pursuant to that prescription or order, the proper selection, measuring, compounding, labeling, or packaging necessary to prepare that prescription or order for delivery.

(7) "Dispenser" means a practitioner who dispenses.

(8) "Distribute" means to deliver other than by administering or dispensing a legend drug.

(9) "Distributor" means a person who distributes.

(10) "Drug" means:

(a) Substances recognized as drugs in the official United States pharmacopoeia, official homeopathic pharmacopoeia of the United States, or official national formulary, or any supplement to any of them;

(b) Substances intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in human beings or animals;

(c) Substances (other than food, minerals or vitamins) intended to affect the structure or any function of the body of human beings or animals; and

(d) Substances intended for use as a component of any article specified in (a), (b), or (c) of this subsection. It does not include devices or their components, parts, or accessories.

(11) "Electronic communication of prescription information" means the transmission of a prescription or refill authorization for a drug of a practitioner using computer systems. The term does not include a prescription or refill authorization transmitted verbally by telephone nor a facsimile manually signed by the practitioner.

(12) "In-home care settings" include an individual's place of temporary and permanent residence, but does not include acute care or skilled nursing facilities, and does not include community-based care settings.

(13) "Legend drugs" means any drugs which are required by state law or regulation of the pharmacy quality assurance commission to be dispensed on prescription only or are restricted to use by practitioners only.

(14) "Legible prescription" means a prescription or medication order issued by a practitioner that is capable of being read and understood by the pharmacist filling the prescription or the nurse or other practitioner implementing the medication order. A prescription must be hand printed, typewritten, or electronically generated.

(15) "Medication assistance" means assistance rendered by a nonpractitioner to an individual residing in a community-based care setting or in-home care setting to facilitate the individual's self-administration of a legend drug or controlled substance. It includes reminding or coaching the individual, handing the medication container to the individual, opening the individual's medication container, using an enabler, or placing the medication in the individual's hand, and such other means of medication assistance as defined by rule adopted by the department. A nonpractitioner may help in the preparation of legend drugs or controlled substances for self-administration where a practitioner has determined and communicated orally or by written direction that such medication preparation assistance is necessary and appropriate. Medication assistance shall not include assistance with intravenous medications or injectable medications, except prefilled insulin syringes.

(16) "Person" means individual, corporation, government or governmental subdivision or agency, business trust, estate, trust, partnership or association, or any other legal entity.

(17) "Practitioner" means:

(a) A physician under chapter 18.71 RCW, an osteopathic physician or an osteopathic physician and surgeon under chapter 18.57 RCW, a dentist under chapter 18.32 RCW, a podiatric physician and surgeon under chapter 18.22 RCW, an acupuncturist or acupuncture and Eastern medicine practitioner to the extent authorized under chapter 18.06 RCW and the rules adopted under RCW 18.06.010(1)((~~(j)~~)) (m), a veterinarian under chapter 18.92 RCW, a registered nurse, advanced registered nurse practitioner, or licensed practical nurse under chapter 18.79 RCW, an optometrist under chapter 18.53 RCW who is certified by the optometry board under RCW 18.53.010, a physician assistant under chapter 18.71A RCW, a naturopath licensed under chapter 18.36A RCW, a licensed athletic trainer to the extent authorized under chapter 18.250 RCW, a pharmacist under chapter 18.64 RCW, ((~~or~~)) when acting under the required supervision of a dentist licensed under chapter 18.32 RCW, a dental hygienist licensed under chapter 18.29 RCW, or a licensed dental therapist to the extent authorized under chapter 18.--- RCW (the new chapter created in section 22 of this act);

(b) A pharmacy, hospital, or other institution licensed, registered, or otherwise permitted to distribute, dispense, conduct research with respect to, or to administer a legend drug in the course of professional practice or research in this state; and

(c) A physician licensed to practice medicine and surgery or a physician licensed to practice osteopathic medicine and surgery in any state, or province of Canada, which shares a common border with the state of Washington.

(18) "Secretary" means the secretary of health or the secretary's designee.

Sec. 21. RCW 43.70.442 and 2020 c 229 s 1 and 2020 c 80 s 30 are each reenacted and amended to read as follows:

(1)(a) Each of the following professionals certified or licensed under Title 18 RCW shall, at least once every six years, complete training in suicide assessment, treatment, and management that is approved, in rule, by the relevant disciplining authority:

(i) An adviser or counselor certified under chapter 18.19 RCW;

(ii) A substance use disorder professional licensed under chapter 18.205 RCW;

(iii) A marriage and family therapist licensed under chapter 18.225 RCW;

(iv) A mental health counselor licensed under chapter 18.225 RCW;

(v) An occupational therapy practitioner licensed under chapter 18.59 RCW;

(vi) A psychologist licensed under chapter 18.83 RCW;

(vii) An advanced social worker or independent clinical social worker licensed under chapter 18.225 RCW; and

(viii) A social worker associate—advanced or social worker associate—independent clinical licensed under chapter 18.225 RCW.

(b) The requirements in (a) of this subsection apply to a person holding a retired active license for one of the professions in (a) of this subsection.

(c) The training required by this subsection must be at least six hours in length, unless a disciplining authority has determined, under subsection (10)(b) of this section, that training that includes only screening and referral elements is appropriate for the profession in question, in which case the training must be at least three hours in length.

(d) Beginning July 1, 2017, the training required by this subsection must be on the model list developed under subsection (6) of this section. Nothing in this subsection (1)(d) affects the validity of training completed prior to July 1, 2017.

(2)(a) Except as provided in (b) of this subsection:

(i) A professional listed in subsection (1)(a) of this section must complete the first training required by this section by the end of the first full continuing education reporting period after January 1, 2014, or during the first full continuing education reporting period after initial licensure or certification, whichever occurs later.

(ii) Beginning July 1, 2021, the second training for a psychologist, a marriage and family therapist, a mental health counselor, an advanced social worker, an independent clinical social worker, a social worker associate-advanced, or a social worker associate-independent clinical must be either: (A) An advanced training focused on suicide management, suicide care protocols, or effective treatments; or (B) a training in a treatment modality shown to be effective in working with people who are suicidal, including dialectical behavior therapy, collaborative assessment and management of suicide risk, or cognitive behavior therapy-suicide prevention. If a professional subject to the requirements of this subsection has already completed the professional's second training prior to July 1, 2021, the professional's next training must comply with this subsection. This subsection (2)(a)(ii) does not apply if the licensee demonstrates that the training required by this subsection (2)(a)(ii) is not reasonably available.

(b)(i) A professional listed in subsection (1)(a) of this section applying for initial licensure may delay completion of the first training required by this section for six years after initial licensure if he or she can demonstrate successful completion of the training required in subsection (1) of this section no more than six years prior to the application for initial licensure.

(ii) Beginning July 1, 2021, a psychologist, a marriage and family therapist, a mental health counselor, an advanced social worker, an independent clinical social worker, a social worker associate-advanced, or a social worker associate-independent clinical exempt from his or her first training under (b)(i) of this subsection must comply with the requirements of (a)(ii) of this subsection for his or her first training after initial licensure. If a professional subject to the requirements of this subsection has already completed the professional's first training after initial licensure, the professional's next training must comply with this subsection (2)(b)(ii). This subsection (2)(b)(ii) does not apply if the licensee demonstrates that the training required by this subsection (2)(b)(ii) is not reasonably available.

(3) The hours spent completing training in suicide assessment, treatment, and management under this section count toward meeting any applicable continuing education or continuing competency requirements for each profession.

(4)(a) A disciplining authority may, by rule, specify minimum training and experience that is sufficient to exempt an individual professional from the training requirements in subsections (1) and (5) of this section. Nothing in this subsection (4)(a) allows a disciplining authority to provide blanket exemptions to broad categories or specialties within a profession.

(b) A disciplining authority may exempt a professional from the training requirements of subsections (1) and (5) of this section if the professional has only brief or limited patient contact.

(5)(a) Each of the following professionals credentialed under Title 18 RCW shall complete a one-time training in suicide assessment, treatment, and management that is approved by the relevant disciplining authority:

(i) A chiropractor licensed under chapter 18.25 RCW;

(ii) A naturopath licensed under chapter 18.36A RCW;

(iii) A licensed practical nurse, registered nurse, or advanced registered nurse practitioner, other than a certified registered nurse anesthetist, licensed under chapter 18.79 RCW;

(iv) An osteopathic physician and surgeon licensed under chapter 18.57 RCW, other than a holder of a postgraduate osteopathic medicine and surgery license issued under RCW 18.57.035;

(v) A physical therapist or physical therapist assistant licensed under chapter 18.74 RCW;

(vi) A physician licensed under chapter 18.71 RCW, other than a resident holding a limited license issued under RCW 18.71.095(3);

(vii) A physician assistant licensed under chapter 18.71A RCW;

(viii) A pharmacist licensed under chapter 18.64 RCW;

(ix) A dentist licensed under chapter 18.32 RCW;

(x) A dental hygienist licensed under chapter 18.29 RCW;

(xi) An athletic trainer licensed under chapter 18.250 RCW;

(xii) An optometrist licensed under chapter 18.53 RCW;

(xiii) An acupuncture and Eastern medicine practitioner licensed under chapter 18.06 RCW; ((~~and~~))

(xiv) A dental therapist licensed under chapter 18.--- RCW (the new chapter created in section 22 of this act); and

(xv) A person holding a retired active license for one of the professions listed in (a)(i) through ((~~(xiii)~~))(xiv) of this subsection.

(b)(i) A professional listed in (a)(i) through (vii) of this subsection or a person holding a retired active license for one of the professions listed in (a)(i) through (vii) of this subsection must complete the one-time training by the end of the first full continuing education reporting period after January 1, 2016, or during the first full continuing education reporting period after initial licensure, whichever is later. Training completed between June 12, 2014, and January 1, 2016, that meets the requirements of this section, other than the timing requirements of this subsection (5)(b), must be accepted by the disciplining authority as meeting the one-time training requirement of this subsection (5).

(ii) A licensed pharmacist or a person holding a retired active pharmacist license must complete the one-time training by the end of the first full continuing education reporting period after January 1, 2017, or during the first full continuing education reporting period after initial licensure, whichever is later.

(iii) A licensed dentist, a licensed dental hygienist, or a person holding a retired active license as a dentist shall complete the one-time training by the end of the full continuing education reporting period after August 1, 2020, or during the first full continuing education reporting period after initial licensure, whichever is later. Training completed between July 23, 2017, and August 1, 2020, that meets the requirements of this section, other than the timing requirements of this subsection (5)(b)(iii), must be accepted by the disciplining authority as meeting the one-time training requirement of this subsection (5).

(iv) A licensed optometrist or a licensed acupuncture and Eastern medicine practitioner, or a person holding a retired active license as an optometrist or an acupuncture and Eastern medicine practitioner, shall complete the one-time training by the end of the full continuing education reporting period after August 1, 2021, or during the first full continuing education reporting period after initial licensure, whichever is later. Training completed between August 1, 2020, and August 1, 2021, that meets the requirements of this section, other than the timing requirements of this subsection (5)(b)(iv), must be accepted by the disciplining authority as meeting the one-time training requirement of this subsection (5).

(c) The training required by this subsection must be at least six hours in length, unless a disciplining authority has determined, under subsection (10)(b) of this section, that training that includes only screening and referral elements is appropriate for the profession in question, in which case the training must be at least three hours in length.

(d) Beginning July 1, 2017, the training required by this subsection must be on the model list developed under subsection (6) of this section. Nothing in this subsection (5)(d) affects the validity of training completed prior to July 1, 2017.

(6)(a) The secretary and the disciplining authorities shall work collaboratively to develop a model list of training programs in suicide assessment, treatment, and management. Beginning July 1, 2021, for purposes of subsection (2)(a)(ii) of this section, the model list must include advanced training and training in treatment modalities shown to be effective in working with people who are suicidal.

(b) The secretary and the disciplining authorities shall update the list at least once every two years.

(c) By June 30, 2016, the department shall adopt rules establishing minimum standards for the training programs included on the model list. The minimum standards must require that six-hour trainings include content specific to veterans and the assessment of issues related to imminent harm via lethal means or self-injurious behaviors and that three-hour trainings for pharmacists or dentists include content related to the assessment of issues related to imminent harm via lethal means. When adopting the rules required under this subsection (6)(c), the department shall:

(i) Consult with the affected disciplining authorities, public and private institutions of higher education, educators, experts in suicide assessment, treatment, and management, the Washington department of veterans affairs, and affected professional associations; and

(ii) Consider standards related to the best practices registry of the American foundation for suicide prevention and the suicide prevention resource center.

(d) Beginning January 1, 2017:

(i) The model list must include only trainings that meet the minimum standards established in the rules adopted under (c) of this subsection and any three-hour trainings that met the requirements of this section on or before July 24, 2015;

(ii) The model list must include six-hour trainings in suicide assessment, treatment, and management, and three-hour trainings that include only screening and referral elements; and

(iii) A person or entity providing the training required in this section may

petition the department for inclusion on the model list. The department shall add the training to the list only if the department determines that the training meets the minimum standards established in the rules adopted under (c) of this subsection.

(e) By January 1, 2021, the department shall adopt minimum standards for advanced training and training in treatment modalities shown to be effective in working with people who are suicidal. Beginning July 1, 2021, all such training on the model list must meet the minimum standards. When adopting the minimum standards, the department must consult with the affected disciplining authorities, public and private institutions of higher education, educators, experts in suicide assessment, treatment, and management, the Washington department of veterans affairs, and affected professional associations.

(7) The department shall provide the health profession training standards created in this section to the professional educator standards board as a model in meeting the requirements of RCW 28A.410.226 and provide technical assistance, as requested, in the review and evaluation of educator training programs. The educator training programs approved by the professional educator standards board may be included in the department's model list.

(8) Nothing in this section may be interpreted to expand or limit the scope of practice of any profession regulated under chapter 18.130 RCW.

(9) The secretary and the disciplining authorities affected by this section shall adopt any rules necessary to implement this section.

(10) For purposes of this section:

(a) "Disciplining authority" has the same meaning as in RCW 18.130.020.

(b) "Training in suicide assessment, treatment, and management" means empirically supported training approved by the appropriate disciplining authority that contains the following elements: Suicide assessment, including screening and referral, suicide treatment, and suicide management. However, the disciplining authority may approve training that includes only screening and referral elements if appropriate for the profession in question based on the profession's scope of practice. The board of occupational therapy may also approve training that includes only screening and referral elements if appropriate for occupational therapy practitioners based on practice setting.

(11) A state or local government employee is exempt from the requirements of this section if he or she receives a total of at least six hours of training in suicide assessment, treatment, and management from his or her employer every six years. For purposes of this subsection, the training may be provided in one six-hour block or may be spread among shorter training sessions at the employer's discretion.

(12) An employee of a community mental health agency licensed under chapter 71.24 RCW or a chemical dependency program certified under chapter 71.24 RCW is exempt from the requirements of this section if he or she receives a total of at least six hours of training in suicide assessment, treatment, and management from his or her employer every six years. For purposes of this subsection, the training may be provided in one six-hour block or may be spread among shorter training sessions at the employer's discretion.

NEW SECTION. **Sec. 22.** Sections 1 through 11 of this act constitute a new chapter in Title 18 RCW.

NEW SECTION. **Sec. 23.** The department of health shall adopt any rules necessary to implement this act.

NEW SECTION. **Sec. 24.** Sections 1 through 21 of this act take effect January 1, 2024."

On page 1, line 3 of the title, after "look-alikes;" strike the remainder of the title and insert "amending RCW 18.32.030, 18.32.0351, 18.120.020, 18.130.040, 18.260.010, 18.260.040, 18.260.070, 18.260.080, 69.41.010, and 69.41.030; reenacting and amending RCW 43.70.442; adding a new chapter to Title 18 RCW; creating a new section; and providing an effective date."

Representative Riccelli moved the adoption of amendment (247) to the striking amendment (183):

On page 2, beginning on line 18 of the striking amendment, after "(2)" strike all material through "18.29" on line 19 and insert ""Commission" means the dental quality assurance commission established in chapter 18.32"

On page 3, line 18 of the striking amendment, after "the" strike "committee" and insert "commission"

On page 3, line 25 of the striking amendment, after "the" strike "committee" and insert "commission"

On page 3, line 34 of the striking amendment, after "the" strike "committee" and insert "commission"

On page 9, line 8 of the striking amendment, after "dental" strike "hygiene examining committee" and insert "quality assurance commission"

On page 11, line 33 of the striking amendment, after "((~~seventeen~~))" strike "19" and insert "21"

On page 11, line 38 of the striking amendment, after "dentists," strike "two" and insert "four"

Representatives Riccelli and Caldier spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (247) to the striking amendment (183) was adopted.

Representative Walsh moved the adoption of amendment (328) to the striking amendment (183):

On page 3, line 7 of the striking amendment, after "43.70.280." insert "The licensing fees for dental therapists may not be subsidized by other health professions."

Representatives Walsh and Stonier spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (328) to the striking amendment (183) was adopted.

Representative Hutchins moved the adoption of amendment (320) to the striking amendment (183):

On page 3, line 9 of the striking amendment, after "renewal." insert "A dental therapist must obtain liability insurance with coverage equivalent to that of the supervising dentist's liability insurance coverage."

Representatives Hutchins and Riccelli spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (320) to the striking amendment (183) was adopted.

Representative Caldier moved the adoption of amendment (318) to the striking amendment (183):

On page 3, line 18 of the striking amendment, after "(c)" insert "Completes a post-graduate clinical preceptorship of at least two thousand hours under the close supervision of a dentist;
(d)"

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

Representatives Caldier and Caldier (again) spoke in favor of the adoption of the amendment to the striking amendment.

Representative Reed spoke against the adoption of the amendment to the striking amendment.

Division was demanded and the demand was sustained. The Speaker divided the House. The result was 41 - YEAS; 54 - NAYS.

Amendment (318) to the striking amendment (183) was not adopted.

Representative Caldier moved the adoption of amendment (316) to the striking amendment (183):

On page 5, line 20 of the striking amendment, after "auxiliaries" strike "and dental assistants" and insert ", dental assistants, and dental hygienists"

On page 5, line 22 of the striking amendment, after "auxiliaries" strike "and dental assistants" and insert ", dental assistants, and dental hygienists"

On page 5, beginning on line 24 of the striking amendment, after "auxiliary" strike "or dental assistant" and insert ", dental assistant, or dental hygienist"

On page 20, after line 17 of the striking amendment, insert the following:
"Sec. 20. RCW 18.29.050 and 2015 c 120 s 1 are each amended to read as follows:

Any person licensed as a dental hygienist in this state may remove deposits and stains from the surfaces of the teeth, may apply topical preventive or prophylactic agents, may polish and smooth restorations, may perform root planing and soft-tissue curettage, and may perform other dental operations and services delegated to them by a licensed dentist or dental therapist. Any person licensed as a dental hygienist in this state may apply topical anesthetic agents under the general supervision, as defined in RCW 18.260.010, of a dentist or a dental therapist: PROVIDED HOWEVER, That licensed dental hygienists shall in no event perform the following dental operations or services:
(1) Any surgical removal of tissue of the oral cavity;
(2) Any prescription of drugs or medications requiring the written order or prescription of a licensed dentist or physician, except that a hygienist may place antimicrobials pursuant to the order of a licensed dentist and under the dentist's or dental therapist's required supervision;
(3) Any diagnosis for treatment or treatment planning; or
(4) The taking of any impression of the teeth or jaw, or the relationships of the teeth or jaws, for the purpose of fabricating any intra-oral restoration, appliance, or prosthesis, except that a dental hygienist may take an impression for any purpose that is either allowed:
(a) For a dental assistant registered under chapter 18.260 RCW; or
(b) As a delegated duty for dental hygienists pursuant to rules adopted by the dental quality assurance commission.
Such licensed dental hygienists may perform dental operations and services only under the supervision of a licensed dentist or dental therapist, and under such supervision may be employed by hospitals, boards of education of public or private schools, county boards, boards of health, or public or charitable institutions, or in dental offices."

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

Correct the title.

Representatives Caldier and Riccelli spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (316) to the striking amendment (183) was adopted.

Representative Chambers moved the adoption of amendment (319) to the striking amendment (183):

On page 7, line 23 of the striking amendment, after "(b)" insert "Review the dental therapist's patient charts daily; and
(c)"

Representatives Chambers and Caldier spoke in favor of the adoption of the amendment to the striking amendment.

Representative Riccelli spoke against the adoption of the amendment to the striking amendment.

Division was demanded and the demand was sustained. The Speaker divided the House. The result was 39 - YEAS; 56 - NAYS.

Amendment (319) to the striking amendment (183) was not adopted.

Representative Griffey moved the adoption of amendment (321) to the striking amendment (183):

On page 8, line 19 of the striking amendment, after "(2)" insert "A dental therapist may not practice in federally qualified health centers that employ an employee whose salary is greater than one million dollars per year as reported on the internal revenue service 990 form.
(3)"

With the consent of the House, amendment (321) was withdrawn.

Representative Stokesbary moved the adoption of amendment (326) to the striking amendment (183):

On page 8, line 19 of the striking amendment, after "(2)" insert "A dentist providing dental services at a federally qualified health center is not required to enter a practice plan contract and may not face retaliation or default on a loan repayment contract if the dentist refuses to enter into a practice plan contract or supervise a dental therapist.
(3)"

Representatives Stokesbary and Riccelli spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (326) to the striking amendment (183) was adopted.

Representative Schmick moved the adoption of amendment (329) to the striking amendment (183):

On page 9, line 28 of the striking amendment, after "(4)" insert "The term of a limited license issued under this section is the same as the term for an initial limited license issued under RCW 18.29.190.
(5)"

Representatives Schmick and Riccelli spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (329) to the striking amendment (183) was adopted.

Representative Harris moved the adoption of amendment (317) to the striking amendment (183):

On page 2, beginning on line 30 of the striking amendment, strike all of subsection (8)

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

On page 4, line 12 of the striking amendment, after "the" insert "close"

On page 6, line 12 of the striking amendment, after "the" insert "close"

On page 6, beginning on line 14 of the striking amendment, after "independently." strike all material through "supervision." on line 16

On page 6, beginning on line 18 of the striking amendment, after "(a)" strike all material through "(b)" on line 20

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

Representatives Harris, Caldier and Harris (again) spoke in favor of the adoption of the amendment to the striking amendment.

Representative Riccelli spoke against the adoption of the amendment to the striking amendment.

Division was demanded and the demand was sustained. The Speaker divided the House. The result was 44 - YEAS; 51 - NAYS.

Amendment (317) to the striking amendment (183) was not adopted.

Representative Caldier moved the adoption of amendment (324) to the striking amendment (183):

On page 4, line 39 of the striking amendment, strike all of subsection (t)

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

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

Representative Bateman spoke against the adoption of the amendment to the striking amendment.

Division was demanded and the demand was sustained. The Speaker divided the House. The result was 42 - YEAS; 53 - NAYS.

Amendment (324) to the striking amendment (183) was not adopted.

Representative Caldier moved the adoption of amendment (327) to the striking amendment (183):

On page 5, beginning on line 3 of the striking amendment, strike all of subsection (w)

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

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

Representative Riccelli spoke against the adoption of the amendment to the striking amendment.

Division was demanded and the demand was sustained. The Speaker divided the House. The result was 42 - YEAS; 53 - NAYS.

Amendment (327) to the striking amendment (183) was not adopted.

Representative Caldier moved the adoption of amendment (323) to the striking amendment (183):

On page 5, line 8 of the striking amendment, strike all of subsection (z)

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

Representatives Caldier and Chambers spoke in favor of the adoption of the amendment to the striking amendment.

Representative Stonier spoke against the adoption of the amendment to the striking amendment.

Division was demanded and the demand was sustained. The Speaker divided the House. The result was 42 - YEAS; 53 - NAYS.

Amendment (323) to the striking amendment (183) was not adopted.

Representative Maycumber moved the adoption of amendment (325) to the striking amendment (183):

On page 5, beginning on line 13 of the striking amendment, strike all of subsection (ee)

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

Representatives Maycumber and Caldier spoke in favor of the adoption of the amendment to the striking amendment.

Representative Bateman spoke against the adoption of the amendment to the striking amendment.

Division was demanded and the demand was sustained. The Speaker divided the House. The result was 42 - YEAS; 53 - NAYS.

Amendment (325) to the striking amendment (183) was not adopted.

Representative Caldier moved the adoption of amendment (322) to the striking amendment (183):

On page 5, beginning on line 27 of the striking amendment, strike all of subsection (hh)

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

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

Representatives Riccelli and Orcutt spoke against the adoption of the amendment to the striking amendment.

Division was demanded and the demand was sustained. The Speaker divided the House. The result was 41 - YEAS; 54 - NAYS.

Amendment (322) to the striking amendment (183) was not adopted.

Representative Caldier moved the adoption of amendment (330) to the striking amendment (183):

On page 1 of the striking amendment, strike all material after line 2 and insert the following:

"Sec. 1. RCW 70.350.020 and 2017 c 5 s 2 are each amended to read as follows:

(1) Dental health aide therapist services are authorized by this chapter under the following conditions:

(a) The person providing services is certified as a dental health aide therapist by:

(i) A federal community health aide program certification board; or

(ii) A federally recognized Indian tribe that has adopted certification standards that meet or exceed the requirements of a federal community health aide program certification board;

(b) All services are performed:

(i) In a practice setting ((~~within the exterior boundaries of a tribal reservation and~~)) operated by an Indian health program;

(ii) In accordance with the standards adopted by the certifying body in (a) of this subsection, including scope of practice, training, supervision, and continuing education;

(iii) Pursuant to any applicable written standing orders by a supervising dentist; and

(iv) On persons who are members of a federally recognized tribe or otherwise eligible for services under Indian health service criteria, pursuant to the Indian health care improvement act, 25 U.S.C. Sec. 1601 et seq.

(2) The performance of dental health aide therapist services is authorized for a person when working within the scope, supervision, and direction of a dental health aide therapy training program that is certified by an entity described in subsection (1) of this section.

(3) All services performed within the scope of subsection (1) or (2) of this section, including the employment or supervision of such services, are exempt from licensing requirements under chapters 18.29, 18.32, 18.260, and 18.350 RCW.

Correct the title."

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

Representative Riccelli spoke against the adoption of the amendment to the striking amendment.

Division was demanded and the demand was sustained. The Speaker divided the House. The result was 42 - YEAS; 53 - NAYS.

Amendment (330) to the striking amendment (183) was not adopted.

Representatives Riccelli and Caldier spoke in favor of the adoption of the striking amendment as amended.

The striking amendment (183), as amended, 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 and Stonier spoke in favor of the passage of the bill.

Representatives Caldier, Schmick, Orcutt and Chambers spoke against the passage of the bill.

The Speaker stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1678.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1678, and the bill passed the House by the following vote: Yeas, 53; Nays, 42; Absent, 0; Excused, 3

Voting Yea: Representatives Alvarado, Bateman, Berg, Berry, Bronoske, Callan, Chopp, Cortes, Davis, Doglio, Donaghy, Duerr, Entenman, Farivar, Fey, Fitzgibbon, Fosse, Goodman, Gregerson, Hackney, Kloba, Lekanoff, Macri, Mena, Morgan, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Reed, Reeves, Riccelli, 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, Bergquist, Caldier, Chambers, Chandler, Chapman, Cheney, Christian, Connors, Corry, Couture, Dent, Dye, Goehner, Graham, Griffey, Harris, Hutchins, Jacobsen, Klicker, Kretz, Leavitt, Low, Maycumber, McClintock, Mosbrucker, Orcutt, Robertson, Rude, Rule, Sandlin, Schmick, Schmidt, Steele, Stokesbary, Volz, Walsh, Waters, Wilcox and Ybarra

Excused: Representatives Eslick, Hansen and McEntire

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1678, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1683, by Representatives Barnard, Macri, Harris, Walen, Caldier, Gregerson, Christian and Riccelli

Concerning health carriers offering dental only coverage.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1683 was substituted for House Bill No. 1683 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1683 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 Barnard and Riccelli 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. 1683.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1683, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3

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, Farivar, Fey, Fitzgibbon, Fosse, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Harris, Hutchins, Jacobsen, Klicker, Kloba, Kretz, Leavitt, Lekanoff, Low, Macri, Maycumber, McClintock, Mena, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, 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 Eslick, Hansen and McEntire

SUBSTITUTE HOUSE BILL NO. 1683, having received the necessary constitutional majority, was declared passed.

There being no objection, the House adjourned until 8:55 a.m., Monday, March 6, 2023, the 57th Day of the 2023 Regular Session.

LAURIE JINKINS, Speaker

BERNARD DEAN, Chief Clerk