



1st District Democrats

Legislative Alert for March 13, 2023

The 2023 Legislative Session began on Monday, January 9, 2023, and is scheduled to end on Monday, April 23, 2023.

Wednesday, March 8, was the last date for a bill to pass out of its original chamber and on to the opposite chamber.

Wednesday, March 29 is the last day for bills to pass out of committee in the second chamber with the exception of those in the House fiscal committees and the Senate Ways & Means and Transportation committees.

Tuesday, April 4 is the last day for bills to pass out of the House fiscal committees and the Senate Ways & Means and Transportation committees in the 2nd chamber.

Wednesday, April 12 at 5 PM is the last day to consider passage of opposite house bills (except initiatives, alternatives to initiatives, budgets and matters necessary to implement budgets, differences between the houses, and matters incident to the interim and closing of the session).

Monday, April 23 is the last day allowed for the regular session under WA State's constitution.

Top Action of the Week:

ESHB 1436 - Funding special education.

Support.

The state allocates funding for a program of special education for students with disabilities using an excess cost formula, which multiplies a school district's base allocation by an excess cost multiplier. Currently, the number of special education students that the state funds is 13.5 percent of the student body. And in some districts 15 to 18 percent of the total student body has disabilities. ESHB 1436 increases the cost multipliers for kindergarten through age 21 (K-21) over four school years to 1.059 for students who spend at least 80 percent of the school day in a general education setting, and 1.043 for those who spend less than 80 percent by the 2026-27 school year. In addition, it increases the enrollment limit for special education funding over several years until the 2027-28 school year, when the limit is removed, and it reduces the threshold for high-need individuals to access the special net from 2.3 to 2.2 times the average per-pupil expenditure. And beginning July 2025, requires up to 50 percent of a special education student's base education allocation to be used for special education if district special education expenditures exceeded revenues in the previous year.

Status: *This bill is currently in the Senate Early Learning & K-12 Education Committee where it is scheduled for a public hearing on Wednesday, March 15 at 1:30 PM*

Action: Contact your senators on the Senate Early Learning & K-12 Education Committee and let them know that you support [ESHB 1436](#) and ask that it be scheduled for an executive session to pass out of the committee.

If you can only do one thing, contact your senators, and ask for their support on ESHB 1436.

You can contact your legislators by calling the Legislative Hotline at 1 800-562-6000, or by e-mail using this format: firstname.lastname@leg.wa.gov. If you need to look up your legislators, use the following link to find them: <http://app.leg.wa.gov/DistrictFinder/>

You can also use the hyperlinks in the bill descriptions to go to the bill comment page.

Budget/Revenue

Property Tax Exemption to Provide Housing Funding

HB 1052 – Providing a property tax exemption for qualified real and personal property owned or used by a nonprofit entity in providing qualified housing funded in whole or part through a local real estate excise tax.

SUPPORT

HB 1052 expands the current tax exemption for real and personal property owned by nonprofit organizations providing rental housing for qualifying households or used to provide space for the placement of a mobile home is expanded to include an additional qualified funding source. With this bill rental housing or lots in a mobile home park that were insured, financed, or assisted in whole or in part through the local option Real Estate Excise Tax (REET) for affordable housing would be exempt from property taxes.

STATUS: HB 1052 is in the Senate Housing Committee where it is scheduled for a public hearing on Wednesday, March 15 at 1:30 PM.

ACTION: Contact your senators on the Senate Housing Committee to let them know you support [HB 1052](#) and ask for a YES vote to pass it out of committee.

Wealth Tax

HB 1473 and SB 5486 - Investing in Washington families and creating a more fair tax system by enacting a narrowly tailored property tax on extreme wealth derived from the ownership of stocks, bonds, and other financial intangible property.

SUPPORT

HB 1473 and SB 5486 would create a narrowly tailored property tax on extreme wealth. The property involved would include non-tangible wealth derived from ownership of stocks, bonds and other financial assets with the proceeds dedicated to education, housing, disability services and tax credits for working families. The first \$250 million dollars of assessed value is exempt, thus only the wealthiest people in WA State would pay this tax.

STATUS: HB 1473 is currently in the House Finance Committee where it is eligible for an executive session. It is possible that it could be considered necessary to implement the budget and thus remains alive. SB 5486 is in the Senate Ways and Means Committee where it had a public hearing on March 9, and it is eligible for an executive session. It is possible that this bill could be considered necessary to implement the budget and thus remains alive.

ACTION: Contact your representatives on the House Finance Committee to let them know that you support [HB 1473](#) and ask for a YES vote to pass it out of the committee.

Contact your senators on the Senate Ways and Means Committee to let them know you support [SB 5486](#) and ask that it be scheduled for an executive session to pass out of the committee.

Real Estate Excise Tax

HB 1628 - Increasing the supply of affordable housing by modifying the state and local real estate excise tax.

SUPPORT

HB 1628 would raise taxes on sales of mansions and high-value commercial properties. This bill adds a 4% excise tax to sales for real estate above \$5 million. Funds collected from the increased revenue from

this portion of the real estate excise tax must be deposited separately from other portions – 30 % to the WA State Housing Trust fund, 30% to the Apple Health and Homes Account, 15% to a new Developmental Disabilities Trust Account and 25% to the Affordable Housing for All Account for operations, maintenance, and service for permanent supportive housing. HB 1628 also allows a city or county to impose a 0.25% real estate tax for the construction and support of affordable housing. It also removes the expiration date on the ability to use certain local government real estate excise tax funds for those experiencing homelessness or for affordable housing, and removes a \$1 million limit on the annual use of such funds for larger jurisdictions.

STATUS: HB 1628 is currently in the House Finance Committee where it is eligible for an executive session. It is possible that this bill could be considered necessary to implement the budget and thus remains alive.

ACTION: Contact your representatives on the House Finance Committee to let them know that you support [HB 1628](#) and ask that it be scheduled for an executive session to pass it out of committee.

Estate Tax

HB 1795 - Making the estate tax more progressive.

SUPPORT

HB 1795 makes changes to the Washington State estate tax, including increasing the exclusion amount, changing deductions, and making changes to the rates and rate structure. The exclusion amount is increased to \$2.659 million and language providing for an annual adjustment is updated to reflect the CPI for the Seattle Metropolitan area. It also directs any increased estate tax revenues into the newly created Progressive Policy Account. Funds from this account may only be used to address intergenerational poverty, beginning with the implementation of recommendations from the legislative-executive WorkFirst Poverty Reduction Oversight Task Force and the Homeownership Disparities Work Group.

STATUS: HB 1795 is currently in the House Finance Committee where it is eligible for an executive hearing. This bill could possibly be considered necessary to implement the budget and thus remains alive.

ACTION: Contact your representatives on the House Finance Committee to let them know that you support [HB 1795](#) and ask that it be scheduled for an executive session to pass it out of committee.

State Public Infrastructure Bank

SB 5509 – Creating the Washington state public infrastructure bank.

SUPPORT

SB 5509 provides the state with the authority to activate a State Public Infrastructure Bank with a cooperative membership organization to lend to local and tribal governments. The bill establishes the operating rules for the establishment and the powers and limitations of the state bank. As of 2021, the only state bank in the country is in North Dakota. The Bank of North Dakota has made a profit every year it has been in existence and has helped stave off the most drastic impacts of the financial crisis of 2007-2008 and the Covid-19 pandemic in North Dakota. A state infrastructure bank helps stretch state and federal dollars and meet the demands of financing large, impactful, long-term infrastructure projects. The bank would receive deposits from the state, local, and tribal governments and then invest these funds and give long term loans for infrastructure projects at a cost that is more affordable than a commercial bank loan/bond. Five years after activation, the bank shall have a goal of providing 35 percent of the amount it lends on an annual basis to support housing in low to moderate-income areas. With our state's and country's failing infrastructure for housing, water, and transportation, our state and local communities need a lower-cost funding source other than commercial banks so that our communities and families can thrive, and survive.

STATUS: SB 5099 is in Senate Ways and Means Committee where it is eligible for an executive session. It is possible that this bill could be considered necessary to implement the budget and thus remains alive.

ACTION: Contact your senators on the Senate Ways and Means Committee to let them know you support [SB 5509](#) and ask that it be scheduled for an executive session and for it to be passed out of committee.

National Infrastructure Bank

SJM 8001 – Concerning a national infrastructure bank.

SUPPORT

SJM 8001 is a resolution that requests the US Congress pass and the President of the United States sign the National Infrastructure Bank Act (NIB) or similar legislation. The National Infrastructure Bank would facilitate the long-term financing of infrastructure projects. Specifically, the bank must provide loans to

public and private entities for financing, developing, or operating eligible infrastructure projects. An eligible project must have a public sponsor as well as local, regional, or national significance. The bill treats the bank as a government corporation exempt from tax, and treats contributions to the bank as charitable contributions.

Projects that receive a loan must pay all laborers and mechanics locally prevailing wages, and use only certain United States-produced construction materials unless a waiver is secured from the bank. The bank shall issue stock and may also issue bonds and maintain a discount line of credit with the Federal Reserve System.

Much of our country's and state's infrastructure has fallen into disrepair. Many communities lack housing, workable transportation networks, and clean, safe, and sustainable water, and food production networks. For example, in the area of transportation, many low-income women and their families struggle to find reliable transportation which can affect their health – resulting in missed appointments and poor illness management, even if care is readily available, as well as access to resources for healthy food. This new infrastructure bank would also create tens of millions of high-paying jobs, train our youth with skills they could use for a lifetime, and lift many of our disadvantaged persons out of poverty and despair. Additional jobs mean more tax revenue for our cities, counties, and state, and would improve the lives of those in our communities. A National Infrastructure Bank is a win-win for our state and local communities – providing reduced-cost financial instruments for our local and state government infrastructure projects and a better quality of life for all of WA State's residents including women and children.

STATUS: SJM 8001 has passed out of the Senate and is now in the House Consumer Protection and Business Committee where it is scheduled for a public hearing on Friday, March 17 at 8 AM

ACTION: Contact your representatives on the House Consumer Protection and Business Committee to let them know you support [SJM 8001](#) and ask that they pass it out of committee.

Economic Equity and Support for Low Income Individuals and Families

Financial Assistance for Low-Income Citizens

SSHB 1447 - Strengthening the ability of assistance programs to meet foundational needs of children, adults, and families.

SUPPORT

2SSHB 1047 changes makes the TANF (Temporary Assistance for Needy Families) program available to more citizens by easing program eligibility requirements.

The first substitute removes a 60-month time limit for families with children.

The second substitute deals with how earnings are calculated with regard to eligibility, making more citizens eligible for assistance.

Status: Referred to the Senate Human Services Committee, where it is scheduled for an executive session on Tuesday, March 14 at 10:30 AM.

Action: Contact your senators on the Senate Human Services Committee to tell them you support [2SSHB 1447](#) and ask for them to vote YES to pass it out of committee.

HJR 4204 - Authorizing investment of funds held for the purpose of reducing persistent poverty.

SUPPORT

HJR 4204 calls for a vote by the citizens of the State of Washington to consider an amendment to the Washington state Constitution allowing funds from public pensions, retirement funds, or industrial insurance trust fund, that are currently invested as authorized by law for the benefit of persons with developmental disabilities, also be invested for the purpose of reducing persistent poverty.

Status: HJR 4204 is DEAD as it failed to pass out of the House by the March 8 cutoff date.

HB 1784 - Concerning hunger relief.

SUPPORT

HB 1784 appropriates a total of \$28 million to the State General Fund in fiscal year 2023 to support food assistance programs operated by the departments of Agriculture, Social and Health Services, and Health. The first substitute clarifies language to indicate that funding provided to DSHS-AL TSA for the AAAs may be used for nutrition services generally and is not limited exclusively to meals.

Status: HB 1784 is in the Senate Ways and Means Committee where it is scheduled for a public hearing on Monday, March 13 at 4 PM.

Action: Contact your senators on the Senate Ways and Means Committee to tell them you support [HB 1784](#) and ask for them to vote YES to pass it out of committee.

HB 1477 - Making changes to the working families' tax credit.

SUPPORT

HB 1477:

- Allows individuals filing as "married filing separately" to qualify for the Working Families' Tax Credit.
- Permits individuals to apply for any Working Families' Tax Credit payments for which they were eligible but did not claim for up to three years.
- Requires the Department of Revenue to submit a biennial report to the Legislature containing relevant data about Working Families' Tax Credit program administration.

The first substitute bill makes technical corrections and clarifications. It removes portions of the DOR report requirement and applies the existing WFTC tax preference performance statement to the bill. It also clarifies that the changes made in the bill are not subject to the automatic 10-year expiration for tax preferences.

Status: is in the Senate Ways and Means Committee where it is scheduled for a public hearing on Monday, March 13 at 4 PM.

Action: Contact your senators on the Senate Ways and Means Committee to tell them you support [HB 1477](#) and ask for them to vote YES to pass it out of committee.

Washington State Housing Crisis

HB 1124 - Protecting tenants from excessive rent and related fees by providing at least six months' notice for rent increases over a certain amount, allowing tenants the right to terminate a tenancy without penalty, and limiting late fees.

SUPPORT

HB 1124 requires landlords to provide at least 180 days' and no more than 220 days' notice for rent increases over 5 percent; allows a tenant to terminate a tenancy without penalty for any rent increase over 5 percent; and limits late rental payment fees under the Residential Landlord-Tenant Act to \$75.

Status: HB 1124 is DEAD as it failed to pass out of the House by the March 8 cutoff date.

SSHB 1186/SSB 5256 - Making permanent and expanding the child welfare housing assistance program.

SUPPORT

SHB 1186 and SSB 5286 makes permanent and expands the Child Welfare Assistance pilot program established in 2020. This program provides housing vouchers, rental assistance, navigation, and other support services to families whose primary barrier to reunification is the lack of appropriate housing. The child welfare housing assistance (pilot) program is intended to reduce the need for foster care placement and to shorten the time that children remain in out-of-home care when placement is necessary.

The first and second substitutes to HB 1186 and SSB 5286 make changes reporting requirements to mandate demographic information.

Status: SSHB 1186 is DEAD as it failed to pass out of the House by the March 8 cutoff date.

SSB 5256 is in the House Human Services, Youth & Early Learning Committee where it is scheduled for a public hearing on Tuesday, March 14 at 1:30 PM and an executive session on Friday, March 17 at 8 AM.

Action: Contact your representatives on the House Human Services, Youth & Early Learning Committee to tell them you support [SSB 5256](#) and ask for a YES vote to pass it out of committee.

E2SHB 1110 - Increasing middle housing in areas traditionally dedicated to single-family detached housing.

SUPPORT

E2SHB 1110 requires certain cities under the Growth Management Act to authorize minimum development densities in residential zones and include specific provisions related to middle housing in their development regulations:

City size	Must allow # of units per lot	Other requirements
Least 25,000 but less than 75,000	At least two units per lot	<ul style="list-style-type: none"> At least 4 units per lot within .5 miles walking distance from a major transit stop; and At least 4 units per lot if at least one unit is affordable housing
Population of at least 75,000	At least 4 units per lot	<ul style="list-style-type: none"> At least 6 units per lot within .25 miles walking distance of a major transit stop; and At least 6 units per lot if at least 2 units are affordable housing.

It also requires the Department of Commerce to provide technical assistance to cities in implementing the requirement, to develop middle housing ordinances, and to establish a process for cities to seek approval of alternative local actions.

Status: E2SHB 1110 is scheduled for a public hearing on Friday, March 17 at 10:30 AM.

Action: Contact your senators on the Senate Housing Committee to let them know that you support [E2SHB 1110](#) and ask that it be scheduled for an executive session to pass out of the committee.

SHB 1326 - Waiving municipal utility connection charges for certain properties.

SUPPORT

HB 1326 Authorizes municipal utilities to establish a program to waive connection charges for properties used by entities as an emergency shelter, transitional housing, permanent supportive housing, or affordable housing. If a property that received a waiver is no longer being used by such an entity, any waived connection charges become immediately due and payable as a condition of continued service.

The first substitute bill: allows waiver for property “owned or developed by or on the path of “ the listed entities, rather than for properties “used” by the listed entities; removes “any other legal entity” language; makes limited partnerships and LLCs qualified for the waiver; requires that waived connection funds be funded by .general funds, grant dollars or another recognized revenue stream; removes language that requires that requires that entities must be funded in whole or in part from the state or local government housing in order to be qualified as an emergency shelter.

Status: SHB 1326 has passed the House and has been referred to the Senate Committee on Local Government, Land Use & Tribal Affairs where it is scheduled for an executive session on Thursday, March 16 at 10:30 AM.

Action: Contact your senators on the Land Use & Tribal Affairs Committee to tell them you support [SHB 1326](#) and ask for a YES vote to pass it out of the committee.

E2SSB 5045 - Incentivizing rental of accessory dwelling units to low-income households.

SUPPORT

SSB 5045 allows Washington state counties to exempt ADUs from property tax if the ADU is maintained as a rental property for low-income persons.

The first substitute bill changes taxing policies for counties with populations exceeding 1,500,00, and requires an analysis of the effectiveness of the program.

Status: E2SSB 5045 is in the House Housing Committee where it is scheduled for a public hearing on Tuesday, March 14 at 4 PM.

Action: Contact your representatives on the House Housing Committee to tell them you support [E2SSB 5045](#) and ask them to schedule it for an executive session and to vote YES to pass it out committee.

SB 5553 - Authorizing standards for temporary emergency shelters for local adoption.

SUPPORT

SB 5553 adds standards for temporary emergency shelters for local adoption to existing law that exempts buildings from state building code requirements in order to provide housing for indigent persons.

Status: Referred to the House Local Government Committee where it is scheduled for a public hearing on Tuesday, March 14 at 10:30 AM and an executive session on Friday, March 17 at 10:30 AM.

Action: Contact your representatives on the House Local Government Committee to tell them you support [SB 5553](#) and for them to vote YES to pass it out of committee.

ESSB 5702 - Expanding the students experiencing homelessness and foster youth pilot program.
SUPPORT

SB 5702 makes the students experiencing homelessness and foster youth program permanent; allows community and technical colleges participating in the program to apply for grant funds for establishment of a subsidized housing or housing voucher program; and adds the tribal college as eligible to participate in the program.

Status: ESSB 5702 is in the House Appropriations Committee where it is scheduled for a public hearing on Wednesday, March 15 at 4 PM.

Action: Contact your representatives in the House Appropriations Committee to tell them you support [ESSB 5702](#) and ask them to schedule an executive session and to vote YES to pass it out of committee.

Consumer Rights and Economic Justice

ESSB 5173 - Personal Property Exemptions – “the Fair Shot Act”

SUPPORT

ESSB 5173 increases the personal property exemptions to help keep families out of poverty and to modernize antiquated marriage property laws that did not provide women with their own property exemptions. In a bankruptcy case, a debtor can protect equity in their personal property up to a certain limit to prevent a bankruptcy trustee from seizing and selling property for the benefit of creditors. This bill increases exemptions on a car inside and outside bankruptcy from \$3,250 to \$15,000, and increases “tools of the trade” from \$5,000 to \$15,000 to help small business owners stay in business in the face of financial tragedy. Additionally, there are bankruptcy specific exemptions that increase the personal property “wild card” exemption to \$10,000.00 and the personal injury exemption to an unlimited amount if they file bankruptcy. The personal property exemptions, inside and outside of bankruptcy are also doubled (or stacked) for married spouses.

The 1st Substitute amends the bill as follows:

- Increases the value limit for certain exemptions of personal property from execution, attachment, and garnishment.
- Clarifies that in the case of married persons, each spouse is entitled to the exemptions of personal property from execution, attachment, and garnishment.
- Requires that each dollar amount be adjusted every three years, beginning April 1, 2026, by the Department of Revenue to reflect changes in the consumer price index for all urban consumers, all items, for the Seattle area, as calculated by the U.S. Bureau of Labor Statistics.
- Exempts worker's compensation payments from execution, attachment, or garnishment.

STATUS ESSB 5173 was voted on in the Senate and passed 29-19-1. The bill is now in the House Civil Rights and Judiciary Committee where it is eligible for a public hearing and executive session.

Action: Contact your House members in the House Civil Rights and Judiciary Committee and tell them you SUPPORT [ESSB 5173](#) and ask them to schedule it for a public hearing and executive session to pass it out of committee.

ESHB 1051 - The Robocall Scam Protection Act

SUPPORT

HB 1051 reduces the vast number of illegal robocalls received by Washingtonians through a modernization of the Washington anti-robocalling statute, RCW 80.36 et al. Changes to the statute aim to update the definition of automatic dialing to prohibit the initiation of an unsolicited robocall to a Washington resident who has placed their name on the federal Do Not Call Registry or to knowingly facilitate illegal robocalls. It will also combat fraudulent and misleading caller identification. A commercial solicitation violation is considered a per se violation of the Consumer Protection Act (CPA), and a person injured by such violations may receive remedies under the CPA. In addition, the person may bring civil action to enjoin further violations and recover actual damages or \$1,000 per violation, whichever is greater.

This is a very complex issue that will require many amendments before being passed, but those have not yet been developed. Look for more.

Status: ESHB 1051 is in the Senate Business, Financial Services, Gaming & Trade Committee where it is scheduled for a public hearing on Thursday, March 16 at 10:30 AM.

Action: Contact your senators in the Senate Business, Financial Services, Gaming & Trade Committee to tell them you support [ESHB 1051](#) and ask them to schedule it for an executive session and to vote YES to pass it out of committee.

SB 5059 - Pre-Judgment Interest for Civil Cases (primarily insurance)

SUPPORT

SB 5059 allows interest to accrue on personal injury claims while they await trial and before a court judgment. This bill incentivizes quick and faire settlements in civil cases.

Status: SB 5059 is DEAD as it failed to pass out of the Senate by the March 8 cutoff date.

SSB 5171 - Promoting Equitable Pricing of Good and Services Based on Gender

SUPPORT

SB 5171 prevents higher prices for women's products. According to a 2015 study produced by the New York City Department of Consumer Affairs, women's products carry a higher price tag 42 percent of the time and men's products carry a higher price tag 18 percent of the time. This study found that products marketed towards women were priced an average of 7 percent higher than substantially similar men's products.

SSB 5171 includes amendments to:

- Change the definition of "substantially similar."
- Remove the prohibition against gender-based price discrimination from the consumer protection act and makes a violation of the prohibition a per se violation of the consumer protection act.
- Removes the creation of specific civil penalties for a violation of the prohibition against gender-based price discrimination

Status: SSB 5171 has been referred to the House Consumer Protection & Business Committee where it is eligible for a public hearing and executive session.

Action: Contact your representatives on the House Consumer Protection and Business Committee and tell them you support [SSB 5171](#). Ask them to schedule a public hearing and executive session to pass it out of committee.

Violence Against Women

Assault Weapons

SHB 1240 - Establishing firearms-related safety measures to increase public safety.

Support

SHB 1240 prohibits the manufacture, importation, distribution, sale or offer for sale any assault weapon, subject to various exceptions for licensed firearm manufacturers and dealers, and for individuals who inherit an assault weapon.

The term "assault weapon" is defined to include various kinds of firearms, including:

- semiautomatic rifles with an overall length of less than 30 inches;
- semiautomatic centerfire rifles that have the capacity to accept a detachable magazine and have one or more additional features listed in the bill;
- semiautomatic centerfire rifles with a fixed magazine with the capacity to accept more than 10 rounds;
- semiautomatic pistols that have the capacity to accept a detachable magazine and have one or more additional features listed in the bill;
- semiautomatic shotguns that have one or more additional features listed in the bill;
- specific firearm models identified in the bill; and
- conversion kits and parts that can be used to assemble an assault weapon or convert a firearm into an assault weapon if the parts are in the possession of or under the control of the same person.

It also provides that a violation of these restrictions constitutes a gross misdemeanor and is actionable under the Consumer Protection Act.

Status: SHB 1240 is in the Senate Law and Justice Committee where it is eligible for a public hearing and executive session.

Action: Contact your Senators on the Senate Law and Justice Committee to let them know you support [SSH 1240](#) and ask that a public hearing and an executive session be scheduled to pass it out of the committee.

Support for victims of crime

2SHB 1028 - Supporting crime victims and witnesses by promoting victim-centered, trauma-informed responses in the legal system.

Support

2SHB 1028 provides greater support, tracking for crime victims and witnesses by specifying greater training, data keeping, sharing of rape kit information and deadlines among legal entities (especially prosecutors). Specifies in the intent section that all sexual assault survivors deserve to be treated with respect and dignity, including through trauma-informed, food faith investigation of every report of sexual assault.

Status: 2SHB 1028 is in the Senate Law and Justice Committee where it is scheduled for a public hearing on Thursday, March 16 at 8 AM.

Action: Contact your Senators on the Senate Law and Justice Committee to let them know you support [2SHB 1028](#) and ask that an executive session be scheduled to pass it out of committee.

SSB 5081 - Concerning victim notification.

Support

SB 5081 amends current law on violent offense notification of victims, witnesses and those requesting this service that any records and information of their request are exempt from public inspections and copying. The substitute bill includes five additional crimes added to the list of offenses for which DOC must provide a statement of the rights of victims and witnesses to request and receive notification: domestic violence offenses, assault in the third degree, unlawful imprisonment, vehicular homicide by disregard for the safety of others, and controlled substance homicide.

Status: SSB 5081 is in House Community Safety, Justice, and Reentry Committee where it is schedule for an executive session on Thursday, March 16 at 8 AM.

Action: Contact your Representatives in the House Community Safety, Justice, and Reentry Committee. Tell them you support [SB 5081](#) and ask them to vote YES to pass it out of committee.

SB 5070 - Concerning victims of nonfatal strangulation.

Support

SB 5070 amends current law on nonfatal strangulation to provide an effective date and to indicate an emergency status.

Status: SB 5070 is in the House Community Safety, Justice, and Reentry Committee where it is scheduled for an executive session on Thursday, March 16 at 8 AM.

Action: Contact your representatives on the House Community Safety, Justice and Reentry Committee to let them know you support [SB 5070](#) and ask them to vote yes to pass it out of committee.

SSB 5114 - Supporting adults with lived experience of sex trafficking.

Support

SSB 5114 creates a program for healing, support, and transition services for any person aged 18 or older who has been forced or coerced to perform a commercial sex act, or a person who was induced to perform a commercial sex act when they were less than 18 years of age. Amendment states that an individual is not required to initially identify themselves as an adult with lived experience in order to access the services that are created under the bill.

Status: SSB 5114 is in the House Human Services, Youth, and Early Learning Committee where it is scheduled for a public hearing on Tuesday, March 14 at 1:30 PM and an executive session on Friday, March 17 at 8 AM.

Action: Contact your representatives on the House Human Services, Youth, and Early Learning Committee to tell them you support [SB 5114](#) and ask for a YES vote to pass it out of committee.

Regarding the treatment of persons apprehended by the police and/or subject to judicial action

HB 1025 Creating a private right of action for harm from violations of the state Constitution or state law by peace officers.

Support

HB 1025 provides a meaningful legal remedy under state law for persons injured when a peace officer or the state employing the officer violates the state constitution or state law.

Status: HB 1025 is DEAD as it failed to pass out of the House by the March 8 cutoff date.

Hazing

HB 1002 - Increasing the Penalty for Hazing

Support

HB1002 increases the penalty for hazing which results in bodily harm to a felony rather than a misdemeanor.

Status: HB 1002 is in the Senate Law and Justice Committee where it is scheduled for a public hearing on Monday, March 13 at 10:30 AM

Action: Let your senators on the Senate Law & Justice Committee Committee know you support [HB 1002](#) and ask them to schedule it for an executive session to pass it out of committee.

SHB 1059 - Protecting minors from sexual exploitation.

Support

SHB 1059 Protects a minor child from being photographed or from being part of a live performance which depicts the minor in sexually explicit conduct where the minor is unconscious or unaware of the photograph or recording. The 1st substitution bill adds language clarifying that when an individual takes a photograph or a video of another person committing the offense, that individual is not committing the offense. The individual must be acting in good faith to assist an investigator or prosecutor by documenting the offensive behavior.

Status: HB 1059 is DEAD as it failed to pass out of the House by the March 8 cutoff date.

SSB 5033 Reclassifying the sentence for the crime of custodial sexual misconduct.

Support, the “Kimberly Vinder’s Law”

SSB 5033 reclassifies the sentence for custodial sexual misconduct to Class B and Class C felonies, stronger than misdemeanors. The amendment changes the title of the act to, “The Kimberly Vinder’s Law.”

Status: SSB 5033 is in the House Community Safety, Justice, and Reentry Committee where it is scheduled for an executive session on Thursday, March 16 at 8 AM.

Action: Contact your representative on the House Community Safety, Justice, and Reentry Committee to let them know you support [SSB 5033](#) and ask them to vote YES to pass it out of committee.

SHB 1165 Concerning civil remedies for unauthorized disclosure of intimate images.

Support

SHB 1165 repeals the current statute imposing civil liability for wrongful disclosure of intimate images and replaces it with the Uniform Civil Remedies for the Unauthorized Disclosure of Intimate Images Act. The substitute bill specifies that a person is not liable for good-faith disclosures made in law enforcement activities, instead of good-faith disclosures made in law enforcement.

Status: SHB 1165 is in the Senate Law & Justice Committee where it is eligible for an executive session.

Action: Contact your Senator in Law & Justice committee to let them know you support, [SHB 1165](#) and ask that an executive session be scheduled to pass it out of committee.

HB 1333 - Establishing the domestic violent extremism commission.

SUPPORT

HB 1333 creates the Domestic Violent Extremism Commission (Commission), composed of 13 members, in the Office of the Attorney General to establish a comprehensive public health and community-based framework for responding to domestic violent extremism.

The substitute bill removes the representative from the American Civil Liberties Union and the representative from the Anti-Defamation League as members of the Domestic Violent Extremism Commission, reducing the membership from 15 to 13 members. The Attorney General is specified as the appointing authority for the following members of the Commission: the public health representative and the six representatives from groups protected under the criminal hate crime statute.

Status: HB 1333 is DEAD as it failed to pass out of the House by the March 8 cutoff date.

Healthcare and Reproductive Rights

Universal Health Care

SJM 8006 - Senate Joint Memorial requesting the federal government to create a universal health care program.

Support

SJM 8006 is a joint petition to the President and both chambers of Congress to create a universal health care program. It requests allowance of a waiver for Washington State to create and develop a Universal health care system for the state if there is no federal action.

Status: SJM 8006 is in the House Health Care and Wellness Committee where it is eligible for a public hearing and executive session.

Action: Contact your representatives on the House Health Care and Wellness Committee to tell them you support [SJB 8006](#) and ask them to schedule a public hearing and executive session to pass it out of committee.

Hospital Mergers and Acquisitions (formerly “Keep Our Care Act”)

SB 5241 - Concerning material changes to the operations and governance structure of participants in the health care marketplace.

SB 5241 requires that no material change transaction may take place if it would detrimentally affect the continued existence of accessible, affordable health care in Washington State for at least ten years after the transaction occurs. The material change transaction must result in the affected communities having the same or greater access to quality, affordable care, including:

- emergency care;
- primary care;
- reproductive care;
- end-of-life care, including services provided in accordance with the Washington Death with Dignity Act; and
- gender affirming care.

Status: SB 5241 is DEAD as it failed to pass out of the House by the March 8 cutoff date.

Death with Dignity Act

SHB 1281/ESSB 5179 - Increasing access to the provisions of the Washington death with dignity act. SUPPORT

HB 1281, the “Death with Dignity Act” allows a qualified patient with a terminal illness with six months or less to live to request medication that the patient may self-administer to end his or her life. A qualified patient must meet the following requirements:

- be a competent adult and a resident of Washington;
- the attending physician and a consulting physician have determined that the patient suffers from a terminal disease and the patient has voluntarily expressed the wish to die;
- the patient has made a request for medication on a form provided in statute; and
- the form is signed and dated by the patient and at least two witnesses who attest to their belief that the patient is competent, acting voluntarily, and not being coerced to sign the request.

ESSB 5179:

- Expands the health care providers authorized to perform the duties of the Death with Dignity Act (Act) to include advanced registered nurse practitioners and physician assistants.
- Reduces the required 15-day waiting period between the first and second oral requests for medications to seven days and eliminates the 48-hour waiting period for the written request.
- Prohibits health care providers from contractually prohibiting an employee from participating in the Act while outside of the scope of employment and not on the employing health care provider's premises.
- Requires hospitals and hospices to submit their policies regarding access to end-of-life care and the Act to the Department of Health.
- Permits medications dispensed under the Act to be delivered or mailed.

Status: SHB 1281 is DEAD as it failed to pass out of the House by the March 8 cutoff date.

ESSB 5179 has passed out of the House Health Care & Wellness Committee and is likely headed to the Rules Committee where it can be scheduled for a vote by the full House.

Action: Contact your representatives in the House Rules Committee to tell them you support [ESSB 5179](#) and ask them to schedule a floor vote and vote YES to pass it on to the House and on to the governor for signature.

Improved Insurance Coverage for Medical Equipment and Procedures

SHB 1261 Cost Sharing for Diagnostic and Supplemental Breast Exams.

SUPPORT

SHB 1261 mandates that health plans include coverage of supplemental breast examination methods without imposing additional costs to the insured. For plans with a health savings account the cost sharing must be at the minimum level.

First substitute includes digital breast tomosynthesis, also called three-dimensional mammography, in the definition of diagnostic breast examination. Coverage for this service is already required as a diagnostic mammography service. It also adds references to the new section that's created by the bill prohibiting cost sharing for diagnostic and supplemental breast examination to the existing statutes required for mammography.

STATUS: SHB 1261 is DEAD as it failed to pass out of the House by the March 8 cutoff date.

2SHB 1151 - Mandating coverage for fertility services.

Support

HB 1151 mandates that Washington state health plans to provide coverage for the diagnosis of infertility, treatment for infertility, and standard fertility preservation services in Washington State.

The substitute bill limits the application of the coverage requirements for fertility services to large group health plans for plans offered by health carriers and removes any provisions related to only individual and small group health plans.

The second substitute makes three changes. First, it lowers the minimum coverage requirements for oocyte retrievals from four retrievals to two. Second, it modifies the timeline for when coverage for the services must begin by requiring plans issued or renewed beginning January 1, 2025, to cover standard fertility preservation services, and for those who have undergone standard fertility preservation services, two cycles of oocyte retrievals and unlimited embryo transfers. It also requires plans issued or renewed beginning January 1, 2026, to cover the diagnosis and treatment of infertility and two cycles of oocyte retrievals and unlimited embryo transfers for all enrollees. Third, the second substitute bill authorizes the Office of the Insurance Commissioner to adopt rules to implement and enforce the provisions related to health carriers.

Status: 2SHB 1151 is in the Senate Health and Long Term Care Committee where it is eligible for a public hearing and executive session.

Action: Contact your senators on the Senate Health and Long Term Care Committee to tell them you support [2SHB 1151](#) and ask them to schedule a public hearing and executive session to pass it out of committee

ESHB 1222 - Act relating to requiring coverage for hearing instruments.

Support

SHB 1222 requires any group health plan issued or renewed after Jan 1, 2024, to include coverage for hearing instruments (except OTC hearing aids) including bone conduction apparatuses. An allowance of \$2,500 per ear every 3 years is made.

The substitute bill:

- modifies the coverage requirement by specifying that a health carrier may establish a benefit limit for the hearing instrument of no less than \$2,500 per ear with hearing loss every 36 months.
- modifies the provisions applying to qualifying health plans for health savings accounts by removing provisions related to establishing the plan's cost sharing and replacing it with a requirement to apply a deductible to the coverage required at the minimum level necessary to preserve the enrollee's ability to claim tax exempt contributions and withdrawals;
- exempts grandfathered large group health plans from the requirements of the bill; and

- makes technical and clarifying language changes, such as replacing "covered individual" with "enrollee."

Status: ESHB 1222 is scheduled for a public hearing on Tuesday, March 14 at 8 AM in the Senate Health and Long Term Care Committee.

Action: Contact your senators on the House Senate Health and Long Term Care Committee to let them know you support [ESHB 1222](#) and ask them to schedule it for an executive session and vote YES to pass it out of committee

E2SHB 1134 - A bill to provide guidance in implementing the 988 Behavioral Health crisis response and suicide prevention system.

SUPPORT

E2SHB 1134 amends and improves the existing crisis response and suicide prevention system. 988 is the universal telephone number within the United States to access National Suicide Prevention and Mental Health Crisis Hotline. In 2021 HB 1477 established crisis call center hubs. This bill HB 1134, guides the establishment of mobile rapid response crisis teams, directs the University of Washington to establish a crisis training and trauma program, directs the Department of Health to develop informational materials, and establishes liability protection for the entities and personnel acting within the scope of their training. It extends the dates related to establishment, reporting, and funding of the new crisis call centers (988). The first substitute bill makes detailed changes to the original bill that specify reporting requirements, staffing requirements, agency jurisdiction, training requirements, standards for response time and further details.

Status: E2SHB 1134 is in the Senate Health and Long Term Care Committee where it is eligible for a public hearing and executive session.

Action: Contact your senators on the Senate Health and Long Term Care Committee to tell them you support [E2HB 1134](#) and ask them to schedule a public hearing and executive session to pass it out of committee.

2SSB 5555 - Act Creating profession of Certified Peer Specialist

Support

HB 1583/SB 5555 address the shortage of professionals to care for behavioral health needs. Peers already provide needed support, guidance, and motivation but this is primarily a volunteer activity. This bill establishes a new professional category to be included in the behavioral health workforce. It establishes a board to format training requirements and continual education expectations. It also establishes disciplinary guidelines. This would allow individuals in this position to bill for their services once certified. Formation for this coursework is scheduled completion in 2025. Funding for this commission and training services must be approved by June 30, 2023.

The Substitute Bill to SB 5555 directs the advisory board to research the feasibility and design of a 2-phase program. It also directs the advisory board to consider strategies to eliminate financial barriers to financing. The bill requires specific funding within the omnibus appropriation act or else is null and void.

Status: 2SSB 5555 is in the House Health Care and Wellness Committee where it is scheduled for a public hearing on Wednesday, March 15 at 1:30 PM.

Action: Contact your representatives on the House Health Care and Wellness Committee to let them know you [2SSB 5555](#) and ask them to schedule it for an executive session to pass it out of committee.

Improving Behavioral Health Care

2SSB 5263 - Concerning access to psilocybin services by individuals 21 years of age and older.

Support

SB 5263 provides for supported adult use of psilocybin under the supervision of a trained and licensed psilocybin service facilitator in order to improve the physical, mental, and social well-being of all people in this state, and to reduce the prevalence of behavioral health disorders among adults in this state. Studies conducted by nationally and internationally recognized medical institutions indicate that psilocybin has shown efficacy, tolerability, and safety in the treatment of a variety of behavioral health conditions, including but not limited to addiction, depression, anxiety disorders, and end-of-life psychological distress. 2nd SSB determines the establishment of an advisory board, an interagency workgroup, and a task force to develop a safe and regulated plan regarding the therapeutic use of psilocybin.

Status: 2SSB 5263 is in the House Health Care and Wellness Committee where it is eligible for a public hearing and executive session.

Action: Contact your representatives on the House Health Care and Wellness Committee to tell them you support [2SSB 5263](#) and ask them to schedule a public hearing and executive session to pass it out of committee.

HB 1776 - A bill to require coverage for applied behavioral analysis.

Support

HB 1776 mandates health plans to provide coverage for ABA therapy.

The Substitute bill tasks the Insurance Commissioner to partner with UW school of medicine, Dept. of psychiatry to review coverage.

Status: HB 1776 is DEAD as it failed to pass out of the House by the March 8 cutoff.

Prescription Drug Affordability

HB 1269 – Amending the prescription drug affordability board

Support

HB 1269 mandates that the Health Care Authority that reviews prescription drug affordability data and establishes prescription drug upper payment limits identify drugs that have been marketed for 7 years, not solely for the treatment of a rare disease.

These are:

1) brand name prescription drugs that begin at a price of \$60,000/year or a price increase of 15% in one year or 50% in three years.

2) biosimilar products priced 15% less than brand name 3) generic drugs costing \$100 or more for 30 day supply or have increased by 200%.

By Jan 1, 2027, the Board may set an upper payment limit for 12 drugs/year. Any savings generated for a health plan because of this upper payment limit must be used to reduce costs to consumers.

Status: HB 1269 is DEAD as it failed to pass out of the House by the March 8 cutoff.

Reproductive Rights

SJR 8202 - Amending the State Constitution to address reproductive freedom.

Support

SJR 8202 resolves to submit for a vote in the next general election a new Article to the Constitution that will guarantee reproductive freedom without denial or interference by the state.

Status.

SJR 8202 is DEAD as it failed to pass out of the Senate by the March 8 cutoff.

SB 5242 - Prohibiting cost sharing for abortion.

Support

SB 5242 amends current legislation to require health plans that provide maternity care or services to also provide a covered person with equivalent coverage for abortion of a pregnancy. This legislation also applies to student health plans. HB 1115 also prohibits the imposition of cost sharing by a health carrier for abortion of a pregnancy.

Status: SB 5242 is in the House Health Care and Wellness Committee where it is scheduled for a public hearing on Friday, March 17 at 8 AM.

Action: Contact your representatives on the House Health Care and Wellness Committee to tell them you support [SB 5242](#) and ask that they schedule it for an executive session to pass it out of committee.

ESHB 1469/SB 5489 - Concerning access to reproductive health care services and gender-affirming treatment in Washington state.

Support

ESHB 1469/SB 5489:

- Define protected health care services in Washington to include reproductive health care services and gender-affirming treatment.

- Restrict the ability for a court to issue, and law enforcement to enforce, subpoenas, warrants, criminal process, extradition, and other court orders for civil or criminal liability that is based on the provision or receipt of protected health care services.
- Restrict Washington businesses from complying with records requests or subpoenas for information related to the provision or receipt of protected health care services.
- Create a cause of action for interference with protected health care services when certain civil or criminal actions are filed against an aggrieved party, or a subpoena is issued to a person in Washington.
- Allow any protected health care services provider or employee to apply to the Secretary of State's Address Confidentiality Program.
- Authorize the Attorney General to bring an action to enjoin any person from violating the act and to recover costs for such action.

The first substitute to HB 1469:

- requires a court to find that a false attestation was intentionally submitted and that the document or investigation did seek information related to protected health care services for the statutory penalty of \$10,000 per violation to apply:
 - for a foreign subpoena; or
 - when a judge in another state commands a person in Washington to testify in a criminal prosecution or grand jury investigation;
- imposes an affirmative duty on any person making a charge or complaint before a judge or magistrate with the commission of a crime in another state to disclose if the crime is related to criminal liability that relates to protected health care services;
- clarifies that an application for an ex parte order seeking the interception of any communication or conversation does not need to state whether information about protected health care services is being sought unless such information is being sought by the application;
- clarifies that state and local boards and commissions are also prohibited from cooperating with or providing information to individuals, agencies, commissions, boards, or departments of another state for the purpose of enforcing another state's law or assisting an investigation that is related to another state's law;
- requires that statutory damages for a claim for interference with protected health care services may only be recovered if the underlying action is found to be frivolous;
- allows a person in Washington that receives a subpoena from any court to move to modify or quash the subpoena if:
 - the information sought concerns protected health care services; and
 - liability in the underlying action is based on a cause of action or criminal liability that is not available under Washington law or the law of another state that is substantially similar to Washington law;
- requires the Attorney General's Office to maintain a list of any laws of another state that impose criminal liability for the provision or receipt of protected health care services and make the list available to the Washington State Patrol; and
- requires the Washington State Patrol to monitor out of state warrants and determine if a warrant is for the arrest of any person in connection with protected health care services. Any warrant that is identified as such must either be removed from the Washington Crime Information Center or clearly noted that the warrant is not enforceable in Washington.

Status: ESHB 1469 is in the Senate Law & Justice Committee where it is scheduled for a public hearing on Thursday, March 16 at 8 AM.

SB 5489 is DEAD as it failed to pass out of the Senate by the March 8 cutoff.

Action: Contact your representatives in the Senate Law & Justice Committee to tell them you support [ESHB 1469](#) and ask that they schedule an executive session to pass it out of committee.

E2SB 5580 An Act for improving maternal health outcomes.

Support

The new section details the authority in creating a post delivery and transitional care program aimed at women with a substance use disorder at delivery. This allows for 5 additional days in hospital so the parent may gain access to specialized medical and social support. It will extend health care coverage from 60 days post-partum to 1 year (12 months) post-partum. By January 1, 2024, the authority will develop screening tools and evaluate the outcome of the program.

Substitute Bill 5580 extends deadlines for updates from January 1, 2024, to January 1, 2025. Changes “woman” and “women” to “person” and “people”.

Status: E2SSB 5580 is in the House Health Care and Wellness Committee where it is eligible for a public hearing and executive session.

Action: Contact your House Health Care and Wellness Committee to tell them you support [E2SSB 5580](#) and ask them to schedule it for a public hearing and executive session to pass it out of committee.

SHB 1069 - Relating to Mental Health Counselor Compact

Support

HB 1069 creates a multi-state compact that would provide reciprocal licensure to mental health counselors who practice in different states within the compact, increasing accessibility to of patients/clients to more service providers. All specific requirements to licensure and professional behavior would apply within the compact. Disciplinary actions could be initiated in any state and would be recognized by all states.

The first substitute bill:

- changes, for individuals with counseling degrees, the licensing requirements for the Washington-issued mental health counselor credential to reflect the requirements of the Counseling Compact (Compact)
- retains the ability of persons with degrees in related disciplines to become licensed mental health counselors; and
- clarifies that persons who do not have counseling degrees are not qualified to exercise the Compact privilege unless their academic programs meet the Compact standards.

Status: Has passed the House and been referred to the Senate Committee on Health and Long-Term Care where it is eligible for an executive session.

Action: Contact your representatives in the Senate Committee on Long-Term Care to tell them you support [SHB 1069](#) and ask them to schedule an executive session to pass it out of the committee.

HB 1027/ SB 5036 - Concerning Telemedicine

Support

HB 1027/SB 5036 extend the time frame for telemedicine used in real-time by either audio alone or audio-visual technology. The bill defines reimbursement parameters and instructs insurance agencies to accept charges equal to in-person visits. It also defines the necessary relationship between provider and patient and allows a three year interval between in-person visits. The in-person visit, and evaluation does not have to be with the same individual providing the telemedicine service as long it is with someone within the group.

Status: HB 1027 is DEAD as it failed to pass out of the House by the March 8 cutoff.

SB 5036 has passed House Health Care and Wellness Committee and is likely headed to the House Rules Committee where it can be scheduled for a vote by the full House.

Action: Contact your representative in the House Rules Committee to tell them you support [SB 5036](#) and ask them to pull the bill to the floor for a vote and ask your representatives to vote YES on SB 5236.

ESHB 1073 – Concerning Medical Assistants

Support

ESHB 1073 designates any fully trained, in an approved certified program, Medical Assistant to be employed as a Medical Assistant-Certified during that interim period while awaiting the full registration to be processed.

The engrossed substitute bill allows phlebotomists who have completed their training to work under supervision as required for a period of up to 180 days after filing their application; authorizes certified medical assistant to establish intravenous lines without medication under the supervision of a healthcare provider and requires that a medical assistant may administer intravenous injections only under the direct visual supervision of a healthcare practitioner; and removes limitation on registered medical assistants in preparing patients for and assisting with examination procedures and minor office surgeries that utilize more than local anesthetic, and authorizes medical assistants to prepare patients if the procedure requires minimal sedation. It also has an emergency clause and takes effect immediately.

Status: This bill is in Senate Health and Long-term Care Committee where it is eligible to be scheduled for an executive session.

Action: Contact your Senators on the Senate Health and Long-Term Care committee to tell them you support [ESHB 1073](#) and ask them to schedule it for an executive session to pass it out of the committee.

2SHB 1452 To establish a State Medical Reserve Corp

Support

SHB 1452 establishes a State Medical Reserve Corp within the Department of Health. This is a network of volunteers organized to supplement existing resources. The Secretary of Health is responsible for determining an emergent threat and then deploying the State Medical Reserve Corp. This includes both human and veterinary medicine.

Due to its emergency application this bill would be enacted immediately.

The first substitute bill:

- changes the name of the State Medical Reserve Corps to the State Emergency Medical Reserve Corps; and
- removes the provision that states that except as otherwise expressly provided in the chapter creating the State Medical Reserve Corps, a health practitioner is not authorized to provide services outside of the practitioner's scope of practice.

The second substitute bill has an emergency clause that takes effect immediately.

Status: This bill is in the Senate Health and Long Term Care Committee where it is scheduled for a public hearing on Tuesday, March 14 at 8 AM.

Action: Contact your senators in the Senate Health and Long Term Care Committee to tell them you support [2SHB 1452](#) and ask them to schedule an executive session to pass it out of committee.

2SSB 5120 – Establishing 23 Hour Crisis Relief Centers in Washington State.

Support

SB 5120 provides for a crisis diversion center that replaces Crisis Stabilization Centers and/or Triage Centers. Entities previously known as “Triage Centers” will now be known as 23 Hour Crisis Relief Centers. These will offer access to behavioral health care for no more than 23 hours and 59 minutes. They are available as drop-offs for first responders and as walk-ins for individuals. Assessment by Designated Crisis Responders is available if further treatment or holding is needed. The Secretary of Health is responsible for construction and management of licensure or certification.

The first substitute bill:

- Specifies that CRCs must serve adults.
- Expands the definition of first responders.
- Establishes a deadline of January 1, 2025, for DOH to create rules.
- Modifies provisions related to the CRC's capacity to accept admissions, no refusal policy, treating wound care, and transition to aftercare.
- Requires CRCs to track declined admissions and make that data available to DOH.
- Requires CRCs to provide access to a prescriber and be able to dispense medications
- Requires DOH to develop standards for determining medical stability before an emergency medical services drop-off at a CRC.
- Requires establishment of rules that prohibit discharges or transfers to a CRC from nursing homes, assisted living facilities, enhanced services facilities, soldier's and veterans' homes, and adult family homes, and hospitals without a formal relationship to the CRC.
- Requires real-time bed tracking technology to track the availability of recliner chairs in CRCs.

The second substitute:

- Shortens deadline for DOH to create rules for CRCs from January 1, 2025, to January 1, 2024.
- Allows a police officer who has reasonable cause to believe an individual has committed a crime to take the individual to a CRC.
- Amends the title to reference "crisis relief centers" rather than "23-hour crisis relief centers"

Status: This bill is in the House Health Care and Wellness Committee where it is scheduled for a public hearing on Wednesday, March 15 at 1:30 PM.

Action: Contact your representatives on the House Health Care and Wellness Committee to let them know you support [2SSB 5120](#) and ask them to schedule an executive session to pass it out of committee.

SSHB 1168 Providing Prevention Services, diagnosis, treatment, and support for prenatal substance exposure.

SUPPORT

SSHB 1168 expands the scope of the existing Interagency Agreement to include prenatal exposure to substances other than alcohol. The bill directs Department of Children, Youth, and Families to partner with a knowledgeable provider to offer and advise on services and to increase 3 additional providers by June 1, 2024. Also, by June 1, 2024, the Health Care Authority must submit recommendations to the Legislature to increase access and services and supports.

The first substitute bill specifies that the bill takes effect 90 days after adjournment of the session in which the bill is passed.

The second substitute bill sets an effective date for the bill.

STATUS: Referred to the House Rules Committee where it is eligible to be scheduled for a floor vote.

ACTION: Contact your Representatives on the House Rules Committee to tell them you support [SSHB 1168](#) and ask them to schedule a floor vote and Vote YES to pass it out of committee.

Long-Term Care of Medicaid Patients and Protection of Patients in facilities regulated by DOH

2SSB 5103 An Act for payment to acute care hospitals for difficult to discharge Medicaid patients waiting for placement to post-acute and community settings.

Support

SB 5103 directs the Health Care Authority and DSHS to require or provide payment to the hospital for any days of a hospital stay in which the individual does not meet requirements for acute care. The patient would need placement in a facility that supports various levels of living service needs but there are no placement openings available.

First substitute bill:

- Increases Administrative Day Rate from the average skilled nursing facility rate to \$700 per day and clarifies that the qualifying patients include patients of a Medicaid managed care organization.
- Adds that allowable medically necessary services performed for a patient awaiting discharge shall be billed by and paid to the hospital separately from the daily rate, which may include, but are not limited to hemodialysis, laboratory charges, and x-rays.
- Clarifies that pharmacy services and pharmaceuticals shall be billed and paid separately.
- Specifies that the requirements for billing and payment for inpatient care remain unchanged.
- Directs HCA to adopt rules requiring managed care organizations to establish uniform administrative and review processes for the day rate payment.
- Replaces “placement” with “discharge” and broadens discharge location to include any appropriate placement location.

Second substitute bill:

- Requires HCA to adopt rules for which services may be billed separately.
- Requires hospitals to use existing swing beds or skilled nursing beds prior to billing for additional services.
- Removes the \$700 payment of the daily rate.

Status: This bill is currently in the House Health Care and Wellness Committee where it is eligible for a public hearing and executive session.

Action. Contact your representatives on the House Health Care and Wellness Committee to tell them you support [2SSB 5103](#) and ask that they schedule it for a public hearing and executive session.

SSB 5271 – Protecting patients in facilities regulated by DOH by establishing uniform enforcement tools addressing any facility found to be in non-compliance with regulations.

Support

SSB 5271 establishes a Commission to regulate the practice of pharmacy and enforce all the laws of its jurisdiction. Non-compliance with regulations can result in serious injury, serious harm, impairment or death. Actions can include fines or holding or revoking licensure and certification. Facilities affected include Birthing centers, Medical Testing Sites, Ambulatory Surgical Facility, Home Health Agency, private Behavioral Health Hospital, Residential Treatment facility, and Continuing Care Retirement Communities.

First Substitute Bill:

- Requires DOH to establish specific civil fine amounts for noncompliance based on the number of surgical procedures performed by an ambulatory surgical facility on an annual basis.
- Modifies the definition of technical assistance to apply to private establishments.

- Requires DOH to establish specific civil fine amounts for noncompliance based on the operation size of a pharmacy.

Status: This bill is DEAD as it failed to pass out of the House by the March 8 cutoff.

Civil and Equal Rights

Constitutional Amendment

SJR 8202 - Constitutional Amendment for Abortion

Support.

SJR 8202/HJR 4201 propose amendment to the Washington State Constitution to guarantee an individual's reproductive freedom decisions which includes the choices to choose contraception and abortions.

Status: SJR 8202 is DEAD as it failed to pass out of the Senate by the March 8 cutoff.

Voting Rights

ESHB 1048/SB 5047 - Enhancing the Washington voting rights act.

Support.

HB 1048/SB 5047 provide that persons or organizations who file a notice of intent to challenge an election system under the Washington Voting Rights Act (WVRA) may recover costs incurred in conducting the necessary research, if the notice causes the political subdivision to adopt a remedy that is approved by the court; they grant standing to organizations to challenge election systems under the WVRA on behalf of their members; they permit counties to increase the number of county commissioners to prevent a violation of the WVRA against members of an Indian tribe, and they make several language changes to other aspects of the WVRA.

First Substitute to SB1048 expands the ability to challenge a political subdivision's voting system under the WVRA is to include tribes that are located at least in part in the political subdivision. Organizational standing is modified such that an organization must have a voter who resides in the political subdivision on its roster of members and volunteers.

Status: ESHB 1048 is currently in the Senate Government & Elections Committee where it is scheduled for a public hearing on Tuesday, March 14 at 1:30 PM and for an executive session on Friday, March 17 at 8 AM.

SSB 5047 is DEAD as it failed to pass out of the Senate by the March 8 cutoff.

Action: Call your senators in the Senate Government & Elections Committee to tell them your support [ESHB 1048](#) and for a YES vote to pass it out of committee.

HB 1312 - Concerning jury service.

Support

HB 1312 allows a person of 70 years of age or older to opt out of juror service if the persons attests that they are unable to service due to health reasons.

Status: This bill is eligible for an executive session in the Senate Law and Justice Committee.

Action: Contact your representatives in the Senate Committee on Law & Justice to tell them you support [HB 1312](#) and ask them to schedule an executive session to vote it out of committee.

E2SSB 5112/SSHB 1229 – Secure Automatic Voter Registration

Support

E2SSB 5112/SHB 1229 amend existing Department of Licensing (DOL) automatic voter registration to make it more efficient. Changes include:

- providing a process for applicants to opt out of registration after completing the DOL application.
- Requiring daily transmission by the DOL of voter registration information to the county auditor
- Requiring the county auditor to send an acknowledgement notice package by nonforwardable mail to the applicant
- Provides requirements for voter registration challenges

E2SSB 5112 requires that, if requested by the Secretary of State, the Department of Licensing is to transmit copies of documents used by applicants who are being automatically registered to vote to demonstrate United States citizenship, and states that applicants for standard forms of identification who provide documentation indicating status as a noncitizen will not be provided an opportunity to register to vote. DOL

and SOS shall determine types of documentation which indicate status as a noncitizen.
Second Substitute to SB 5112:

- Requires that the Department of Licensing make voter registration, signing up to register, or voter registration updates automatic for enhanced driver's license and enhanced identocard applicants unless subsequently declined in writing.
- Modifies procedures and timelines related to challenges of a voter's eligibility.
- Exempts date of birth, rather than year of birth, in voter registration files from public disclosure requirements.
- Sets penalties for failure to transmit voter registration information automatically and intentional registration of ineligible persons.

Status: E2SSB 5112 is in the House Committee on State Government and Tribal Relations, where it is scheduled for an executive session on Wednesday, March 15 at 1:30 PM.

HB 1229 is DEAD as it failed to pass out of the House by the March 8 cutoff.

Action: Contact your Representatives on the House Committee on State Government and Tribal Relations to tell them you support [E2SSB 5112](#) and ask them to vote YES to pass it out of committee

Civil Rights in the Judicial System

2SSB 5128 - Concerning jury diversity.

Support

SSB 5128 requires the Administrative Office of the Courts to collect data on juror demographics and establish a childcare assistance program workgroup for jurors. It also provides additional compensation for jurors who qualify for a means tested state-run benefits programs and permits jury service summons to be sent electronically.

The first substitute requires certain low-income jurors in municipal courts, in addition to superior and district court, be paid up to \$125 per day of jury service.

The second substitute removes additional juror pay for individuals on means-tested state-run benefit programs.

Status: 2SSB 5128 is scheduled for a public hearing in the House Civil Rights and Judiciary Committee on Wednesday, March 15 at 8 AM and an executive session on Friday, March 17 at 10:30 AM.

Action: Contact your representatives on the House Civil Rights and Judiciary Committee to tell them you support [2SSB 5128](#) and ask them to vote YES to pass it out of committee.

SB 5046 Concerning Postconviction Access to Counsel

Support

SB 5046 amends current law to provide appointment of state-funded public defense counsel for indigent adults and juveniles to file and prosecute one, timely personal restraint petition; petition a sentencing court when the legislature creates an opportunity to do so; and challenge a conviction or sentence if a final decision of an appellate court creates an opportunity to do so.

Status: Referred to the Senate Rules Committee where it is eligible to be scheduled for a floor vote.

Action: Contact your Senators in the Senate Rules Committee to let them know you support [SB 5046](#) and ask them to schedule a floor vote and to vote YES to pass it on to the House by the March 8 cutoff date.

Missing and Murdered Indigenous Women/People

2SHB 1555 - Concerning extradition of persons to and from Indian jurisdiction.

Support

HB 1555 establishes that if Washington state seeks the extradition of an Indian from within the jurisdiction of an Indian tribe in this state, the state shall comply with any applicable requirements of tribal extradition law, and that further, an Indian tribe that permits extradition by this state of Indians from a tribal jurisdiction may request the extradition of Indians from state jurisdiction.

The substitute bill:

- specifies that this state shall comply with all, rather than any, applicable tribal extradition laws any time it seeks extradition of a person over whom the tribe has criminal jurisdiction, rather than an Indian;

- specifies that a tribe that permits extradition by this state of persons from within the tribe's jurisdiction, rather than of Indians from a tribal jurisdiction, may request extradition of persons subject to a tribal court warrant, rather than Indians;
- removes provision incorporating the arrests and warrants statute where not inconsistent with the bill;
- provides for reciprocal reimbursement of extradition costs between jurisdictions and tribes; and
- states that the bill is not intended to, and does not diminish: (1) state or local authority to enter into government-to-government agreements with Indian tribes concerning extradition of persons within their jurisdiction; (2) the validity or enforceability of these agreements; and (3) authority of state or local jurisdictions to arrest individuals over whom they have jurisdiction within Indian reservations.

Status: 2SHB 1555 is scheduled for a public hearing in the Senate Civil Rights and Judiciary Committee on Wednesday, March 15 at 8 AM and an executive session on Friday, March 17 at 10:30 AM.

Action Contact your senators on the Senate Civil Rights and Judiciary Committee to tell them you support [2SHB 1555](#) and ask them to vote YES to pass it out of committee.

Accountability of School Districts in utilization of the Since Time Immemorial Curriculum in Washington State Schools

2SHB 1332 - Supporting public school instruction in tribal sovereignty and federally recognized Indian tribes.

Support

HB 1332 amends existing legislation regarding public school curriculum that teaches tribal culture and history to require collaboration with tribes local to individual school's districts, and adds reporting requirements to hold schools accountable for implementation of the curriculum in their regular instruction programs.

Status: This bill is scheduled for a public hearing in the Senate Early Learning & K-12 Education Committee on Thursday, March 16 at 1:30 PM.

Action: Contact your senators on the Senate Early Learning & K-12 Education Committee to tell them you support [2SHB 1332](#) and ask them to schedule an executive session to pass it out of committee.

Undoing the historical harm done by protective covenants in homeownership contracts .

2SHB 1474 - Creating the covenant homeownership account and program to address the history of housing discrimination due to racially restrictive real estate covenants in Washington state.

SUPPORT

HB 1474

- Creates the Covenant Homeownership Account and a document recording assessment of \$100 to fund the Covenant Homeownership Program (CHP).
- Requires the Department of Commerce to contract with the Washington State Housing Finance Commission to create one or more special purpose credit programs to provide down payment and closing cost assistance to one or more economically disadvantaged classes of persons identified in a CHP study.
- Requires the Commission to complete an initial CHP study by December 31, 2023, and updated studies every five years after the initial study is completed.
- Creates an oversight committee established by the Department of Financial Institutions to oversee and review the Commission's activities and performance.

The first substitute the bill:

- requires the DFI, instead of Commerce, to establish and provide administrative assistance and staff support to the Committee, and requires the DFI, instead of the Governor, to appoint the non-legislative members of the Committee;
- modifies the list of Committee members to remove the requirement that one of the members be a person designated by the Washington State Office of Equity;
- authorizes the Legislature to appropriate moneys from the CHA to the DFI for costs related to the Committee;
- clarifies in the intent section that the interest the state has in remedying past and ongoing discrimination and its impacts on access to credit and homeownership for BIPOC and other historically marginalized communities in Washington is a compelling interest;

- provides, in addition to the standard severability clause, that if the CHP is held invalid, in whole or in part, the Legislature may appropriate moneys in the CHA to Commerce to contract with the Commission for one or more other programs that support homeownership for first-time homebuyers; and
- revises the name of the CHA for consistency throughout the bill.

The second substitute bill:

- exempts name change orders from the \$100 Covenant Homeownership Program (CHP) document recording assessment.
- The Washington State Housing Finance Commission (Commission) must complete the initial CHP study by March 1, 2024, instead of December 31, 2024.
- The definition of a "first-time home buyer" is changed to align with the definition used for the Housing Trust Fund Program in the 2021- 23 Capital Budget. Financial and commercial information and records supplied by businesses or individuals during applications for loans or program services under the CHP are exempted from the Public Records Act.
- Makes several changes to the CHP oversight committee (Committee), including that it:
 - requires the Governor, rather than the Department of Financial Institutions (DFI), to appoint nonlegislative members;
 - specifies additional procedures regarding appointments and removals for cause;
 - requires the Committee to create a charter, hold at least quarterly meetings, hold the initial meeting and select a chair by October 1, 2023, and authorizes virtual meetings;
 - requires the Department of Commerce (Commerce) and the Commission to supply the Committee and the DFI with necessary information, subject to certain confidentiality provisions, and to report to the Committee on a quarterly basis on the results of CHP outreach, education, and assistance;
 - authorizes the DFI to have staff present at Committee meetings, employ staff, and hire outside experts and professionals as needed;
 - requires the DFI to provide subject matter expertise and work with Commerce and the Commission to conduct outreach and financial education; and
 - requires Commerce to reimburse the DFI for costs related to the Committee and adds that reimbursement as an eligible use of the 1 percent of moneys that may be appropriated to Commerce for various purposes from the Covenant Homeownership Account, rather than authorizing appropriations directly to the DFI.

Status: This bill is scheduled for a public hearing in the Senate Housing Committee on Friday, March 17 at 10:30 AM.

Action: Contact your senators in the Senate Housing Committee to tell them you support [2SHB 1474](#) and ask them to schedule an executive hearing and to vote YES to pass it out of committee.

Education

Special Education

SHB 1109 - Providing funding for school districts for special education.

Support.

HB 1109 establishes a program to reimburse public schools up to \$3000 for conducting initial special education evaluations and up to \$3000 for developing individualized education programs (IEPs) for eligible students during the summers of 2023, 2024, and 2025. Requires, beginning July 1, 2026, the special education safety net committee to consider extraordinary costs associated with conducting extraordinarily high numbers of initial evaluations for special education services and related services, and subsequent development of IEPs for the eligible students, during a school year. This bill would thus allow students to be evaluated during the summer vacation period and give them a head start on the special education programs they need to thrive in school. This bill will also free up the time of the special education staff during the school year.

Status: SHB 1109 is currently in the Senate Early Learning & K-12 Education Committee where it is scheduled for a public hearing on Wednesday, March 15 at 1:30 PM

Action: Contact your senators on the Senate Early Learning & K-12 Education Committee and let them know that you support [SHB 1109](#) and ask that it be scheduled for an executive session to pass out of the committee.

ESHB 1436 - Funding special education.**Support.**

The state allocates funding for a program of special education for students with disabilities using an excess cost formula, which multiplies a school district's base allocation by an excess cost multiplier. Currently, the number of special education students that the state funds is 13.5 percent of the student body. And in some districts 15 to 18 percent of the total student body has disabilities. ESHB 1436 increases the cost multipliers for kindergarten through age 21 (K-21) over four school years to 1.059 for students who spend at least 80 percent of the school day in a general education setting, and 1.043 for those who spend less than 80 percent by the 2026-27 school year. In addition, it increases the enrollment limit for special education funding over several years until the 2027-28 school year, when the limit is removed, and it reduces the threshold for high-need individuals to access the special net from 2.3 to 2.2 times the average per-pupil expenditure. And beginning July 2025, requires up to 50 percent of a special education student's base education allocation to be used for special education if district special education expenditures exceeded revenues in the previous year.

Status: This bill is currently in the Senate Early Learning & K-12 Education Committee where it is scheduled for a public hearing on Wednesday, March 15 at 1:30 PM

Action: Contact your senators on the Senate Early Learning & K-12 Education Committee and let them know that you support [ESHB 1436](#) and ask that it be scheduled for an executive session to pass out of the committee.

E2SSB 5311 - Concerning special education funding formula.**Support.**

E2SSB 5311 accomplishes a number of items to improve special education funding in WA State:

- Increases the special education excess cost multipliers for pre-K and K12 students.
- Increases the special education enrollment funding cap from 13.5 percent to 15 percent.
- Allows the Safety Net Oversight Committee to consider differences in program costs that are attributable to service delivery choices.
- Provides that the average per-pupil expenditure used to determine safety net award eligibility for high-need students is 2 times the average per pupil expenditure for districts with fewer than 1000 students and 2.2 times the average per pupil expenditure for districts with 1000 or more students, beginning in the 2023-24 school year.
- Requires the Office of Education Ombuds to delegate a special education ombuds to serve as a resource for students and their parents, subject to appropriations.
- Directs the Superintendent of Public Instruction and the State Auditor to develop an allocation and cost accounting methodology that ensures state general apportionment funding is allocated to a student's special education program when basic education services are provided in an alternative setting and report to the Legislature.

Status: E2SSB 5311 is scheduled for a public hearing in the House Education Committee on Tuesday, March 14 at 4 PM.

Action: Contact your representatives on the House Education Committee and let them know that you support [E2SSB 5311](#) and ask that it be scheduled for an executive session to pass out of committee.

Student Restraint**E2SHB 1479 - Concerning restraint or isolation of students in public schools and educational programs.****Support.**

This bill modifies provisions related to student isolation and restraint, including a prohibition on chemical and mechanical restraints, and prohibiting isolation beginning August 2, 2025. The bill also requires the removal of isolation rooms by August 1, 2025. The bill also modifies reporting requirements and adds training and professional development requirements.

Status: E2SHB 1479 has been referred to the Senate Early Learning and K-12 Education Committee where it is eligible for a public hearing and executive session.

Action: Contact your senators on the Senate Early Learning & K-12 Education Committee and let them know that you support [E2SHB 1479](#) and ask that it be scheduled for a public hearing and an executive session to pass out of committee.

Sex Trafficking Education

ESSB 5355 - Mandating instruction on sex trafficking prevention and identification for students in grades seven through 12.

Support.

SB 5355 requires school districts to provide instruction on sex trafficking prevention and identification at least once between grades 7 and 12 beginning no later than the 2025-26 school year. WA state is the sixth largest epicenter of sex trafficking in the US, and more than 45 percent of all sex trafficking victims are minors who are in school. We can provide this education as part of existing courses and ensure that students are educated in a non-judgmental safe space for our students.

Status: ESSB 5355 in the House Education Committee where it is scheduled for a public hearing on Thursday, March 16 at 8 AM.

Action: Contact your members of the House Education Committee and let them know that you support [ESSB 5355](#) and ask that an executive session be scheduled to pass it out of committee.

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Hint: You can view bills by going to the following website and plug in the bill number for which you want to view the history and status: <http://dlr.leg.wa.gov/billssummary/>

Thank you!... to the following people who contributed to this edition of the WA State NOW 2023

Weekly Legislative Alert:

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