



**CITY OF SEATTLE
2014 STATE LEGISLATIVE BULLETIN**

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Number 6

Week Overview

Week five saw a flood of hearings in advance of a deadline for bills to leave fiscal and transportation committees. Today at 5 p.m. marks the next cutoff—bills must have left their house of origin. Bills lingering in their house of origin may be resuscitated later in the session if deemed “necessary to implement the budget” (NTIB). NTIB bills include budget bills and others that generate revenue for the state.

ACTIVE BILLS

Public Safety

DNA Evidence: HB 2468 (Orwall, 14 co-sponsors) / **SB 6310** (Darneille, nine co-sponsors) prohibits the destruction of DNA evidence collected during criminal investigations until statewide DNA evidence standards are implemented. The bill also creates an evidence collection workgroup to recommend such standards. **The Senate version did not advance before cut-off. HB 2468 was placed on second reading by H Rules.**

Knockout Game: SB 6011 (Padden, four co-sponsors) targets the so-called “knockout game,” an assault in which a group walks up behind and knocks out a random victim. Under the bill, a person would be guilty of assault in the third degree, a felony, if he or she randomly assaults another without prior physical or verbal contact. **SB 6011 is in S Rules.**

Traffic Safety Cameras: HB 2426 (Fey, three co-sponsors) allows local jurisdictions to operate an automated traffic safety camera to detect speeding on an ongoing basis. **HB 2426 is in H Rules.**

Distracted Driving: SSB 6227 (Eide, four co-sponsors) makes driving while holding, reading from, or manually entering information into a wireless device a traffic infraction, even if the driver has temporarily stopped. The penalty is doubled for those with more than one infraction in a five-year period, and all infractions become part of the driver’s record. Exceptions are created for drivers who pull over, emergency situations, and those using hands-free modes. **SSB 6227 was placed on second reading by S Rules.**

Sex crime property forfeiture: SSB 6017 (Kohl-Welles, seven co-sponsors) allows law enforcement agencies to keep 90 percent of the proceeds received from seizures and forfeitures related to enforcement of child pornography, commercial sexual abuse, and

prostitution laws. Agencies are directed to use the funds for enforcement of child sexual exploitation and prostitution laws. **SSB 6017 was placed on second reading by S Rules.**

Emergency Medical Service Levies: SHB 2428 (Hunt, two co-sponsors) fixes a 2012 law that allowed for EMS levy reauthorizations by simple majority. A recent Attorney General Opinion held that the 2012 law only allowed for a simple majority reauthorization when the prior levy was to be continued at exactly the same rate, and that a 60-percent super-majority was required for reauthorizations at a higher or lower levy rate. SHB 2428 would allow for simple-majority reauthorizations of levies at lower rate. **SHB 2428 was placed on second reading by H Rules.**

Protecting the Most Vulnerable

Employer use of non-conviction information: HB 2545 (Moscoso, seven co-sponsors) prohibits employers from basing initial employment decisions on non-conviction information, advertising jobs in ways that exclude those with non-conviction records, or categorically excluding people with non-conviction records. A City of Seattle ordinance already prohibits employers from using non-conviction information in similar ways. **HB 2545 is in H Rules.**

Preempting local employment laws and contracts: SB 6307 / HB 2591 (Schmick) (Braun, five co-sponsors) preempts the entire field regarding wages, hours of work, employee retention, and employment leave. Under the bill, cities would not be able to require or enforce employment regulations except with respect to their own employees. **The House version did not advance before cutoff. SB 6307 is in S Rules.**

Out-of-state health care volunteers: HB 2351 (Tarleton, 10 co-sponsors) / **SB 6462** (Keiser, Kohl-Welles) allows health care professionals licensed in other states to practice in Washington as volunteers for 30 days. **The Senate version did not advance before cutoff. HB 2351 passed out of the House unanimously and was referred to the Senate Health Care Committee.**

Breakfast After the Bell: SSB 6444 (Litzow, six co-sponsors) / **HB 2536** (Hudgins, 15 co-sponsors) requires schools with 70 percent or more low income students to offer breakfast during the school day. **SSB 6444 has not advanced from S Ways & Means. HB 2536 was placed on second reading by House leadership.**

Involuntary Servitude: SHB 2644 (Ryu, 33 co-sponsors) / **SSB 6339** (Fraser, seven co-sponsors) creates a new class C felony offense for “coercion of involuntary servitude” for coercing someone to provide services by withholding or threatening to withhold immigration documents or threatening to notify law enforcement about that person’s illegal immigration status. **The House version passed out of the House 87-10 and was referred to the Seante Law & Justice Committee. The Senate version passed out of the Senate 48-0 and is scheduled for a hearing in the House Public Safety Committee Wednesday, Feb. 19.**

Housing

Minimum room sizes for homes: HB 2168 (Blake, two co-sponsors) would eliminate state building code minimum size requirements for rooms and floor areas of single family homes unless the requirements are necessary for fire, life safety, or environmental purposes and would prevent cities and counties from adopting their own minimums. **HB 2168 was placed on second reading.**

Homeless housing surcharge: SHB 2368 (Sawyer, 24 co-sponsors) / **SSB 6313** (Darneille, 10 co-sponsors) makes permanent the \$40 local homeless housing and assistance surcharge for document recording. Without this legislation, the existing surcharge would drop to \$30 in 2015 and \$10 in 2017. **The Senate version did not advance from Ways & Means Committee. SHB 2368 passed out of the House 62-36 and has been referred to the Senate Financial Institutions, Housing & Insurance Committee.**

Floating homes: SHB 2581 (Tarleton, three co-sponsors) and **ESSB 6450** (Pedersen, five co-sponsors). **SHB 2581** defines “floating on-water residences” as lawfully registered and regulatorily compliant vessels used as a residence, having detachable utilities, and moored or anchored in a marina. Local governments would be required to classify all such “floating on-water residences” permitted or legally established by July 1, 2014 as conforming preferred uses in their shoreline regulations. This would exempt these floating on-water residences from local use regulations, including those precluding maintenance, repair, replacement, or remodeling. The bill also prioritizes the use of state-owned aquatic lands for floating homes over non-water dependent uses. **SHB 2581 was placed on second reading by H Rules. ESSB 6450** requires local governments to accommodate floating on-water residences established before July 1, 2014 through reasonable local shoreline regulations, permit conditions, or mitigation and would ban local governments from effectively outlawing maintenance, repair, replacement, and remodeling of such residences. **ESSB 6450 passed out of the Senate 49-0 and was referred to the House Environment Committee.**

Rental screening fees: SHB 2537 (Robinson, six co-sponsors) / **SB 6291** (Frockt, 10 co-sponsors) allows prospective tenants to pay for and provide one comprehensive screening report to multiple prospective landlords, alleviating the need for renters to pay new report fees with each application. Landlords would retain the right to generate their own reports, but would not be able to charge tenants who provide one. **The Senate version did not advance before cutoff. SHB 2537 passed out of the House 53-45 and was referred to the Senate Financial Institutions, Housing & Infrastructure Committee.**

Lodging taxes for workforce housing: SHB 2650 (Fitzgibbon, five co-sponsors) clarifies that hotel-motel tax revenues can be used to pay off bonds issued for affordable workforce housing. **SHB 2650 was placed on second reading by H Rules.**

Transportation, Economic Development & Infrastructure

Transportation Budget: The Senate Majority Coalition Caucus proposed a \$12 billion transportation package Feb. 13 that would reduce WSDOT apprenticeship requirements, trim permitting requirements for WSDOT projects, and dedicate road project sales taxes revenues to future roadwork. These revenues currently go to the state’s general fund. Senate Democrats rejected the funding strategies as accounting tricks and criticized the MCC proposal for focusing on rural projects and shortchanging bicycle, pedestrian, and public transportation. **It remains unclear whether the MCC proposal has sufficient support in the Senate. Last year, the House passed a \$10 billion transportation package that included a 10.5 cent gas tax increase.**

Supplemental Operating Budget: HB 2185 (Hunter, Chandler) / **SB 6002** (Hill, Hargrove) is legislation requested by Governor Inslee. **Both versions have received a public hearing and remain in the relevant chamber’s budget committee.**

High-Tech R&D tax credit: SSB 6430 (Lias, 10 co-sponsors) and **SSB 6267** (Hill, Benton). **SSB 6267** provides a one-year extension of the high technology B&O tax credit and sales

and use tax deferral and creates a workgroup to develop recommendations regarding integration of high-tech R&D activities and higher education investments. **SSB 6430** would extend the same tax incentives until 2040. **Both bills are in S Rules.**

Annexation Sales and Use Tax: **SHB 2681** (Fitzgibbon, five co-sponsors) allows annexation sales and use tax proceeds to be used for annexation preparation costs, establishes requirements for imposing the tax to cover annexation costs, and extends the date by which an annexation must commence in order to impose the tax by two years to Jan. 1, 2017. **SHB 2681 was heard in the House Finance Committee Feb. 10.**

Restoring the Public Works Fund: **SHB 2244** (Sanford, eight co-sponsors) / **SB 6546** (Rivers, 25 co-sponsors) restores resources to the Public Works Fund within two years rather than the planned six. **The Senate version has not advanced. HB 2244 was placed on second reading by H Rules.**

Stormwater, flood control, and water supply financing: **SSB 6516** (Honeyford, four co-sponsors) creates a joint legislative taskforce to consider financing options for water supply, flood control, and stormwater projects, appropriates \$1 million from the general fund for taskforce activities, and also authorizes the legislature to appropriate funds from the public works assistance account for taskforce expenses. **SSB 6515 was placed on second reading by S Rules.**

Recreation, amusement, and fitness service taxes: **HB 2539** (Carlyle, two co-sponsors) / **SSB 6472** (Hill, two co-sponsors) addresses taxation of amusement, recreation, and physical fitness services and is noteworthy for making permanent the “opportunity to dance” tax exemption passed last year. **The House and Senate versions are in Rules.**

For-hire vehicle industrial insurance: **SHB 2152** (Habib, nine co-sponsors) repeals industrial insurance requirements for operators of for-hire vehicles, limousines, and taxicabs. **SHB 2152 passed out of the House 93-1 and will be heard in the Senate Commerce and Labor Committee Wednesday, Feb. 19.**

Rental car company responsibility for infractions: **HB 2470** (Pollet, four co-sponsors) and **SB 6109** (Hobbs, two co-sponsors). **HB 2470**, which would make rental car companies responsible for their customers’ unpaid traffic penalties, **did not advance from the House Transportation Committee.** **SB 6109** allows local jurisdictions and WSDOT to report unpaid parking, camera, and toll violations for which rental car businesses are liable to the Department of Licensing for the purpose of withholding registration renewals for the applicable vehicle. **SB 6109 was placed on second reading by S Rules.**

Sound Transit parking impacts: **SB 6489** (Hasegawa, King) / **HB 2783** (Santos) requires Sound Transit to mitigate parking impacts when constructing transportation facilities and pay for zoned residential parking permits for impacted residents. **HB 2783 did not advance before cutoff. SB 6489 is in S Rules.**

Disabled parking placards: **SHB 2463** (Hunt, six co-sponsors) changes regulations governing disabled parking permits and applications in order to curb placard abuse. **SHB 2463 is in H Rules.**

Oil transportation safety: **2SHB 2347** (Farrell, 28 co-sponsors) and **SB 6262** (Rolfes, 15 co-sponsors) both address oil transportation safety. **SB 6262** addresses vessels transporting oil over water. **SHB 2347** addresses concerns about shipment of oil by train or tanker, establishes risk reduction and spill prevention measures, and ensures public access

to information about risks and shipments through their communities. **SB 6262 did not advance. 2SHB 2347 was placed on second reading by House leadership.**

Early Learning

Fatality reviews for early learning and child care centers: SHB 2165 (Kagi, four co-sponsors) requires the Department of Early Learning to address fatalities occurring at early learning programs and licensed child care centers and homes. **SHB 2165 passed out of the House 93-5 and was referred to the Senate Human Services & Corrections Committee.**

Early education bill: SHB 2377 (Hunter, 17 co-sponsors) / **SB 6127** (Litzow, 14 co-sponsors) is omnibus legislation meant to improve the early care and education systems. **The Senate Version has not advanced from S Ways and Means. SHB 2377 was placed on second reading by House leadership.**

Early education for children in the child welfare system: SHB 2519 (Senn, eight co-sponsors) expands access to early learning for children in the child welfare system. **SHB 2519 passed out of the House 90-8 and was referred to the Senate Early Learning & K-12 Education Committee. SB 6538** (Rivers, five co-sponsors) also addresses early education for children in the child welfare system. **SB 6538 is in S Rules.**

Marijuana

Marijuana processing and retail licenses: SHB 2304 (Moscoso) / **SSB 6160** (Conway, Kohl-Welles) is request legislation from the WSLCB. It creates and defines rules and regulations for marijuana processing and retail licenses. **SHB 2304 and SSB 6160 are on second reading.**

Medical marijuana regulations: 2SHB 2149 (Cody, five co-sponsors) sets new regulations for medical marijuana. It reduces standard possession amounts from 24 to three ounces, cuts the allowable number of plants from 15 to six, eliminates authority to establish collective gardens, requires patient and designated provider recognition cards, and establishes a medical marijuana endorsement for retailers. **2SHB 2149 was placed on second reading by House leadership.**

Medical marijuana tax relief: 2SHB 2198 (Carlyle, three co-sponsors) creates a sales and use tax exemption for medical marijuana purchased at licensed retail outlets. **2SHB 2198 was placed on second reading by House leadership.**

Marijuana revenues: SHB 2144 (Condotta, seven co-sponsors) establishes a dedicated local jurisdiction marijuana fund and requires 30 percent of collected marijuana revenues to be distributed to local jurisdictions. **SHB 2144 has not advanced from H Appropriations, but could be deemed “necessary to implement the budget” (NTIB).**

Marijuana revenues: HB 2772 (Young) directs marijuana tax revenues to be used for local fire protection and law enforcement, ferry operations and maintenance, and toll reduction at Tacoma Narrows. **HB 2772 is yet to receive a hearing, but could be deemed NTIB.**

Preempting local marijuana bans: HB 2322 (Sawyer, 10 co-sponsors) and **HB 2638** (Wylie, Pollet) preempt local government bans on marijuana businesses but differ in their scope. **Neither has advanced from the House Government Accountability & Oversight Committee, but they could be deemed NTIB.**

Aligning medical and recreational marijuana systems: 2SSB 6178 (Kohl-Welles, five co-sponsors) and **2SSB 5887** (Rivers, two co-sponsors) attempt to align the medical and marijuana systems. Both include recommendations from the WSLCB work group. These bills differ as to allowable possession amounts, creation of a DOH medical marijuana registry, qualifying medical conditions, and taxation. **2SSB 6178 and 2SSB 5887 are yet to advance from S Ways & Means, but could be deemed NTIB.**

Depository for marijuana businesses: SB 5955 (Hasegawa, six co-sponsors) creates a publicly-owned trust to act as a depository for in-state marijuana producers, processors, and retailers. **SB 5955 was heard in the Senate Financial Institutions Committee but has not yet advanced. However, it could be deemed NTIB.**

Other Issues of Significant Interest

Sexual orientation change efforts: SHB 2451 (Lias, 22 co-sponsors) / **SB 6449** (Pedersen, 23 co-sponsors) bans sexual identity change therapy for patients under age 18. **SB 6449 did not advance before cutoff. SHB 2451 passed out of the House 94-4 and has been scheduled for a public hearing in the Senate Health Care Committee on Feb. 20.**

Public Disclosure of Utilities Customer Information: SHB 2114 (Kretz, six co-sponsors) / **SSB 6007** (Rivers, four co-sponsors) exempts customers' electronic contact information, utility usage, and billing information from disclosure under public records laws. **SSB 6007 passed out of the Senate unanimously and is scheduled to be heard in the House Local Government Committee Wednesday, Feb. 19. SHB 2144 was placed on second reading by Rules.**

Unmanned Aircrafts: SHB 2178 (Morris, Morrell), **SHB 1771** (Taylor, 19 co-sponsors), and **SSB 6172** (Hargrove, 12 co-sponsors). **SHB 2178** prohibits the use of unmanned aircraft over private property. **SHB 2178 was placed on second reading by H Rules. SHB 1771** requires local law enforcement agencies to have approval from their governing body before obtaining an unmanned aircraft system and places restrictions on when and how information from the system may be used. **SHB 1771 was placed on second reading by H Rules. SSB 6172** sets standards for when and how state and local government agencies may use unmanned aircrafts, adds warrant requirements, restricts the ways collected information may be used, creates reporting requirements, and provides for damages in the event of violations. **SSB 6172 was placed on second reading by S Rules.**

Cultural access programs: SB 6151 (Hill, eight co-sponsors) and **HB 2212** (Springer, 13 co-sponsors) seek to enhance cultural access. **HB 2212** allows counties, or groups of counties, to create cultural access programs for which they could impose local sales and use tax or a property tax levy. **HB 2212 did not advance from the House Finance Committee.** **SB 6151** authorizes counties to create cultural access authorities that provide public school programs. If voter approval is granted, authorities could impose sales and use tax or annual property tax levies. **SB 6151 was placed on second reading by S Rules.**

Cultural Resources and SEPA: SHB 2709 (Fitzgibbon, two co-sponsors) reinstates SEPA's cultural resource requirements for some actions. Specifically, actions categorically exempted from SEPA review by 2012 legislation (which created infill, non-project, and rule-based exemptions) and actions categorically exempted by statute or rule on or after July 1, 2012 would be subject to SEPA cultural resource requirements. **SHB 2709 is in Rules.**

Paint Stewardship: SHB 1579 (Goodman, nine co-sponsors) / **SB 5424** (Chase, eight co-sponsors) creates an architectural paint recovery program to be enforced by the Department of Ecology, makes paint manufacturers responsible for development and implementation of a stewardship program, and creates a paint product stewardship account. **The Senate version has not advanced from Ways & Means. SHB 1579 is in Rules.**

Lights containing mercury: SHB 2246 (Hunt, eight co-sponsors) / **SSB 6177** (Litzow, three co-sponsors) replaces the current model of funding for product stewardship with a handling charge applied to each retail sale and imposes a sunset review for the program in 2025. **SHB 2246 passed out of the House 56-41 and was referred to the Senate Energy, Environment & Telecommunications Committee. SSB 6177 is in Rules.**

INACTIVE BILLS

Minimum wage increase: HB 2672 (Farrell, 31 co-sponsors) increases the minimum wage to \$12-per-hour over the course of three years. **HB 2672 did not advance from Appropriations.**

Foster care past age 18: HB 2335 (Roberts, 13 co-sponsors) / **SSB 6101** (Fain, 11 co-sponsors) allows youth with an open dependency proceeding at age 18 and who either work at least 80 hours per month or have certain medical conditions and engage in qualifying activities to receive extended foster care services.

Gun Initiatives: Initiative 591 (limits background checks) / **Initiative 594** (requires background checks) were both heard in committee but neither initiative has advanced in the Legislature.

Rideshare work group: HB 2782 (Tarleton, Habib) requires the joint transportation committee to convene a workgroup to study personal transportation services, including for-hire vehicles, taxis, limousines, and mobile application-based personal transportation services (e.g. Uber, Lyft).

Structurally deficient bridges: HB 2771 (Hayes, five co-sponsors) allows local governments to use an expedited contracting process when repairing or replacing bridges deemed structurally deficient.

Certificate of Restoration of Opportunity: HB 2399 (Walkinshaw, 10 co-sponsors) aims to reduce recidivism by reducing barriers to employment. It would create a process for those with criminal records to seek a certificate of restoration of opportunity, which would remove any professional bar imposed solely as a result of conviction.

Compost processing and storage: HB 2072 (Manweller) requires counties and cities to store and process at least 50 percent of all collected compostable waste within the county where collected if the collecting jurisdiction mandates compostable waste separation or collection as part of solid waste services.

Notice to tenants and relocation assistance: SB 6292 (Kohl-Welles, five co-sponsors) requires 90-day notice to residential tenants before rent increases or changes of use and allows local jurisdictions to authorize relocation assistance for more households.