



## 1<sup>st</sup> District Democrats

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### Legislative Alert for April 3, 2023

The 2023 Legislative Session began on Monday, January 9, 2023, and is scheduled to end on Sunday, April 24, 2023.

The state's revenue forecast was released on Monday morning, March 20, and the two Operating Budget bills have been introduced. (See "**Operating Budget**" in the "*Budget and Revenue*" section below for details.)

The cutoff for bills to be out of the policy committee of their second chamber passed on March 29. Tuesday, April 4, 5:00 pm, is the next cutoff. By then, bills will have to have moved out of the fiscal committees of the second chamber. April 12 at 5:00 pm is the last day to pass opposite house bills (except initiatives and alternatives to initiatives, budgets and matters necessary to implement budgets, and differences between the houses).

### Top Action of the Week: ESHB 1469

*You may recognize this bill. Last week the Senate Ways & Means Committee scheduled it for an open hearing, and we called to you to sign in to the committee to show your support. Then and now there is highly organized and vocal opposition to this bill. When we called last week you answered – and in 24 hours the PRO sign-ins outnumbered the CONs by over 200. Good job, everyone – now we need to do it again!*

**NOTE THE TIME OF THE WAYS & MEANS EXECUTIVE SESSION:**

**Monday at 10:30 am. Sign in NOW!** As of the publication time of this Legislative Alert, Committee Sign Ins for next week were not yet live. Here is the link for sign ins tomorrow:  
<https://app.leg.wa.gov/csi>

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

**Support**

ESHB 1469:

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

- Restricts Washington businesses from complying with records requests or subpoenas for information related to the provision or receipt of protected health care services.
- Creates 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.
- Allows any protected health care services provider or employee to apply to the Secretary of State's Address Confidentiality Program.
- Authorizes 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 scheduled for executive session in the Senate Ways & Means Committee on Monday, April 3 at 10:00 am.

**Action:** Contact your Senator in the Senate Ways & Means Committee to tell them you support **SHB 1469** and ask that they vote YES in executive session to pass it out of committee before the April 4, 5:00 pm cutoff.

***If you can only do one thing this week, contact your senators, and ask for their support on HB 1469. Given the political leanings and recent legislative action of our neighboring states, this is profoundly important!***

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**

### **Budget Proposals:**

The state's revenue forecast was released on Monday morning, March 20. "Washington's projected Near General Fund revenue collections for the 2023–25 state budget has decreased by about \$483 million, according to estimates released today by the Washington State Economic and Revenue Forecast Council. The projection represents about a 0.7% drop from the number forecast last November. Total Near General Fund revenues are now projected at \$65.7 billion for the next two-year state budget cycle, which begins July 1."<sup>1</sup>

As noted by the Budget and Policy Center's Schmudget Blog, "Total state personal income is now expected to grow at an annual rate of 4.4% through June 2024 – down from the 5% growth rate predicted in November 2022. Further out, forecasters also project lower total personal income compared to the previous forecast.

The slowing economy means \$245 million less in state sales tax collections during the 2023-2025 budget cycle, as consumers will have fewer resources to spend on taxable goods and services. Slower growth in the economy also means business activity will curtail, resulting in \$49 million fewer Business and Occupation (B&O) tax receipts than previously anticipated. Sharp reductions in home sales and construction activity are expected to diminish Real Estate Excise Tax (REET) collections by \$263 million in the coming budget cycle."

Nearly 30% of our state's children live in households with low incomes or face burdensome housing costs with children of color more likely than white children to be part of a family that struggles financially. So, what does this mean for the budget and what can you do to assure that our state's legislature takes action to assure that we raise the funds necessary to help our communities through the future and deal with our state's historic racist economic and discriminatory policies?<sup>2</sup> Your Senators and Representatives need to hear from you that we need to equitably raise funds for the improvement and betterment of our communities by enacting a wealth tax on high-income earners (**HB 1473 and SB 5486** – see below), and modifying the Estate Tax so that it is more progressive (**HB 1795** – see below). This along with the Capital Gains Tax (which the WA State Supreme Court upheld on Friday, March 24) will help address our state's historic regressive tax system which puts the burden of the state's cost on the least able to afford it and also bring in necessary funds to address the needs of our state residents.

### **Operating Budget**

**HB 1140 - Making 2023-2025 fiscal biennium operating appropriations.**

**SB 5187 – Making 2023-2025 fiscal biennium operating appropriations.**

HB 1140 and SB 5187 are the starting bills for the 2023-2025 operating budget. Governor Inslee proposed this budget as presented in these bills just before the beginning of this year's legislative session. His proposal was a good starting place for meeting our state's needs. But our legislators need to hear from us now and during their budget negotiations. The details in these bills are changing.

Before making their budget proposals, both chambers were waiting for the revenue forecast, which was released on Monday, March 20. As noted above the state is expected to a \$483 million revenue decrease over the next two years. And in order to deal with the shortfall from our state's regressive tax system we need additional revenue and a budget that reflects the needs of our state's residents. These estimates though do not reflect the lived experiences of many of our state's residents thus making it difficult for our poorest individuals and families to survive especially BIPOC and other disenfranchised groups.

Both the House and Senate Budgets address some of our state's labor market issues that have resulted from the societal changes due to the Covid pandemic. Many of our healthcare and community service agencies have faced worker shortages including state workers, home-care providers, employees of assisted living programs, adult-family homes and care facilities, and mental health facilities. Many of the workers in these facilities are women of color who have been hardest hit by the increased costs of living.

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<sup>1</sup> <https://ofm.wa.gov/about/news/2023/03/state-revenue-projection-2023-25-forecast-decreased-483-million>

<sup>2</sup> <https://budgetandpolicy.org/schmudget/equitable-new-revenue-is-the-only-path-to-a-just-state-budget/>

“The proposed House budget would spend nearly \$70 billion over the next two years, an increase from the \$59 billion budget plan approved two years ago. Among other things, it would expand the number of K-12 schools providing free breakfast and put \$172 million toward boosting special education in K-12 schools.

The House budget also makes room to make debt payments in the event the Legislature approves – and voters in November ratify – a \$4 billion bond proposal put forward by Gov. Jay Inslee to fund affordable-housing construction.”<sup>3</sup> Both budgets increase funding for childcare programs.

Both budgets address many but not all of the needs of our state’s residents especially those with low-income and marginalized communities. The House version though addresses these issues better. In comparison to the Senate budget, it does the following:

- Funds healthcare coverage equivalent to Medicaid for uninsured adults regardless of immigration status,
- Increases the TANF (Temporary Assistance to Needy Families) grant amount,
- Increases asset limits for TANF,
- The House budget fully funds abortion access in WA State. The Senate proposal does not have sufficient funds to deal with all of the increased costs associated with persons seeking abortion and other reproductive health care coming into our state.<sup>4</sup>

Also, to be noted is that the Senate proposal does not have sufficient funds in the proposal to deal with all of the increased costs associated with persons seeking abortion and other reproductive health care coming into our state.

**STATUS:** HB 1140 has passed the House Appropriations Committee and is now in the House Rules Committee where it can be scheduled for a vote by the full House.

SB 5187 passed the Senate on Friday, March 30, and is now in the House Rules Committee where it can also be scheduled for a vote by the full House.

Negotiations are beginning for the final budget between two houses and the governor’s office.

**ACTION:** In order and be able to serve our states residents, especially those that are marginalized and disenfranchised in our state we need you to deliver a message to your representatives in regard to [HB 1140](#) and senators in regard to [SB 5187](#) that **WA State needs a new progressive revenue stream and not budget cuts**. Comprehensive tax reform is also needed to ease the disproportionately high tax burden on our poorest communities. Let them know that you support the House version of the budget over the Senate version in that it better addresses the needs of our lower-income and marginalized communities and better addresses the full funding of abortion and reproductive access.

### *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 has passed out of the Senate Housing Committee and is now in the Senate Ways and Means Committee where it is scheduled for an executive session on Monday, April 3 at 10 AM.

**ACTION:** Contact your senators on the Senate Ways and Means Committee to let them know you support [HB 1052](#) and ask them to pass it out of committee by the April 4 cutoff.

<sup>3</sup> <https://crosscut.com/politics/2023/03/was-70b-budget-proposals-boost-state-worker-raises-special-ed>

<sup>4</sup> <https://povertyaction.org/advocacy-actions/tell-your-senator-follow-the-lead-of-the-house-proposed-budget-fund-basic-needs-programs/>

### *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. On February 14 a public hearing was held with 2200 constituents signing in to support the bill and more testifiers than the committee made time to hear. It is eligible for an executive session. Since the bill raises revenue, it is not subject to fiscal cut off and thus remains alive.

SB 5486 is in the Senate Ways and Means Committee where it had a public hearing on March 9 with over 2500 Washingtonians, representing over 128 organizations statewide, signed in support of the legislation. It is eligible for an executive session. Since the bill raises revenue, it is not subject to fiscal cut off and thus also remains alive.

**ACTION:** Contact your representatives on the House Finance Committee to let them know that you support [HB 1473](#) and ask for an executive session to be scheduled and 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 as it raises revenue 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. Since the bill would raise revenue, it is considered “Necessary to implement the budget” (NTIB) and so is not subject to cutoff rules 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 is in the House Rules Committee where it can be scheduled for a vote by the full House.

**ACTION:** Contact your representatives on the House Rules Committee to let them know you support [SJM 8001](#) and ask that it be pulled to the floor for a vote. Also, ask your representatives to vote YES when it comes to the floor.

## ***Economic Equity and Support for Low Income Individuals and Families***

### ***Financial Assistance for Low-Income Citizens***

**2SHB 1447 - Strengthening the ability of assistance programs to meet foundational needs of children, adults, and families.**

#### **SUPPORT**

2SHB 1447 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, making more citizens eligible for assistance.

**Status:** 2SHB 1447 is scheduled for executive session in the Senate Committee on Ways & Means on Tuesday, April 4 at 10:00 am.

**Action:** Contact your Senators on the Senate Ways & Means Committee to tell them you support [2SHB 1447](#) and ask them to vote YES to pass it out of committee before the April 4, 5:00 pm cutoff.

**SHB 1784 - Concerning hunger relief.**

#### **SUPPORT**

SHB 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:** Has passed the legislature and is on its way to the Governor's desk for signature.

**Action:** NO ONE IN WASHINGTON STATE SHOULD GO HUNGRY, ESPECIALLY OUR CHILDREN. Contact Governor Inslee to tell him you support [SHB 1784](#) and ask him to sign it into law.

**2SHB 1477 - Making changes to the working families' tax credit.**

#### **SUPPORT**

2SHB 1477 changes existing law to make more Washington state citizens eligible for the Working Families' Tax Credit by allowing individuals filing as "married filing separately" to qualify for the Working Families' Tax Credit, and permitting individuals to apply for any Working Families' Tax Credit payments for which they were eligible but did not claim for up to three years.

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.

The second substitute, recommended by the House Appropriations Committee, makes the bill null and void unless funded in the budget.

**Status:** Scheduled for executive session in the Senate Ways & Means Committee on Tuesday April 4 at 10:00 am.

**Action:** Contact your Senators in the Senate Ways & Means Committee to tell them you support [2SHB 1477](#) and ask them to vote YES to vote it out of committee before the April 4, 5:00 pm cutoff.

### ***Washington State Housing Crisis***

**HB 1046 - Expanding housing supply by supporting the ability of public housing authorities to finance affordable housing developments by rebenchmarking area median income limits.**

#### **SUPPORT**

HB 1046 increases the area median income limits on a low-income housing development financed by a public housing authority as follows:

- For a development owned by a for-profit entity, the area median income limit is increased from 50 percent to 80 percent.
- For a development owned directly or through a partnership by a governmental entity or a nonprofit organization, the area median income limit is increased from 60 percent to 80 percent.

**Status:** Referred on March 30 to the Senate Rules Committee where it is eligible to be scheduled for a floor vote.

**Action:** Contact your Senator on the Senate Rules Committee to let them know you support [HB 1046](#) and ask them to schedule it for a floor vote and vote YES to pass it out of the Senate before the April 12, 5:00 pm cutoff.

**SSB 5256 - Making permanent and expanding the child welfare housing assistance program. SUPPORT**

SSB 5256 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 make changes reporting requirements to mandate demographic information.

The first substitute to SSB 5256 is essentially identical to the first and second substitutes to HB 1186

**Status:** SSB 5256 is scheduled for executive session in the House Appropriations Committee on Monday, April 3 at 9:00 am.

**Action:** Contact your Representatives on the House Appropriations Committee to tell them you support [SSB 5256](#) and ask that they vote YES to pass it out of committee before the April 4, 5:00 pm cutoff.

**ESHB 1260 - Accelerating stability for people with a work-limiting disability or incapacity. SUPPORT**

ESHB 1260 amends existing legislation that provides essential needs and housing support services to:

- Eliminate the requirement for Aged, Blind, or Disabled (ABD) program recipients to repay the state for benefits received while waiting to be approved for federal Supplemental Security Income benefits or during the same period as such federal benefits were received.
- Make participation in vocational rehabilitation services for persons receiving ABD or Pregnant Women Assistance (PWA) benefits voluntary, rather than required when assessed as beneficial.
- Place income eligibility standards for the Essential Needs and Housing (HEN) program within rule, rather than statute, and modifies eligibility criteria for the ABD and PWA programs to require that a person is ineligible for specific programs, rather than most federal assistance programs in general.
- Provide that the list of good cause reasons for failing to participate in substance use disorder treatment as a condition of eligibility for ABD, PWA, or HEN program benefits is a nonexhaustive list.

First Substitute to HB 1260 makes the bill null and void if specific funding is not provided by June 30, 2023, in the omnibus appropriations act.

**Status:** SHB 1260 is scheduled for executive session in the Senate Committee on Ways & Means on Tuesday, April 4 at 10:00 am.

**Action:** Contact your Senators in the Senate Ways & Means Committee to tell them you support [ESHB 1260](#), and ask them to vote YES to pass it out of committee before the April 4, 5:00 pm cutoff.

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

SHB 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 was referred to the Senate Rules Committee on March 30 and is eligible to be scheduled for a floor vote.

**Action:** Contact your Senators on the Senate Rules Committee to tell them you support [SHB 1326](#) and ask them to schedule a floor vote and to vote YES to send it to the Governor for his signature before the April 12, 5:00 pm cutoff.

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

**SUPPORT**

E2SSB 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 1,500,000, and requires an analysis of the effectiveness of the program.

**Status:** E2SSB 5045 passed out of the House Finance Committee on March 31 and will now go the House Rules Committee where it will be eligible to be scheduled for a floor vote.

**Action:** Contact your Representatives on the House Rules Committee to tell them you support [E2SSB 5045](#) and ask them to schedule a floor vote and vote YES to pass it out of the legislature before the April 12, 5:00 pm cutoff

**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:** Has been delivered to the Governor for signature.

**Action:** Contact Governor Inslee to tell him you support [SB 5553](#) and urge him to sign it into law.

**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"> <li>At least 4 units per lot within .5 miles walking distance from a major transit stop; and</li> <li>At least 4 units per lot if at least one unit is affordable housing</li> </ul>

Population of at least 75,000	At least 4 units per lot	<ul style="list-style-type: none"> <li>• At least 6 units per lot within .25 miles walking distance of a major transit stop; and</li> <li>• At least 6 units per lot if at least 2 units are affordable housing.</li> </ul>
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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 has been referred to the Senate Ways & Means Committee where it is eligible to be scheduled for executive session on Monday, April 3 at 10:00 am.

**Action:** Contact your senators on the Senate Ways & Means Committee to let them know that you support [E2SHB 1110](#) and ask them to vote YES in executive session to pass it out of committee before the April 4, 5:00 pm cutoff.

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

**SUPPORT**

ESSB 5702 makes the students experiencing homelessness and foster youth program permanent; and adds the tribal college as eligible to participate in the program.

The first substitute eliminates the expiration date for the pilot program.

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

**Action:** This is not merely a philanthropic act: it is good fiscal policy to strengthen our workforce by enabling more of our citizens to educate themselves. Contact your Representatives in the House Rules Committee to tell them you support [ESSB 5702](#) and ask them to schedule a floor vote and vote YES to send it to the Governor’s desk for signature.

***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 \$5000 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 1<sup>st</sup> 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.

The Engrossed Substitute House Bill further amended the bill as follows:

- Modified the garnishment notice to include instructions to request doubling of the exemption for married individuals and a signature of a spouse to claim the marital doubling of the exemption.
- Requires affirmative proof of marriage certificate or other equivalent document and a declaration of marriage.
- Adds an evidentiary procedural framework for an evidentiary demand, response, and request for declaratory judgment if a creditor believes the debtor is not married or that their spouse has not consented to the marital doubling. Should bad faith be found, the court could award reasonable attorney's fees to the creditors.

The amendments adopted in the House Civil Rights and Judiciary Committee are onerous, prejudicial to immigrants and potentially dangerous to those who are domestic violence victims. The amendments to shift the burden to the debtor for "proof of marriage," with a separate evidentiary procedure is a dangerous addition to Washington state consumer protection laws. It creates a presumption that debtors are lying and not honest persons who have fallen on hard times and have not purposely tried to default their creditors. The entire tone of the amendments is antithetical to all consumer protection statutes and must be stripped out of the bill when it reaches the floor for a vote.

**STATUS:** ESSB 5173 was voted on in the Senate and passed 29-19-1. The bill passed out of the House Civil Rights and Judiciary Committee with poison pill amendments supported by to democrats. The bill is currently in Rules.

**Action:** Contact your House members in the House Rules Committee, tell them you SUPPORT [ESSB 5173](#) and ask them to pull the bill on the floor and vote YES with amendments that strip out onerous marital exemption provisions.

#### **ESHB 1051 - The Robocall Scam Protection Act**

##### **SUPPORT**

ESHB 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.

**Status:** ESHB 1051 was voted on in the Senate and passed 96-0-0. The bill also passed out of the Senate Committee on Business, Financial Services, Gaming & Trade without amendment into Rules where it is waiting for a vote on the House Floor.

**Action:** Contact your Senators to tell them you support [ESHB 1051](#) and ask them to schedule a floor vote and vote YES to pass it on to the Governor for his signature.

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

##### **SUPPORT**

HB 1152 and SB 5171 prevent higher products 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 was voted on in the Senate and passed 27-21-0. The bill was set for a vote in the House Committee on Consumer Protection & Business on March 28, 2023, but no action was taken.  
**Action:** This bill is **DEAD**.

### **ESSHB 1392 – Right to Repair**

#### **SUPPORT**

ESSHB 1392 makes manufacturers give product information to independent businesses to allow repair of older digital devices, often at a more affordable price. The bill also makes a violation of the Fair Repair Act. Motor vehicle manufacturers equipment, motor vehicle dealers, manufacturers distributors, importers, and dealers of power generation or storage equipment for fueling or charging motor vehicles.

**Status:** ESSHB 1392 was voted on in the House and passed 58-38-0. The bill was set for a vote in the Senate Committee on Environment, Energy & Technology on March 28, 2023, but no action was taken.

**Action:** This bill is **DEAD**.

### **HB 1349 – Concerning Foreclosure Protections**

#### **SUPPORT**

HB 1349 modifies various provisions related to nonjudicial foreclosures of deeds of trust, including changing the timeline for referral to pre-foreclosure mediation and modifying the exemptions from mediation and reporting and remittance requirements for certain federally insured depository institutions. This bill would require trustee to delay a foreclosure sale for at least 30 days upon receipt of written notice from the Homeowner Assistance Fund Program ([WashingtonHAF](#)) that an application for federal relief funds that provides a federal grant of up to \$60,000 to pay arrears on a mortgage, homeowners' dues and other qualified expenses has been submitted. Other provisions of this bill clarify that the Foreclosure Fairness Program [WashingtonFFA](#) for mediation to allow borrowers in default on their mortgages to access loss mitigation programs is accessible to a successor in interest to a deceased borrower, or a person who has been awarded title to the property. Lastly, the bill fixes a loophole that requires the foreclosure trustee to treat homes purchased at foreclosure by third party bidders the discretion to undo the sale within eleven days as their discretion. Other amendments are expected in the senate housing committee's executive session to clarify what documentation is needed to prove successors in interest status, to clarify the definition of a "grantor" and to restore consumer protections to the unclaimed property act for surplus funds left over after a foreclosure pays off a secured lender.

**Status:** HB 1349 was voted on in the House and passed 97-0-0. The bill then passed out of the Senate Committee on Housing where it passed with an agreed amendments to the Rules Committee where it is currently waiting on the Floor for a vote.

**Action:** Contact your senator to tell them you support [HB 1349](#) and ask them to schedule a floor vote to pass it on to the Governor for his signature.

### **ESHB 1311 - Addressing credit repair services performed by a credit services organization.**

#### **SUPPORT**

ESHB 1311 Removes the exemption for certain types of law practices from being defined as credit services organizations and it adds prohibited acts to the Credit Services Organization Act. Specifies conditions in which a consumer reporting agency, creditor, or collection agency do not need to communicate with a credit services organization. Requires credit services organizations to redact certain personal information of a consumer when sending written communication. Requires credit services organizations to receive explicit written approval from the consumer before using a consumer's signature for credit repair services. Requires credit services organizations to provide consumers with a notice about their ability to file complaints with the attorney general and their rights.

**Status:** ESHB 1311 was voted on in the House and passed 91-5-1. The bill was referred to the Senate Rules Committee where it passed out of committee and onto the Senate Rules Committee.

**Action:** Contact your senator on the Senate Rules committee to tell them you support [ESHB 1311](#) and ask them to schedule a floor vote and vote YES and pass it on to the Governor for his signature.

## **Violence Against Women**

**1**

### **Support for victims of crime**

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

#### **Support**

SHB 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:** Scheduled for executive session 10 am April 3 in Senate Committee on Ways and Means.

**Action:** Contact your senator in the Ways and Means to let them know you support [SHB 1028](#) and request that they vote it to the floor for a YES.

**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:** Referred to House Rules 2 Review.

**Action:** Let your Representatives in Rules know you support [SB 5081](#) and ask for it to be voted to the floor.

**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:** Sent to House Appropriations and scheduled for executive action on March 30.

**Action:** Contact your Representatives and those on the Appropriations Committee to let them know you support [SB 5070](#) and ask them to schedule an executive session to vote it out of committee before the April 4, 2023 cutoff.

**SB 5114 Supporting adults with lived experience of sex trafficking.**

#### **Support**

SB 5114 create a program for healing, support, and transition services for any person age 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:** SB 5114 is scheduled for an executive session at 9:00 am on Monday, April 3 in the House Committee on Appropriations.

**Action:** Contact your Representatives on the Appropriations Committee, tell them you support [SB 5114](#) and urge them to pass it out of committee by the April 4, 5:00 cutoff.

**2**

### **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:** Passed to Senate Rules Committee for second reading.

**Action:** Let your Senator on the Rules Committee know you support [HB 1002](#); ask them to vote it to the floor and pass it!

### *Protecting Women from Sex Crimes*

#### **SSB 5453 Concerning female genital mutilation.**

##### **Support**

SSB 5453 Creates the crime of female genital mutilation. It makes it unprofessional conduct for a health care professional to perform female genital mutilation on a minor and requires the Department of Health to establish an education program to prevent female genital mutilation. It includes female genital mutilation in the definition of “abuse or neglect” that must be reported by a mandatory reporter. It establishes a civil course of action for minor victims of female genital mutilation and sets a time limit of ten years from injury for filing.

**Status:** Scheduled for executive session in House Appropriations Committee on Monday, April 3 at 9:00 am.

**Action:** Let your representatives know you support [SSB 5453](#) and ask them to vote YES to pass it out of committee by the April 4, 5:00 pm cutoff.

#### **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:** Passed to the floor, approved, President of the Senate signed, Speaker of the House signed. Goes to governor for signature.

**Action:** Contact your legislators to say thank you for passing [SB 5033](#) and ask the Governor to sign it.

#### **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:** Passed in Senate Rules Committee and approved in floor vote!

**Action:** Contact your Senators and thank them for their support for [SHB 1165](#) and ask the governor to sign it.

### *Eliminating Child Marriage*

#### **HB 1455-Eliminating Child Marriage**

##### **Support**

HB 1455 provides that a marriage entered into in which either person has not attained the age of 18 years is void. It also eliminates provisions authorizing a court to waive the age requirement on a showing of necessity. Child marriage has a long history of abuse and coercion, and it contributes to the human trafficking challenge. This straightforward bill protects young people under the age of 18 years from potential exploitation, trafficking, and other harms frequently perpetrated by people much older than the minors.

**Status:** Did not pass out of the policy committee of the second chamber by the March 29, 5:00 pm and is DEAD.

### *Sex Trafficking and Education*

#### **ESB 5355 Mandating instruction on sex trafficking prevention and identification for students grades seven through 12.**

##### **Support**

ESB 5355 requires school districts to provide instruction on sex trafficking prevention and identification at least once to students between grades 7 and 12 beginning by the 2025-26 school year, establishes a child sexual abuse and sex trafficking prevention and identification public-private partnership account and specifies that expenditures from the account may be used only for curriculum and professional development to support instruction on child sexual abuse and sex trafficking prevention and identification.

**Status:** Scheduled for executive session in the House Committee on Appropriations on Tuesday, April 4 at 9:00 am.

**Action:** Contact your representatives in this committee and let them know you support [ESB 5355](#) and ask them to vote it out of committee by the April 4, 5:00 pm cutoff.

*Support for victims of crime, including violence.*

**ESHB 1533 Exempting the disclosure of certain information of agency employees or their dependents who are survivors of domestic violence, sexual assault, harassment or stalking.**

**Support**

ESHB 1533 exempts personally identifying of state agency and K to 12 public school employees from public disclosure requirements if the employee provides a sworn statement, subject to renewal every two years, that the employee or a dependent is a survivor of domestic violence, sexual assault or abuse, stalking, or harassment, or demonstrates that the employer or dependent participates in the Address Confidentiality Program.

**Status:** Referred to Senate Rules Committee for second reading.

**Action:** Contact your senators on the Senate Rules Committee to tell them you support [ESHB 1533](#) and ask them to vote it to the floor.

*Concerning the Issuance of Emergency Domestic Violence No Contact Orders*

4

**ESSB 5231 Concerning the issuance of emergency domestic violence no contact orders.**

**Support**

ESSB 5231 Clarifies the court's authority in issuing pretrial no-contact orders and establishes the process for issuance of an emergency domestic violence co-contact order.

**Status:** Referred to House Rules Committee for Rules 2 review March 29.

**Action:** Contact your Representatives in the House Rules Committee to tell them you support [ESSB 5231](#) and to vote it to the floor

**Addressing Gun Violence**

**E2SHB 1143 Concerning Requirements for the purchase or transfer of firearms.**

**Support**

E2SHB 1143

- Provides that a dealer may not transfer any firearm to a purchaser or transferee until completion of a background check indicating the person is eligible to possess firearms; and 10 business days have elapsed since the dealer requested the background check.
- Prohibits a dealer from transferring a firearm to a purchaser or transferee unless the person provides the dealer with the proof of completion of a recognized firearms safety training program.
- Requires a firearms transfer application and recordkeeping requirements for all firearms transfer.
- Updates firearm transfer and background check processes, including updates to conform to the implementation of a state firearms background check program.

**Status:** Passed to Senate Rules Committee on March 29 for Rules Second Reading.

**Action:** Contact your senators to tell them you support [E2SHB 1143](#) and ask that they vote it to the floor.

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

**Support**

SHB 1240 Prohibits the manufacture, importation, distribution, sale, or offer for sale of any assault weapon, subject to the 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 lists 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 the restrictions constitutes a gross misdemeanor and is actionable under the Consumer Protection Act.  
**Status:** SHB 1240 placed on second reading in Senate Rules Committee March 30.  
**Action:** Contact your senators in the Senate Rules Committee and tell them you support [SHB 1240](#) and ask them to vote it to the floor.

5

***Reducing the Risks of Lethality and other harm associated with gun violence, gender-based violence, and other types of violence.***

**HB 1562 Reducing the Risks of Lethality and other harm associated with gun violence, gender-based violence, and other types of violence.**

**Support**

HB 1562 revises provisions governing the crime of Unlawful Possession of a Firearm and restoration of firearm rights.

The term “serious offense” is amended to include the felony offenses of Driving Under the Influence and Actual Physical Control of a Vehicle While Under the Influence. As a result, these offenses fall under the Unlawful Possession of a Firearm in the first degree, and a person who is charged with either offense is prohibited from possessing a firearm pending trial, sentencing or appeal.

The conduct that is prohibited under the offense is expanded to include accessing, having custody of, or receiving any firearm.

The following misdemeanor and gross misdemeanor crimes are included as prohibiting crimes:

- any domestic violence offense not currently included;
- stalking;
- Cyberstalking;
- Cyber harassment, except when based on lewd, indecent, or obscene images or language;
- Harassment;
- Aiming or Discharging a firearm;
- Unlawful Carrying or Handling of a Firearm;
- Animal Cruelty in the 2<sup>nd</sup> degree, except when based on abandonment or neglect;
- “Prior offense” under the impaired driving laws, if committed within seven years of another “prior offense” conviction; and
- violation of an order to surrender and prohibit weapons (OTSW), an extreme risk protection order (ERPO), or the provisions of a protection order or no-contact order restraining the person or excluding the person from a residence.

No-contact orders issued in sexual assault, trafficking, and promoting prostitution cases are added to the list of orders that prohibit a person from possessing firearms if they meet specified requirements.

**Status:** Scheduled in Senate Ways and Means Committee for executive session on Monday, April 3 10:00 am.

**Action:** Contact your senators in Ways and Means, let them know you support [HB 1562](#) and request they vote it out of committee by the April 4, 5:00 deadline.

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

**Action:** Contact your Representative on the House Rules Committee to tell them you support [SJB 8006](#) and ask them to schedule a floor vote before the April 12, 5:00 cutoff.

### *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:** Referred to Senate Rules Committee “X” file and is no longer eligible for consideration this year.

**Action:** Contact your Senator in the Senate Rules Committee to tell them you support [SB 5241](#) and ask them to consider sponsoring this important legislation next year.

### *Death with Dignity Act*

#### **ESSB 5179 - Increasing access to the provisions of the Washington death with dignity act.**

##### **SUPPORT**

WHB 1281/ESSB 5179, 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.

The first substitutes to both HB 1281 and SB 5179:

- Expand 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.

**Status:** ESSB 5179 has passed the legislature and been delivered to the Governor for signature.

**Action:** Contact your Senators and Representatives to thank them for this legislation. Contact the Governor to tell him you support [ESSB 5179](#) and ask him to sign it into law.

#### **2SHB 1151 - Mandating coverage for fertility services.**

##### **Support**

2SHB 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:** Did not pass out of the Senate Committee on Health & Long Term Care by the March 29 cutoff and is DEAD.

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

#### **Support**

ESHB 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:** Passed unanimously by the Senate and now is eligible for signature by the Governor.

**Action:** Contact your Senators to thank them for passing [HB 1222](#). Contact Governor Inslee and ask him to sign this bill in to law.

### **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.

The second Substitute Bill establishes endorsement for mobile rapid response crisis teams and community-based teams that meet staffing, vehicle, and training standards, as well as a performance payment program.

Still directs the University of Washington to develop recommendations and the Department of Health to develop informational materials and a social media campaign.

**Status:** Scheduled for executive session in the Senate Ways & Means Committee on Monday, April 3 at 8:30 am.

**Action:** Contact your Senators on the Senate Ways & Means Committee to tell them you support [E2SHB 1134](#) and ask them to vote YES to pass it out of committee before the April 4, 5:00 pm cutoff.

**2SSB 5555 - Act Creating profession of Certified Peer Specialist Support**

2SB 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.

2SSB establishes the new profession of certified peer specialist and trainee.

Specifies training and educational pathways and requirements.

Directs the Health Care Authority to develop the trainings, etc.

Establishes requirements for peer specialist practicing as peer crisis responders.

**Status:** 2SSB 5555 is scheduled for executive session in the House Committee on Appropriations on Tuesday, April 4 at 9:00 am.

**Action:** Contact your Representatives on the House Appropriations Committee to tell them you support [2SSB 5555](#) and ask them to vote YES to pass it out of committee before the April 4, 5:00 pm cutoff.

***Improving Behavioral Health Care***

**2SSB 5438 - Facilitating supportive relationships with family and significant individuals within the behavioral health system.**

2SSB 5438 requires the Health Care Authority (HCA) and Department of Social and Health Services (DSHS) to administer their oversight functions in a manner that is aware of, nurtures, and protects significant relationships in the lives of behavioral health system clients. It further requires HCA and DSHS to review their policies in consultation with stakeholders, family members, and peers to eliminate policies that undermine the health of a family or discourage family engagement.

**Status:** Scheduled for executive session in the House Appropriations Committee on Tuesday, April 4 at 9:00 am.

**Action:** Contact your Representatives on the House Appropriations Committee to tell them you support [2SSB 5438](#) and ask them to vote YES to pass it out of committee before the April 4, 5:00 cutoff.

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

2SSB 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.

2<sup>nd</sup> 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:** Scheduled for executive session in the House Appropriations Committee on Tuesday, April 4 at 9:00 am.

**Action:** Contact your Representatives on the House Appropriations Committee to tell them you support [2SSB 5263](#) and ask them to vote YES to pass it out of committee before the Tuesday, April 4, 5:00 pm 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:** Referred to Senate Rules Committee “X” file and is no longer eligible for consideration this year.

**Action:** Contact your legislators to tell them you support [SJR 8202](#) and ask them to consider sponsorship of this important legislation next year.

### **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 passed out of the House Committee on Appropriations on March 31, and is now on its way to the House Rules Committee where it is eligible to be scheduled for a floor vote.

**Action:** Contact your Representative in the House Rules Committee to tell them you support [SB 5242](#) and ask that they schedule a floor vote and vote YES to send it to the Governor’s desk for signature when it comes to the floor.

### **ESHB 1469 - Concerning access to reproductive health care services and gender-affirming treatment in Washington state.**

#### **Support**

ESHB 1469:

- Defines protected health care services in Washington to include reproductive health care services and gender-affirming treatment.
- Restricts 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.
- Restricts Washington businesses from complying with records requests or subpoenas for information related to the provision or receipt of protected health care services.
- Creates 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.
- Allows any protected health care services provider or employee to apply to the Secretary of State's Address Confidentiality Program.
- Authorizes 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 scheduled for executive session in the Senate Ways & Means Committee on Monday, April 3 at 10:00 am.

**Action:** Contact your Senator in the Senate Ways & Means Committee to tell them you support [SHB 1469](#) and ask that they vote YES in executive session to pass it out of committee before the April 4, 5:00 pm. **This bill has a great deal of opposition that is highly organized. We need to show our legislators that its passage is important to us.**

### **E2SSB 5580 An Act for improving maternal health outcomes.**

#### **Support**

E2SSB 5580 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:** Scheduled for executive session in the House Appropriations Committee on Tuesday, April 4 at 9:00 AM.

**Action:** Contact your Representatives on the House Appropriations Committee to tell them you support [E2SSB 5580](#) and ask them to vote YES to pass it out of committee before the April 4, 5:00 pm cutoff.

### **SHB 1069 - Relating to Mental Health Counselor Compact**

#### **Support**

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

**Action:** Contact your Senator in the Senate Rules Committee to tell them you support [SHB 1069](#) and ask them to schedule a floor vote and to vote YES to pass it on to the Governor for his signature.

### **SB 5036 - Concerning Telemedicine**

#### **Support**

SB 5036 extends 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:** SB 5036 has passed both chambers of the legislature, has been signed by the Governor, and is a LAW.

**Action:** Celebrate!

### **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:** Referred to the Senate Rules Committee and is now eligible to be scheduled for a floor vote.

**Action:** Contact your Senators on the Senate Rules Committee to tell them you support [ESHB 1073](#) and ask them to schedule a floor vote and to vote YES to pass it on to the Governor for signature.

### **2SHB 1452 To establish a State Medical Reserve Corp**

#### **Support**

2SHB 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:** Scheduled for executive session in the Senate Ways & Means Committee on Monday, April 3 at 10:00 am.

**Action:** Contact your Senator in Ways & Means Committee to tell them you support [2SHB 1452](#) and ask them to pass it out of committee before the April 4, 5:00 pm cutoff.

**2SSB 5120 – An Act relating to establishing 23 Hr Crisis Relief Centers in Washington State. Support**

2SSB 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:** Scheduled for executive session in the House Committee on Appropriations on Monday, April 4 at 9:00 am.

**Action:** Contact your Representatives in the House Appropriations Committee to let them know you support [2SSB 5120](#) and ask them to vote YES to pass it out of committee before the April 4, 5:00 pm cutoff.

**2SHB 1168 Providing Prevention Services, diagnosis, treatment, and support for prenatal substance exposure.**

**SUPPORT**

2SHB 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:** Scheduled for executive session in the Senate Ways & Means Committee on Tuesday, April 4 at 10:00 am.

**ACTION:** Contact your Senator on the Senate Ways & Means Committee to tell them you support [2SHB 1168](#) and ask them to vote YES to pass it out of committee before the April 4, 5:00 pm cutoff.

*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**

2SSB 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:** Scheduled for executive session in the House Appropriations Committee on Tuesday, April 4, at 9:00 am.

**Action:** Contact your Representative in the House Appropriations Committee to tell them you support [2SSB 5103](#) and ask that they vote YES to pass it out of committee by the April 4, 5:00 pm cutoff.

## *Civil and Equal Rights*

### *Voting Rights*

**ESHB 1048 - Enhancing the Washington voting rights act.**

**Support.**

ESHB 1048 provides 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:** SHB 1048 was referred to the Senate Rules Committee where it is eligible to be scheduled for a floor vote.

**Action:** Call your Senators on the Senate Rules Committee to tell them you support [ESHB 1048](#) and ask them to vote YES to pass it out of the Senate and on to the Governor for signature.

**HB 1312 - Concerning jury service.**

**Support**

HB 1312 allows 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:** Passed a unanimous vote on the Senate Floor and is now eligible for signature by the Governor.

**Action:** Contact your Legislators to thank them for passing [HB 1312](#). Contact the Governor and ask him to sign HB 1312 into law.

**E2SSB 5112– Secure Automatic Voter Registration**

**Support**

E2SSB 5112 amends 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.

First Substitute Bill to SB 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 idencard 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 has passed out of the Senate Transportation Committee and will now be referred to the Senate Rules Committee.

**Action:** Contact your Senators on the Senate Rules Committee to tell them you support [E2SSB 5112](#) and ask them to schedule a floor vote and to vote YES to pass it out of the Senate by the April 12, 5:00 pm cutoff.

*Civil Rights in the Judicial System*

**2SSB 5128 - Concerning jury diversity.**

**Support**

2SSB 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:** Scheduled for executive session in the House Appropriations Committee on Tuesday, April 4 at 9:00 am.

**Action:** Contact your Representatives on the House Appropriations Committee to tell them you support [2SSB 5128](#) and ask them to vote YES to pass it out of committee by the April 4, 5:00 pm cutoff.

#### **2SSB 5046 Concerning Postconviction Access to Counsel**

##### **Support**

2SSB 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:** Passed out of the House Committee on Appropriations on April 1 and will now be referred to the House Rules Committee.

**Action:** Contact your Representatives in the House Rules Committee to let them know you support [2SSB 5046](#) and ask them to schedule a floor vote and vote YES to pass it on to the Governor's desk.

#### ***Indian Child Welfare***

##### **SB 5683 - Concerning child-specific foster care licenses for placement of Indian children.**

##### **SUPPORT**

SB 5683 addresses the long and continuing history of the assimilatory practice of removing Indian children being removed from the homes of their families and placed in the care of non-Indian families, even when Indian families have been available. This bill allows the Department of Children, Youth and Families to issue child-specific foster care licenses for an Indian child's family or extended family members who opt to become licensed for placement of a specific Indian child and that child's siblings or relatives in the custody of an Indian tribe or the tribe's child placing agency.

**Status:** Scheduled for an executive session in the House Appropriations Committee on Tuesday, April 4 at 9:00 am.

**Action:** Contact your Representatives on the House Appropriation Committee to tell them you support [SB 5683](#) and ask them to vote YES to pass it out of committee by the April 4, 5:00 pm cutoff.

#### ***Missing and Murdered Indigenous Women/People***

##### **SHB 1177 - Creating a missing and murdered indigenous women and people cold case investigations unit.**

##### **SUPPORT**

SHB 1177 creates the Missing and Murdered Indigenous Women and People Cold Case Investigations Assistance Unit, subject to appropriation, to assist federal, municipal, county, and tribal law enforcement agencies with solving cold cases involving missing and murdered indigenous women and people.

**Status:** Scheduled for executive session in the Senate Ways & Means Committee on Monday, April 3, at 10:00 am.

**Action:** Contact your Senators in the Senate Ways & Means Committee to tell them you support [SHB 1177](#) and ask them to vote YES to pass it out of committee by the April 4, 5:00 pm cutoff.

##### **ESHB 1555 - Concerning extradition of persons to and from Indian jurisdiction.**

##### **Support**

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

**Action** Contact your representatives on the Senate Rules Committee to tell them you support [ESHB 1555](#) and ask them to schedule a floor vote to pass it out of the Senate by the April 12, 5:00 pm cutoff.

### **2SSB 5477 - Implementing the recommendations of the Washington state missing and murdered indigenous women and people task force.**

#### **SUPPORT**

2SSB 5477 establishes the Missing and Murdered Indigenous Women and People Task Force to review the laws and policies relating to missing and murdered American Indian and Alaska Native people, and develop recommendations for the following purposes:

- assessing systemic causes behind violence including patterns and underlying historical, social and economic, institutional, and cultural factors which may contribute to disproportionately high levels of violence that occur against American Indian and Alaska Native people and recommending changes to address these systemic causes;
- identifying ways to improve cross-border coordination between law enforcement and federally recognized tribes that share a border with Washington;
- assessing and recommending improvements to data tracking and reporting practices relating to violence against American Indian and Alaska Native people in Washington
- making recommendations and best practices for improving specific forms of data collection and reporting, data sharing, interjurisdictional collaboration and coordination, and communication and transparency;
- reviewing prosecutorial trends and practices relating to crimes of violence against American Indian and Alaska Native people in Washington, identifying disparities, and recommending changes to address such disparities;
- identifying barriers to providing more state resources in tracking and addressing violence against American Indian and Alaska Native people and reducing the incidences of violence;
- assessing and identifying state resources to support programs and services for survivors, impacted family members, and tribal and urban Indian service providers working with American Indian and Alaska Native people who have experienced violence and identifying needs of survivors, impacted family members, and tribal and urban Indian service providers that are not currently being met;
- identifying and making recommendations for increasing state resources for trainings on culturally attuned best practices for working with American Indian and Alaska Native communities for tribal, local, and state law enforcement personnel in Washington; and
- supporting efforts led by American Indian and Alaska Native people to address this crisis, with the recognition that those personally impacted are already doing critical work to address the impacts of the missing and murdered Indigenous women and people crisis in communities and that community-led work must be centered in order to identify and fully address the scope of the issue.

**Status:** Did not pass out of the second chamber policy committee by the March 29 cutoff and is DEAD.

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

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

**Support**

2HB 1332 amends existing legislation regarding public school curriculum that teaches tribal culture and history to require collaboration with tribes local to individual school districts, and adds reporting requirements to hold schools accountable for implementation of the curriculum in their regular instruction programs.

**Status:** Scheduled for executive session in the Senate Ways & Means Committee on Tuesday, April 4 at 10:00 am.

**Action:** Contact your Senators on the Senate Ways & Means Committee to tell them you support [2HB 1332](#) and ask them vote YES in executive session and to pass it out of committee by the April 4, 5:00 pm cutoff.

*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**

2SHB 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.

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.

The second substitute bill:

- exempts name change orders from the \$100 Covenant Homeownership Program (CHP) document recording assessment.
- 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 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:** Scheduled for executive session in the Senate Ways & Means Committee on Monday on April 3 at 10:00 am.

**Action:** Contact your Senators in the Senate Ways & Means Committee to tell them you support [HB 1474](#) and ask them to vote YES to pass it out of committee.

### **E2SHB 1541 – Establishing the “Nothing About Us Without Us,” Act.**

#### **SUPPORT**

E2SHB 1541 requires that each task force, work group, or advisory committee which directly and tangibly affects a particular underrepresented population must:

- include at least three individuals who have direct lived experience with the issue being examined; and
- reflect the diversity of people with direct lived experience with the issue being examined. If these requirements necessitate the appointment of additional members, the appointing authority must make those appointments.

An underrepresented population is a population group that is more likely to be at higher risk for disenfranchisement due to adverse socioeconomic factors such as:

- unemployment;
- high housing and transportation costs relative to income;
- effects of environmental harms;
- limited access to nutritious food and adequate health care;
- linguistic isolation; and
- other factors that may be barriers to participation in policy decision making.

A person with direct lived experience has direct personal experience in the subject matter being addressed by the task force, work group, or advisory committee.

**Status:** Scheduled for executive session in the Senate Ways & Means Committee on Monday, April 3 at 12:45 pm.

**Action:** Contact your Senators on the Senate Rules Committee to tell them you support [E2SHB 1541](#) and ask them to vote YES to pass it out of committee before the April 4, 5:00 pm cutoff.

## ***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 Ways and Means Committee where it is scheduled for an executive hearing on Tuesday, April 4 at 10:00 AM

**Action:** Contact your senators on the Senate Ways and Means Committee and let them know that you support [SHB 1109](#) and ask that they it 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:** is currently in the Senate Ways and Means Committee where it is scheduled for an executive hearing on Tuesday, April 4 at 10:00 AM.

**Action:** Contact your senators on the Senate Early Learning & K-12 Education Committee and let them know that you support [ESHB 1436](#) and ask for a YES vote to pass it 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 currently in the House Appropriations Committee where it is scheduled for an executive session on Tuesday, April 4 at 9 AM.

**Action:** Contact your representatives on the House Appropriations Committee and let them know that you support [E2SSB 5311](#) and ask them to pass it out of the 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 is DEAD as it failed to pass out of the Senate Early Learning & K-12 Education committee by the March 29 cutoff date.

## ***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 is currently in the House Appropriations Committee where it is scheduled for an executive session on Tuesday, April 4 at 9 AM.

**Action:** Contact your representatives on the House Appropriations Committee and let them know that you support [ESSB 5355](#) and ask them to pass it out of committee.

## ***HOUSE COMMITTEES***

### ***Agriculture & Natural Resources***

Mike Chapman (Chair), Melanie Morgan (Vice Chair), Kristine Reeves (Vice Chair), Bruce Chandler, Tom Dent, Shelley Kloba, Joel Kretz, Debra Lekanoff, Ed Orcutt, Joe Schmick, and Larry Springer

### ***Appropriations 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/>

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