



# CITY OF SEATTLE

## 2018 State Legislative Agenda Final Report - Sine Die April 6, 2018

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# I. Introduction

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This report assesses our progress toward goals outlined in the City’s 2018 State Legislative Agenda. As with the agenda, this report tracks four overarching priorities: a safe, vibrant, interconnected, and affordable city for all.

If you have questions about any of the issues discussed in this report or on other topics addressed during the legislative session, please contact the Office of Intergovernmental Relations.

## **A Special Thanks to the City of Seattle State Legislative Delegation, City Officials, and Staff**

OIR thanks the Seattle legislative delegation for representing the interests of Seattle residents and for the long hours they spent in Olympia. A total of 2,650 bills were introduced in 2018 and over 4,000 were considered active through the session. 220 bills passed out of the legislature this year and department staff produced over 3,174 bill reviews.

# II. Session Review

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## ***2018 Regular Session: January 8, 2018 through March 8, 2018***

The Washington State Legislature convened for the 60-day 2018 legislative session on Monday, January 8<sup>th</sup>. During the 2018 session, the Legislature was tasked with passing supplemental operating, transportation and capital budgets as well as policy bills. The Legislature moved at an incredible pace to not only end on time, but to also take advantage of the new majority in the Senate to pass some unprecedented policy changes.

### ***Overview of Supplemental Operating, Transportation, and Capital Budgets***

2018 is the second year of the two-year (biennial) cycle which means the base two-year budget had already been written and just a supplemental budget is produced to account for changes in revenue, caseload, and new spending since the full budget was passed.

#### ***Operating***

The Senate and the House passed their supplemental operating budget, [SB 6032](#), on March 8th. The final budget increases general fund for opportunity pathways appropriations by \$941.0 million over enacted 2017–19 appropriations. That funding level is \$176.5 million less than the Senate-passed budget and \$560.6 million more than the House-passed budget. The budget makes significant investments in behavioral health; expands access to higher education; helps rural communities increase economic development and job opportunities; strengthens the safety net; fulfills the *McCleary* obligation by fully funding educator salaries in 2018; and provides

funding to fight the opioid crisis. The final compromise budget passed 54-44 in the House and 25-24 in the Senate.

Some highlights in the operating budget include:

- \$500,000 for a contract to study and report on independent contractor employment in Washington state. The contractor shall provide to the department an interim report to include a substantive update by November 1, 2018. The contractor report shall be provided to the Department of Commerce by June 1, 2019.
- \$1.5M for statewide tourism marketing.
- \$96,000 for the implementation of SB 6175, concerning the Washington uniform common interest ownership act.
- \$1.6M for administration and pass-through funding to assist Whatcom, Snohomish, King, Pierce, Kitsap, Thurston, and Clark counties with the implementation of SB 5254, which ensures the adequacy of buildable lands and zoning in urban growth areas and provides funding for low-income housing and homelessness programs.
- \$20,000 for the office of homeless youth prevention and protection program to conduct a survey of homeless youth service and informational gaps, especially in nonurban areas, with an emphasis on providing nonurban school districts with adequate informational resources related to homeless youth and youth in crisis services available in their community.
- \$174,000 for the Department of Commerce to implement HB 2382, which allows any state or local agency to dispose of property to any public, private, or nongovernmental body for affordable housing development on any mutually agreeable terms.
- \$31,000 for the Department of Commerce to implement HB 2667, which expands eligibility for referrals to the Housing and Essential Needs Referral Program (HEN) to include recipients of the Aged, Blind, or Disables cash assistance program.
- \$1M for the Department of Commerce to contract with organizations and attorneys to provide legal representation and/or referral services for legal representation to indigent persons who are in need of legal services for matters related to their immigration status. Persons eligible for assistance under this contract must be determined indigent.
- \$5.8M for the implementation of HB 1570, the document recording fee bill.
- \$3.25M for testing of rape kits and to continue the work of the Sexual Assault Forensic Examination Task Force
- Opioid-Related Items:
  - Health Care Account
    - Medication Assisted Treatment rate increase - \$1.214M NGF/\$6.156M Total
  - Department of Health
    - Data tracking - \$300,000 NGF/\$996,000 Total
    - Prescription Monitoring Program Electronic Health Records Integration - \$0 NGF/\$160,000 Total
  - Department of Corrections
    - Medication Assisted Treatment Rx - \$90,000 NGF

- Department of Social and Health Services
  - Hub and spoke expansion - \$2.315M NGF/\$4.630M Total
  - Naloxone Distribution- \$0 NGF/\$864,000 Total
  - Pregnant supports (PCAP) - \$417,000 NGF/\$687 Total
  - Tribal opioid reduction grants - \$0 NGF/\$1.5M Total
  - Medication Assisted Treatment tracking tool, PSA and training supports - \$0 NGF/\$1.3M Total
  - Drug take back - \$0 NGF/\$1.12M Total
  - Youth prevention - \$0 NGF/\$1.65M Total
  - Substance Use Disorder Peer supports - \$0 NGF/\$806,000 Total
- Behavioral Health: funds \$306 million behavioral health investment plan, including:
  - Community investments to increase Behavioral Health Organizations (BHO) Medicaid & non-Medicaid rates, payback BHO reserves – \$37.6M
  - Backfills lost federal waiver funding to BHOs – \$15.5M
  - Increases rates for Children’s Long-term Inpatient Program (CLIP) beds – \$2M
  - State hospital funding and forensic increases – \$62M
  - Trueblood fines - \$47M (In April 2015, a federal court found that the Department of Social and Health Services (DSHS) was taking too long to provide competency evaluation and restoration services to criminal defendants. Funding is provided for FY 2018 contempt fines, plaintiff fees, and increases in court monitor costs related to the Trueblood et. Al. v. DSHS Lawsuit.)

### **Capital**

The legislature passed the supplemental 2018 Capital Budget, [SB 6095](#), which appropriates \$198 million in general obligation bonds, \$152 million from dedicated accounts for projects during the 2017-19 biennium, and \$64.6 million in alternatively financed projects. Of the \$211.4 million in remaining bond capacity available under the 2017-19 bond authorization, SB 6095 appropriates \$198 million, leaving approximately \$13.4 million in bond capacity reserved for the 2019 second supplemental budget. The budget provided funding for, among other projects, local and community projects under the Department of Commerce (\$81.8 million), behavioral health facilities under DSHS (\$17.8 million), natural resource projects (\$170.5 million), and various K-12 education construction projects (\$47 million). The final budget passed with a vote of 96-2 in the House and unanimously in the Senate.

Some highlights from the capital budget include:

- \$100,000 for the Ballard Fish Ladder Renovation
- \$500,000 for the Lake City Community Center
- \$200,000 for the Northwest African American Museum Exhibit
- \$1M for the Town Hall Historic Restoration
- \$475,000 for the Arboretum Waterfront Trail Renovation
- \$1M for a nonprofit, public development authority, local government, or housing authority to purchase the south annex properties located at 1531 Broadway, 1534 Broadway, and 909 East Pine street owned by the State Board of Community and

Technical Colleges. The property must be used to provide services and housing for homeless youth and young adults.

- \$1.5M for the purchase of the south annex properties. The State Board of Community and Technical Colleges must transfer the south annex properties located at 1531 Broadway, 1534 Broadway, and 909 East Pine street to a nonprofit or public development authority, if the entity agrees to use the properties to provide services and housing for homeless youth and young adults for a minimum of 10 years. The transfer agreement must require the nonprofit or public development authority to cover any closing costs and must specify a purchase price of \$9 million.
- \$7.9M for the Frantz G. Coe Elementary School (North Queen Anne) from Distressed Schools Grants
- \$5.1M for the Mount Baker property cleanup project through the Healthy Housing Remediation Program
- The Department of Ecology in collaboration with the Department of Commerce shall develop a competitive process to select projects for funding for the Healthy Housing Remediation Program
- \$28.4M for the Department of Ecology to enter and administer grants to scrap and replace old, high-polluting diesel school buses, transit buses, and other vehicles with low-emission and zero-emission vehicles
- The Department of Ecology shall work with other agencies to implement the elements of the Volkswagen mitigation plan that address categories of projects for which other agencies have already developed programs or expertise. Additionally, a steering committee is established to provide input and gather public feedback on the Volkswagen mitigation plan.

### ***Transportation***

The supplemental transportation budget passed by the legislature, [SB 6106](#), provides an increase of \$826 million over the enacted 2017-19 transportation budget. Much of the increase is a result of re-appropriated funds to continue Connecting Washington projects passed in 2015. New funding was provided for various transportation projects including converting three ferries from diesel to hybrid electric, state trooper basic training, highway preservation, and increased staffing at the Department of Licensing to accommodate implementation of REAL ID (the REAL ID Act, passed by Congress in 2005, established minimum security standards for driver licenses and ID cards and prohibits Federal agencies from accepting licenses and ID cards from states that do not meet these standards. The US Department of Homeland Security announced all Washington State drivers licenses and ID cards can be used for all federal purposes under a compliance extension that runs through October 10, 2018. The Department of Licensing expects to be in full compliance by fall 2018.). The final budget passed 96-1 in the House and 47-1 in the Senate.

Some highlights from the transportation budget include:

- \$181,000 Bridge Joint Noise Mitigation Study - Funding is provided for the University of Washington to work with WSDOT to study and report back to the Legislature on reducing

noise impacts from bridge expansion joints. A report must be submitted to the transportation committees by October 15, 2018.

- \$360,000 City Transportation Funding Study - Funding is provided from the cities' statewide fuel tax distributions for the Joint Transportation Committee (JTC) to conduct a study to assess the current state of city transportation funding, identify emerging issues, and recommend funding sources to meet current and future needs.
- \$255,000 Transportation Network Companies (TNCs) Study - Funding is provided for the Joint Transportation Committee (JTC) to conduct a study regarding the regulation of transportation network companies within the state of Washington. The JTC must consult with relevant representatives of the department of licensing, the utilities and transportation commission, the Washington state patrol, local governments involved in the regulation of TNCs, and other relevant stakeholders. The study must include a review of the regulatory framework used by local jurisdictions within Washington state and in other states, an evaluation of the most effective public safety aspects of a regulatory framework, including among other aspects, the type of required background checks, and an assessment of the most effective and efficient state and local regulatory structure for regulation of TNC's. A report is due January 14, 2019.
- \$300,000 For Hire Vehicle Study - Funding is provided for the Joint Transportation Committee (JTC) to conduct a study regarding the regulation of taxi and for hire services regulated by state, local governments, and port districts. The study must compare state and local regulations in the state of Washington that govern these private passenger transportation services and may include recommendations for improving the consistency of overall effectiveness and competitive fairness of the current regulatory frameworks. A report is due January 14, 2019.
- \$25,000 for additional hours of traffic control assistance by a uniformed officer at the Fautleroy ferry terminal.
- \$75,000 for University of Washington to conduct an analysis of loading procedures at the Fautleroy ferry terminal. WSDOT shall share the results of the analysis with the governor's office and the transportation committees by December 31, 2018.
- \$150,000 for the facilitation of an autonomous vehicle work group in accordance with Substitute House Bill 2970 (Autonomous Vehicle Work Group).
- \$315,000 to the Joint Transportation Committee (JTC) for a consultant to study the capital needs of public transportation systems operated by public transportation benefit areas, metropolitan municipal corporations, cities, counties, and county transportation authorities. The report is due to the Legislature March 1, 2019.
- \$450,000 for a consultant business case analysis of ultra-high-speed ground transportation. The business case analysis must build on the results of the 2017 Washington state ultra-high-speed ground transportation feasibility study. WSDOT shall provide a report to the governor and transportation committees by June 30, 2019.
- \$75,000 for WSDOT to contract with the Puget Sound Clean Air Agency to conduct a study that identifies and evaluates opportunities to facilitate low-income utilization of electric vehicles. The study must include, but is not limited to, development and evaluation of an electric vehicle car-sharing program for low-income housing sites that is designed to

maximize the use of electric vehicles by residents of these sites, and that must consider any infrastructure needs to be met to support the use of electric vehicles at these sites. The department must provide a report detailing the findings of this study to the legislature by December 1, 2018.

- \$5.6 million for SR 99 Tunnel Tolling Operations & Maintenance - Funding is provided for the new SR 99 tunnel's expected share of expenses incurred to collect toll revenues and operate customer services for the final seven months of the biennium.
- \$1.8 million for SR 99 Ramp Up Transponders - Funding is provided for the purchase of transponders before the opening of the new SR 99 tunnel.
- \$2.9 million for SR 99 Tunnel Structure Operations & Maintenance - Funding is provided for operating and maintaining the new SR 99 tunnel for the final eight months of the biennium.

## III. A Safe City

*One that ensures all residents can live safely and securely*

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### **Public Safety**

#### **Bills Passed**

**Body Cameras:** [SB 6408](#) removes expiration dates, making current requirements and Public Records Act (PRA) provisions governing worn cameras permanent and applicable to all law enforcement and corrections agencies deploying body worn cameras, adds a definition of intimate images as it relates to body worn camera recordings, and clarifies records retention requirements for body worn camera recordings. This extension will allow for privacy protections of footage that includes victims of domestic violence, people inside medical facilities, sexually explicit images, and some footage of children, when footage is sought as a public record.

**Civil Service Qualifications:** [SB 6145](#) changes the civil service qualification for police officers, fire departments, and county sheriff departments by expanding who can apply for a position to include a lawful permanent resident.

**Closing the Machine Gun Loophole:** [SB 5992](#) prohibits a person from manufacturing, owning, buying, selling, loaning, furnishing, transporting, or having in possession or under control, a bump-fire stock. The bill was amended on the floor to require the Washington State Patrol to establish and administer a bump stock buy-back program.

**Concealed Pistol License:** [HB 2519](#) prohibits a law enforcement agency from returning a concealed pistol license that has been surrendered to or impounded by the agency to the licensee until the agency determines that the licensee is eligible to possess a firearm and meets other eligibility requirements for the license. It was amended in committee to require a law



enforcement agency to review available records for evidence of current drug use prior to returning the person's firearm or concealed pistol license.

**Suicide Prevention/Voluntary Waiver:** [SB 5553](#) allows for the voluntary waiver of firearm rights in order to prevent suicide. The bill authorizes a person to file a voluntary waiver of firearm rights with the clerk of the court in a Washington county. The clerk of the court is required to transmit the accepted form for entry into the National Instant Criminal Background System (NICS) and any other federal or state computer-based systems used by law enforcement agencies or others to identify prohibited purchasers of firearms. A person or a licensed firearms dealer is prohibited from delivering a firearm to a person who has a voluntary waiver of firearm rights currently in effect.

**Domestic Violence and Possession of Firearms:** [SB 6298](#) adds domestic violence harassment to the list of offenses for which a person is prohibited from possessing a firearm. The effective date for when the crime of Unlawful Possession of a Firearm based on a conviction for domestic violence harassment applies to domestic violence harassment crimes committed on or after the effective date of the act, June 7, 2018.

**De-escalation/Use of Deadly Force:** [HI 940/SI 940](#) requires law enforcement officers to complete de-escalation training and mental health training, establishes state policy requiring law enforcement personnel to render first aid, modifies the criminal liability standard for law enforcement officers using deadly force, and requires independent investigations of certain incidents involving a law enforcement officer's use of deadly force. The House and the Senate both separately passed their body's version of the initiative. The initiative will become law 90 days after passage.

[HB 3003](#) is a compromise bill between law enforcement groups and De-escalate Washington, and modifies provisions reflecting the law as amended by Initiative 940, including provisions relating to training, rendering of first aid, the criminal liability standard for use of deadly force, and independent investigations of deadly force incidents. The bill requires the state to reimburse a peace officer for reasonable defense costs when he or she is found not guilty or charges are dismissed by reason of justifiable homicide, justifiable use of deadly force, or self-defense, for actions taken while on duty or otherwise within the scope of his or her authority as a peace officer.

**Immigrant Crime Victim Participation:** [HB 1022](#) requires law enforcement agencies and other entities to complete victim certifications for U and T nonimmigrant visa applications for qualifying victims of certain crimes.

**Sexual Assault Nurse Examiners:** [HB 2101](#) requires the office of crime victims advocacy to develop: (1) Best practices that local communities may use on a voluntary basis to create more access to sexual assault nurse examiners, including partnerships to serve multiple facilities, mobile sexual assault nurse examiner teams, and multidisciplinary teams to serve sexual assault

survivors in local communities; and (2) Strategies to make sexual assault nurse examiner training available without requiring the nurses to travel unreasonable distances or incur unreasonable expenses.

**Legal Financial Obligations:** [HB 1783](#) eliminates interest accrual on the nonrestitution portions of legal financial obligations (LFOs); provides that a court may not impose costs on a defendant who is indigent at the time of sentencing; establishes provisions governing payment plans and priority of payment of LFOs; addresses actions a court may take in sanction proceedings for failure to pay LFOs where the offender's failure to pay is not willful and establishes standards for what constitutes willful failure to pay; provides that 100 percent of the crime victim penalty assessment must be deposited into a fund for crime victim and witness programs; and provides that the DNA database fee is not mandatory if the offender's DNA has been collected as a result of a prior conviction.

### ***Bills Not Passed***

**Death Penalty:** [SB 6052](#) eliminated the death penalty and provided that all persons convicted of Aggravated First Degree Murder must be sentenced to life in prison without the possibility of release or parole. SB 6052 passed out of the Senate with a 25-22 vote count and after moving out the House Judiciary Committee was not pulled from the Rules Committee.

**DNA Biological Samples:** [HB 2331](#) addressed the collection of DNA biological samples and applied the DNA collection and analysis law to persons convicted under a municipal ordinance that is equivalent to a state criminal statute for which DNA is collected upon conviction. HB 2331 was voted out of the House Public Safety Committee but was not pulled from the Rules Committee.

**Domestic Violence:** [HB 2457](#) specified timeframes for which domestic violence no-contact orders entered as a condition sentence remain in effect and extended the maximum time that a superior court may suspend a non-felony domestic violence sentence to five years. HB 2457 passed out of the House with a 98-0 vote count but was held on second reading in the Senate.

**Driving While License Suspended:** [SB 6189](#)/[HB 2481](#) eliminated the failure to respond or appear in connection with a traffic infraction as a reason for suspension of a person's driver's license; created the Driving While License Suspended or Revoked 4 (DWLS 4), a traffic infraction resulting from a nonresident suspension, suspension of an intermediate driver's license, or suspension for any of the reasons listed in DWLS 2 or 3 when the person has resolved the underlying issue but not reinstated his or her license; elevated DWLS 4 to DWLS 3 on the fifth violation of DWLS 4; and directed the Department of Licensing to create a workgroup to develop low-cost, efficient options to administratively lift the driver's license suspension for persons whose license has been suspended for a failure to appear or respond to a moving violation infraction and report back to the Legislature by December 1, 2018. SB 6189 passed out of the Senate Law & Justice, Transportation, and Ways & Means Committees before being held on second reading. HB 2481 received a public hearing in the House Public Safety Committee but was not voted out.

**Enhanced Assault Weapon Background Checks:** [SB 5444/](#)[HB 1387](#) required that people be 21 years old and pass an enhanced background check to own an Assault Weapon. SB 5444 passed out of the Senate Law & Justice Committee but did not receive a public hearing in the Ways & Means Committee. HB 1387 received a public hearing in the House Judiciary Committee but was not voted out.

**Local Authority over Firearms:** [SB 6146/](#)[HB 2666](#) would have repealed state law preempting local government regulations of firearms and removed limited exceptions to preemption that specifically authorize local government regulations of firearms. SB 6146 received a public hearing in the Senate Law & Justice Committee but was not voted out. HB 2666 received a public hearing in the House Judiciary Committee but was not voted out.

**Firearm Storage:** [SB 5463/](#)[HB 1122](#) created a duty for the safe storage of firearms, created civil liability for violations of the duty that result in injury, death, or the commission of a crime, required firearms dealers to offer to sell or give the purchaser a locked box, or device that prevents the firearm from discharging, and provide warnings of potential civil liability for unsecured storage of firearms. SB 5463 received a public hearing in the Senate Law & Justice Committee but was not voted out. HB 1122 was voted out of the House Judiciary Committee but was not pulled from the Rules Committee.

**First Informer Broadcasters:** [HB 2415](#) required the Military Department Emergency Management Division to authorize a private entity to establish a program for certifying first informer broadcasters and required state and local governments to allow certified first informer broadcasters access to areas affected by emergencies in some circumstances. HB 2415 passed out of the House with a 95-2 vote count but was held on second reading in the Senate.

**High Capacity Magazines:** [SB 6049/](#)[HB 2422](#) prohibited the manufacture, possession, sale, or transfer of a large capacity magazine (LCM) with the capacity of holding more than ten rounds of ammunition, unless the possession fell within one of the stated exceptions. The bill also made the possession of a LCM a gross misdemeanor. SB 6049 received a public hearing in the Senate Law & Justice Committee but was not voted out of Committee. HB 2422 received a public hearing in the House Judiciary Committee but was not voted out of Committee.

**Immunity from Prostitution Offenses:** [HB 2361](#) provided immunity from prosecution for prostitution if the evidence for the charge was obtained as a result of a person seeking emergency assistance in certain circumstances. HB 2361 passed out of the House with a 96-2 vote count but was held on second reading in the Senate.

**Closing a firearm loophole - Incompetent to Stand Trial:** [SB 6297](#) required the court to determine whether a defendant has a history of violent acts when dismissing nonfelony charges based on incompetency to stand trial, prohibited persons who have a history of one or more violent acts from possessing a firearm following the dismissal of nonfelony charges based on incompetency to stand trial, unless firearm rights are restored by a court, and allowed the person to ask to have their firearm rights restored by filing a petition in superior court. SB 6297 was voted out of the Senate Law & Justice Committee but was held on second reading.

**Mental Health Involuntary Treatment:** [SB 5441](#) allowed the temporary restriction of firearm rights for individuals detained for 72 hours under the mental health involuntary treatment act. SB 5441 was voted out of the Senate Human Services & Corrections and Law & Justice Committees but was not pulled from the Rules Committee.

**Modifying Rape Offense:** [HB 2465](#) modified the crime of Rape in the third degree by removing the language requiring that lack of consent was clearly expressed by the victim's words or conduct. Instead, a person would have committed rape in the third degree when such person engaged in sexual intercourse with another person where the victim did not consent to sexual intercourse with the perpetrator or where there was threat of substantial unlawful harm to the property rights of the victim. HB 2465 passed out of the House with 97-0 vote count but was not pulled from the Rules Committee in Senate.

**No-Contact Violations:** [HB 2466](#) included no-contact orders issued in Promoting Prostitution and Trafficking cases in the list of orders to which the warrantless arrest statute applies. HB 2466 was passed out of the House with a 98-0 vote count but was not pulled from Rules Committee in the Senate.

**Patronizing a Prostitute/Sexual Exploitation:** [HB 2360](#) renamed the crime of "Patronizing a Prostitute" to "Sexual Exploitation" and raised the classification for any second or subsequent conviction for the crime of Sexual Exploitation from a misdemeanor to a gross misdemeanor. HB 2360 was passed out of the House with a 97-0 vote but was not pulled from the Rules Committee in the Senate.

**Restricting Firearms in Early Learning Facilities:** [HB 2293](#) made it, with some exceptions, unlawful for a person to possess a firearm and other weapons on child care center premises, center-provided transportation, or in areas of facilities being used exclusively by a child care center, required child care centers to post "GUN-FREE ZONE" signs to provide warning of the prohibition on possessing firearms on center premises, and required family day care providers to store any firearm, ammunition, or other dangerous weapon in a secure area inaccessible to children when children are present on the premises. HB 2293 received a public hearing in the House Judiciary Committee but was not voted out.

**Sexual Assault, Statute of Limitations:** [HB 1155](#) eliminated the statute of limitations for felony sexual offenses, including rape in the first and second degrees, child molestation and sexual exploitation of a minor. HB 1155 was passed out of the House with a 90-8 vote count but was held on second reading in the Senate.

**Sexual Harassment Public Records:** [HB 2778](#) expanded the public records exemptions to include personal information of an agency employee who makes a sexual harassment claim and requested that their information not be disclosed and subjected a person to civil liability who requested and obtained the personal information of an agency employee who made a sexual harassment claim if the requestor used the information to harass, stalk, threaten, or intimidate the employee. HB 2778 was passed out of the House with a 98-0 vote count but was held on second reading in the Senate.

**Student Safety:** [SB 6620](#) / [HB 3004](#) incorporated the enhanced assault weapon background check policy with student and school safety policies. SB 6620 passed out of the Senate Ways & Means Committee but was held on second reading.

**Sunshine Committee:** [HB 1160](#) / [SB 5418](#) required public disclosure for certain otherwise exempted personal information where the subject of the information consents to disclosure, exempted public employee and volunteer passport and visa numbers from public disclosure, provided that the exemption from public disclosure of information regarding the ongoing investigations of employment-related discrimination lasts until the agency provides notice of the outcome of the investigation, exempted trade secrets from public disclosure, and allowed attorney's fees to any defendant who successfully defends against an injunction of the public disclosure of financial related records. HB 1160 received a public hearing in the House State Government, Elections & Information Technology Committee but was not voted out. SB 5418 was voted out of the State Government, Tribal Relations & Elections Committee but was not pulled from the Rules Committee.

**Wireless Device Tax:** [HB 2389](#) levied a 40 cent tax on each retail sale in the state of a wireless device used to access the internet and dedicated the revenue of the new tax to the Washington Internet Crimes Against Children Account. HB 2389 was voted out of the House Finance Committee but after referral to the Appropriations Committee it received no further action.

## ***Safety Net & Civil Rights***

### ***Bills Passed***

**Automatic Voter Registration:** [HB 2595](#) will provide for an automatic voter registration (AVR) procedure for enhanced driver's license and Identocard applicants; require the Health Benefit Exchange (HBE) to provide voter registration information to the Secretary of State for persons who consent to such transfer; and require the Secretary of State to study the feasibility of providing AVR for recently naturalized citizen state residents and for voter preregistration at birth.

**Ban the Box/Fair Chance Act:** The Washington Fair Chance Act, [HB 1298](#), prohibits employers from making inquiries related to criminal records until after initially determining the applicant is qualified for the position. It also prohibits ads or policies excluding applicants with criminal records and authorizes the attorney general to enforce the Act and provides penalties.

**Civil Legal Aid:** [HB 2308](#) amends provisions governing the Office of Civil Legal Aid, including provisions relating to the types of matters for which state moneys may and may not be used.

**Equal Pay:** The Equal Pay Act, [HB 1506](#), prohibits discrimination in providing employment opportunities based on gender and prohibits retaliation for certain workplace discussions about wages and other matters. The legislation will make it easier for women to talk about their earnings with co-workers and will ensure there's no backlash for employees who discuss their

wages or who ask for equal pay. This bill goes further than other states with gender pay equity laws by extending protections to employees who are offered lesser career advancement opportunities based on gender. The Equal Pay Opportunity Act updates the law by, among other things:

- Defining “similarly employed” as jobs that require similar skill, effort, and responsibility, and are performed under similar working conditions.
- Prohibiting employers from imposing pay secrecy policies.
- Preventing discrimination by gender in providing career advancement opportunities.
- Banning employers from retaliating against employees who file complaints, discuss wages or seek advancement opportunities.
- Ensuring employees are entitled to administrative and civil remedies in the event of violations.

**Posttraumatic Stress:** [SB 6214](#) creates an exemption from the exclusion of claims based on mental conditions or disabilities caused by stress for posttraumatic stress disorders of certain firefighters and law enforcement officers. The law also creates a rebuttable presumption that posttraumatic stress disorder is an occupational disease for these firefighters and law enforcement officers.

**Sexual Harassment:** [SB 5996](#) prohibits an employer from requiring an employee, as a condition of employment, to sign a nondisclosure agreement that prevents the employee from disclosing sexual harassment or sexual assault, provides that any nondisclosure agreement that has the purpose or effect of preventing an employee from disclosing or discussing sexual harassment or sexual assault is void and unenforceable, and provides that it is an unfair practice under the Washington Law Against Discrimination (WLAD) for an employer to retaliate against an employee for disclosing or discussing sexual harassment or sexual assault.

[SB 6313](#) provides that an employment agreement is void and unenforceable if it requires an employee to waive their right to file a complaint under the WLAD or federal antidiscrimination law, or if it requires a claim of discrimination be resolved using a dispute resolution process that is confidential.

[SB 6471](#) – creates a work group to develop model policies for employers and employees to keep workplaces safe from sexual harassment.

**Domestic Violence and Sexual Assault Employment Discrimination:** [HB 2661](#) makes it unlawful for an employer to discriminate against an applicant or employee because the individual is an actual or perceived victim of domestic violence, sexual assault, or stalking and made it unlawful for an employer to refuse to make a reasonable safety accommodation requested by a victim of domestic violence, sexual assault, or stalking unless the accommodation would impose an undue hardship.

**Voting Rights Act:** [SB 6002](#) enacts the Washington Voting Rights Act of 2018. The bill creates a

state voting rights act to protect the equal opportunity for minority groups to participate in local elections and elect candidates of choice, creates a cause of action and authorizes courts to order appropriate remedies for a violation of the voting rights act, including redistricting within a political subdivision, and authorizes local governments to change their election systems to remedy potential violations of the act.

**Youth Voter Registration:** [HB 1513](#) authorizes a person to sign up to register to vote upon turning 16 years old, but provides that such persons are not added to the official list of registered voters until the person will be at least 18 years old by the next election, exempts the information related to voter registration from public disclosure requirements until the subject of the information reaches age 18, with exceptions, exempts the information related to voter registration from inclusion on the jury source list until the person reaches age 18, provides for a voter sign-up and registration event in high school classes on Temperance and Good Citizenship Day.

### ***Bills Not Passed***

**Family Services:** [SB 6467/](#)[HB 2870](#) created a three-county pilot program to site more secure crisis residential centers (CRC) as an alternative to juvenile detention and expand family services through community truancy boards (CTB) to prevent nonoffender youth from entering the juvenile court system; required the allocation of funds to the selected counties to site secure CRCs that meet therapeutic standards and make them more accessible and available; required the allocation of funds to CTBs to provide certain evidence based services and case management services; and required the submission of a joint report to the Legislature that includes statistics on the number of youth placed in secure CRCs, the number receiving evidence-based services or case management services, or both, and any legislative recommendations, by January 1, 2021. SB 6467 was voted out of the Senate Human Services & Corrections and Ways & Means Committees but was not pulled from the Rules Committee. HB 2870 received a public hearing in the House Early Learning & Human Services Committee but was not voted out.

**Keep Washington Working Act:** [SB 5689/](#)[HB 1985](#) established a statewide policy supporting Washington state's economy and immigrants' role in the workplace. The bill would have enacted the Keep Washington Working Act and established a Steering Committee, required the Attorney General to publish model policies for limiting immigration enforcement to the fullest extent possible consistent with the law, restricted the use of state resources to assist in unconstitutional or illegal registration or surveillance programs or any other unconstitutional or illegal laws, rules, or policies targeting Washington residents on the basis of race, religion, immigration, or citizenship status, or national or ethnic origin, and restricted agencies and other departments from using their resources or transferring or detaining an individual to federal immigration authorities absent a proper warrant. SB 5689 was voted out of the Senate Labor & Commerce and Ways & Means Committees but was held on second reading. HB 1985 did not receive any action in the House past introduction.



**Occupational Disease:** [SB 6213](#)/[HB 2633](#) included EMTs and fire investigators for the occupational disease presumptions provide for firefighters, adds strokes and additional types of cancers to the presumptions, and provided occupational disease presumptions for specified law enforcement officers for certain heart problems and strokes, and for infectious diseases. SB 6213 passed out of the Senate with a 46-1 vote count but was held on second reading in the House. HB 2633 was voted out of the House Labor & Workplace Standards and the Appropriations Committees but was held on second reading.

**Repeal I-200:** [SB 6406](#) repealed the 1998 Initiative 200 (I-200) language regarding discrimination and preferential treatment in the operation of public employment, education, or contracting. SB 6406 was voted out of the Senate State Government, Tribal Relations & Elections Committee but was held on second reading.

**Wrongful Death:** [SB 6015](#)/[HB 2262](#) concerned actions for wrongful injury or death and would have made a number of changes to statutes governing wrongful death and survival causes of action, including changes to the beneficiaries entitled to recoveries and the damages that may be recovered under these actions. SB 6015 passed out of the Senate with a 26-21 vote count but was held on second reading in the House. HB 2262 was voted out of the House Judiciary and Appropriations Committee but ended up being held on second reading.

## IV. A Vibrant City

*One that supports innovation, education, economic development and the environment*

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### ***Economic Development and Infrastructure***

#### ***Bills Passed***

**Electrical Law Enforcement:** [HB 1952](#) permits cities that conduct electrical inspections to enforce electrical licensing and certification requirements.

**Net Neutrality:** [HB 2282](#) prohibits Internet providers from engaging in certain types of conduct in the provision of service which includes: blocking content, applications, services, or nonharmful devices; impairing or degrading (“throttling”) traffic on the basis of content, application, service, or use of nonharmful devices; or favoring some traffic over others in exchange for benefit. It also requires internet providers in Washington to disclose information about network management practices, performance, and commercial terms. A violation of the act is enforceable under the Consumer protection ACT solely by the Attorney General.



## ***Bills Not Passed***

**Animal Care:** [SB 6196](#) allowed qualified animal control agencies and non-profit humane societies to provide veterinary services to animals owned by low-income households. SB 6196 received a public hearing in the Senate Health & Long Term Care Committee but was not voted out.

**Capital Gains Tax:** [HB 2967](#) enacted a capital gains tax of 7% on long term capital gains and trimmed down the property tax hike enacted during the 2017 session to fund the last part of the *McCleary* Order. HB 2967 was voted out of the House Finance Committee but was not pulled from the Rules Committee.

**Electrical Billing:** [SB 5624](#) concerned transparency in retail electrical customer billing and required each electric utility to provide either written or electronic notice of public hearings where changes in electricity rates will be considered or approved and required that an electric utility must disclose the local tax rate imposed on the electric utility by a city or town on each billing statement. SB 5624 was voted out of the Senate Energy, Environment & Technology Committee but was held on second reading.

**Government Continuity in Emergencies:** [SB 6011](#) amended the Continuity of Government Act to provide continuity of government procedures for all catastrophic incidents, rather than only enemy attacks and required the Washington Military Department to develop and manage an education program for state and local government officials regarding catastrophic incidents and continuity of government planning. SB 6011 passed out of the Senate with a 47-0 vote count but was held on second reading in the House.

**Internet Privacy:** [SB 5919/](#)[HB 2200](#) required broadband Internet providers to obtain opt-in consent to sell or transfer certain customer information and required broadband Internet providers to obtain opt-in consent to send or display an advertisement to a customer based on certain customer information. SB 5919 was voted out of the Senate Energy, Environment & Technology Committee but was held on second reading. HB 2200 was voted out of the House Technology & Economic Development Committee but was not voted out of the Appropriations Committee after the public hearing.

**Leasehold Excise Tax:** [SB 6320](#) exempted certain leasehold interests in performing arts facilities or arenas from the leasehold excise tax. SB 6320 received a public hearing in the Senate Ways & Means Committee but was not voted out.

**Natural Disaster Mitigation and Resiliency:** [HB 2320/](#)[SB 6036](#) established working group on Natural Disaster and Resiliency Activities (Working Group) to be chaired by the Office of the Insurance Commissioner (OIC), directed the Working Group to review current disaster mitigation and resiliency activities and make recommendations regarding the establishment of an ongoing disaster resiliency program by December 1, 2018. HB 2330 passed out of the House with a 95-0 vote count but was held on second reading in the Senate. SB 6036 was voted out of the Senate

Financial Institutions & Insurance and Ways & Means Committees but was not pulled from the Rules Committee.

**Property Tax Taskforce:** [SB 6382](#) created a task force on state and local property tax reform. SB 6382 received a public hearing in the Senate Ways & Means Committee but was not voted out.

**Small Cell Deployment:** [SB 5935](#) required cities and towns to enact an ordinance for issuing master permits for siting and installing small cell facilities, created the Governor's Office on Broadband Access, authorized certain public utility districts (PUDs) to provide end user internet services on the PUD's broadband network, and authorized certain port districts to provide wholesale internet services. SB 5935 passed out of the Senate with a 45-3 vote count but was held on second reading in the House.

[HB 2592](#) created a designation process for local government that's demonstrate investment readiness for small cell infrastructure. HB 2592 was voted out of the House Technology & Economic Development Committee but was held on second reading.

**Utility District Taxes:** [SB 6587](#) required certain local utility districts that serve 10,000 or more customers to disclose state and local tax rates imposed on the district, if any, on each billing statement beginning on September 1, 2018; required certain local utility districts with less than 10,000 but more than 5,000 customers to begin disclosing tax information upon their next billing system update or by January 1, 2023, whichever is sooner; required tax information for services for which no billing statements are issued to be made available upon request; required each electric utility to provide either written or electronic notice of public hearings where changes in electricity rates will be considered or approved by the Utilities and Transportation Commission or governing body. SB 6587 passed out of the Senate with a 34-13 vote count but did not move out of the House Local Government Committee after the public hearing.

## ***Environment***

### ***Bills Passed***

**Chemicals in Food Packaging:** [HB 2658](#) conditionally restricts the inclusion of perfluoroalkyl and polyfluoroalkyl chemicals in specific applications of food packaging beginning as early as 2022, pending the outcome of an alternatives assessment to be completed by the Department of Ecology by January 1, 2020.

**Oil Transportation Safety:** [SB 6269](#) applies the barrel tax to crude oil received by pipeline, requires the Department of Ecology (Ecology) to review, assess, and provide a report on vessel traffic safety in northern Puget Sound, requires Ecology to establish the Salish Sea Shared Waters forum, requires Ecology to update contingency plan rules to address situations where oils may sink or submerge in water, and authorizes Ecology to require at least one joint large-scale, multiple plan equipment deployment drill of onshore and offshore facilities and covered vessels, every 3 years.

**Toxic Chemicals:** [SB 6413](#) requires the presence of perfluoroalkyl and polyfluoroalkyl (PFAS) chemicals in firefighting personal protective equipment (firefighting PPE) to be disclosed at the time of sale, beginning July 1, 2018, restricts the manufacture, distribution, and sale of foam designed for flammable liquid fires that contains PFAS chemicals, beginning July 1, 2020, directs the Department of Ecology to help other state agencies and local governments to avoid the purchase of firefighting foam that contain PFAS chemicals and to give priority and preference to the purchase of firefighting PPE that does not contain PFAS chemicals.

**Underground Storage:** [SB 6159](#) extends the expiration date for the state Underground Storage Tank program from 2019 to 2029 and sets an annual aggregate limit of \$15 million per calendar year for pollution liability direct insurance coverage provided by the Pollution Liability Insurance Account for cleanup of contamination from heating oil tanks.

### ***Bills Not Passed***

**Alternate Electricity and Natural Gas Regulation:** [HB 2839/SB 6424](#) required electrical companies, gas companies, and the Utilities and Transportation Commission (UTC) to use a greenhouse gas (GHG) planning adder when evaluating and selecting conservation policies, programs, and targets; required the UTC to use the GHG planning adder in evaluating integrated resource plans and intermediate-term and long-term resource options selected by electrical and gas companies; and authorized the UTC to regulate an electrical or gas company under an alternative form of regulation. HB 2839 passed out of the House with a 64-34 vote count but was held on second reading in the Senate. SB 6424 was voted out of the Senate Energy, Environment & Technology Committee but was then held on second reading.

**Appliance Efficiency:** [HB 2327](#) repealed federally preempted appliance efficiency and testing standards, amended the state appliance efficiency and testing standards for certain state covered appliances, established new minimum efficiency and testing standards for certain appliances, and authorized the Department of Commerce to adopt rules that incorporate by reference only federal efficiency standards for federally covered products as the standards existed on January 3, 2017. HB 2327 was voted out of the House with a 53-45 vote count but was held on second reading in the Senate.

**Carbon Pricing:** [SB 6203](#) imposed a \$12 per metric ton of carbon dioxide emissions on the sale or use of fossil fuels within the state of Washington and the generation or import of electricity in Washington generated using fossil fuels, beginning July 1, 2019. The tax rate would have increased by \$1.80 per metric ton beginning July 1, 2021, until reaching \$30 per metric ton. The revenues were to be distributed to the Multimodal Transportation Account and for activities that reduce greenhouse gas emissions connected to energy use and other activity in Washington. It also would have provided assistance to vulnerable communities and workers in fossil fuel industries. The bill would have established a Clean Energy Investment Program for both investor-owned utilities (IOUs) and consumer-owned utilities (COUs) to allow an electric or gas utility to

claim a credit of up to 100 percent against the carbon tax for approved investment in projects that reduce or offset carbon emissions from the utility. SB 6203 was voted out of the Senate Energy, Environment & Technology and Ways & Means Committees but was held on second reading.

**Clean Energy Investments:** [HB 2283](#) required that electric utilities use electricity generated by clean energy resources to meet any new energy or capacity need beginning January 1, 2020 and establishes tax preferences for certain renewable energy and carbon reduction investments. HB 2283 was voted out of the House Technology & Economic Development and Finance Committees but was not pulled from the Rules Committee.

**Distributed Energy Resource Planning:** [HB 1233](#) authorized an electric utility to develop an annually updated, Distributed Energy Resources Plan. HB 1233 was passed out of the House with a 96-2 vote count but was held on second reading in the Senate.

**Solar Gardens:** [HB 2280/SB 6130](#) required an electric utility to submit a community solar garden plan to the Utilities and Transportation Commission or to its appropriate governing authority in order to operate a community solar garden program; required an electric utility to first engage in a distributed energy resources planning process before developing a community solar garden plan; and established requirements for community solar gardens. HB 2280 was voted out of the House Technology & Economic Development Committee but was then held on second reading. SB 6130 received a public hearing in the Senate Energy, Environment & Technology Committee but was not voted out.

**Electronic Product Recycling:** [HB 1824/SB 5136](#) required the Washington Materials Management and Financing Authority (WMMFA), which is the organization established to run the state's electronic waste recycling program to publish information about the contracted rates and product volumes allocated to transporters and processors, and to make certain other changes involving WMMFA contracting practices; required the Department of Ecology (ECY) to conduct certain additional audit and oversight activities related to the electronic waste recycling program; and directed penalties under hazardous waste management laws imposed on covered electronic product processors to be deposited into an account used for the ECY's oversight of the electronic waste recycling program. HB 1824 passed out of the House with a 53-45 vote count but was not voted out of the Senate Energy, Environment & Technology Committee after the public hearing. SB 5136 received no action after introduction.

**Energy Independence Act:** [HB 2995](#) had a proposed substitute that was considered during the hearing that would have required all electric utilities to, by January 1, 2030, eliminate from electric rates all costs associated with delivering electricity to Washington customers that is generated from a coal-fired resource and requires electric utilities and market customers to demonstrate that they have reduced the total number of megawatt-hours from fossil fuel generating resources delivered to Washington customers compared to a 2017 baseline in accordance with the following annual targets: at least a 25% reduction from 2017 levels by January 1, 2030, and each year thereafter through December 31, 2034; a least a 50% reduction

from 2017 levels by January 1, 2035, and each year thereafter through December 31, 2039; at least a 75% reduction from 2017 levels by January 1, 2040, and each year thereafter through December 31, 2044; and 100% reduction by January 1, 2045, and each year thereafter. HB 2995 was voted out of the House Finance Committee but then held on second reading.

[HB 2402](#) extended the requirement to pursue all available conservation that is cost-effective, reliable, and feasible under the Energy Independence Act (EIA) to small utilities and natural gas utilities. For consumer-owned utilities, the bill added additional annual renewable resource targets under the EIA of at least 15% of the average of the average of their 2019 2020 loads beginning January 1, 2021, and each year thereafter. For investor owned utilities, the bill added additional renewable resources targets of: at least 20% of their load by 2025; at least 30 percent by 2030; at least 40 percent by 2035; and 50 percent by 2040. It further prohibited each consumer-owned utility, small utility and market customer from meeting any new energy or capacity needs with certain generation resources. HB 2402 was voted out of the House Technology & Economic Development and Appropriations Committees but was held on second reading.

**Fuel Content Standards:** [HB 2757](#)/[SB 6276](#) amended the state Renewable Fuel Standard (RFS) to require that all diesel fuel sold or offered for sale in Washington for use in motor vehicles upon highways of the state must contain at least 5 percent biodiesel by volume beginning January 1, 2019 and amended or repealed certain provisions of the Motor Fuel Quality Act. HB 2757 was voted out of the House with a 54-44 vote count but was not voted out of the Senate Energy, Environment & Technology Committee after the public hearing. SB 6276 did not receive any action after introduction.

**Greenhouse Gas Emission Reduction:** [HB 1144](#) revised current statewide greenhouse gas (GHG) emissions reduction limits from 25 percent to 40 percent below 1990 levels by 2035, from 50 percent to 80 percent below 1990 levels by 2050, and added a 2025 limit of 19 percent below 1990 levels; directed the Department of Ecology (Ecology) to include additional information in its biennial GHG emissions report; directed the Joint Legislative Audit and Review Committee (JLARC) to provide an analysis of the economic impact and the impact on jobs resulting from the GHG emissions reductions beginning June 30, 2019. HB 1144 was passed out of the House with a 50-48 vote count but was held on second reading in the Senate.

**On-Bill Repayment:** [HB 2410](#) required each electric utility, except for a small utility or a retail electric cooperative, to offer an on-bill repayment program option to its retail electric customers beginning January 1, 2020. HB 2410 was voted out of the House Technology & Economic Development Committee but was not pulled from the Rules Committee.

**Net Metering:** [SB 6081](#) increased the 0.5% minimum threshold to 4% for the cumulative generating capacity that a utility must make available for net metering systems, required, as of March 31<sup>st</sup>, any remaining unused kilowatt-hour (kWh) credit generated for the calendar year to be used to assist low-income residential utility customers, and required electric or gas utilities to include on customer bills the total amount of kWh of electricity consumed for the most recent

12-month period. SB 6081 passed out of the Senate with a 28-19 vote count but was held on second reading in the House.

[HB 2510](#) increased the maximum capacity of systems eligible for net metering to 1,000 kW; required an electric utility to offer to make net metering available to eligible customer-generators until the cumulative generating capacity of net metering systems equals 2.5% of the utility's peak demand during 1996; and required an electric utility that reaches its cumulative net metering generating capacity threshold to first engage in a distributed energy resources planning process before offering an alternative to net metering. HB 2510 was voted out of the House Technology & Economic Development Committee but was then held on second reading.

**Optional Alternative Energy Purchases:** [HB 2413/SB 6477](#) required each electric utility to provide the voluntary option to purchase qualified alternative energy resources to each of its new retail electric customers at the time service is established and to provide the option to its existing customers through its website and through quarterly mailings and requires the Department of Commerce and the Utilities and Transportation Commission to jointly report findings and recommendations to the energy committees of the Legislature on best practices and policies for electric utilities to develop green tariffs or similar qualified alternative energy resource options for their retail electric customers. HB 2413 was voted out of the House Technology & Economic Development Committee but was then held on second reading. SB 6477 received a public hearing in the Senate Energy, Environment & Technology Committee but was not voted out.

**Reclaimed Water:** [HB 2743/SB 6390](#) required a reclaimed water permit applicant or permittee to enter into certain written agreements with a Group A public water system before the applicant or permittee may use, store, or deliver reclaimed water within the service area of the Group A public water system; required the written agreements between the reclaimed water permit applicant or permittee and the Group A public water system to address, among other subjects, protection of groundwater quality and other water resource, an identification of the areas in which reclaimed water will be provided, and rates and charges for reclaimed water; and established a dispute resolution process in which a Group A public water system and a reclaimed water permit applicant or permittee may petition the Secretary of the Department of Health for a decision in the event the parties are not able to reach an agreement. HB 2743 was voted out of the House Agriculture & Natural Resources Committee but not pulled from the Rules Committee. SB 6390 received a public hearing in the Senate Agriculture, Water, Natural Resources & Parks Committee but was not voted out.

**Reducing Food Waste:** [HB 2411](#) established a goal of reducing wasted food in the state by 50 percent by 2030, directed the Department of Ecology (ECY) to work with the departments of Health and Agriculture to develop a food waste reduction plan by 2020 to achieve the 2030 wasted food reduction goal, authorized wasted food reduction and food waste diversion to be among the state and local activities funded by the Waste Reduction, Recycling, and Litter Control Account, and adds wasted food reduction and food waste diversion to the ECY's waste reduction, recycling, and litter control program activities. HB 2411 was voted out of the House Environment Committee and then referred to the Appropriations Committee where it received no action.



**Renewable Energy Incentives:** [HB 2281](#) specified that no Renewable Energy Cost Recovery Incentive Payment Program customer who recertifies their renewable energy system with the Washington State University Extension Energy Program (WSU Energy Program) may continue to receive incentive payments if the cumulative dollar amount of incentive payments made to the customer exceeds 100% of the total price of the renewable energy system and established that only applicants whose systems were installed and operational after July 1, 2010, must provide system operation data when applying to the WSU Energy Program for recertification. HB 2281 was voted out of the House Technology & Economic Development and Appropriations Committees but was not pulled from the Rules Committee.

**Residential Building Energy Efficiency:** [HB 2931](#) established a lower efficiency, intermediate efficiency, and high efficiency option for the State Energy Code for residential structures beginning with the 2018 code cycle. HB 2931 was voted out of the Technology & Economic Development Committee but was not pulled from the Rules Committee.

**Toxic Pollutants:** [HB 2602](#) directed the Department of Ecology to update its rules governing levels of certain toxic pollutants that may be emitted by new or modified sources. HB 2602 was voted out of the House Environment Committee but was not pulled from the Rule Committee.

**Transportation Electrification:** [SB 6187](#) authorized the governing bodies of a municipal utility or a public utility district commission to adopt a transportation electrification plan that, at a minimum, established a finding that utility outreach and investment in the electrification of transportation infrastructure is cost-effective to ratepayers. SB 6187 passed out of the Senate with a 39-8 vote count but was held on second reading in the House.

[HB 2897](#) required the governing authority of a municipal electric utility or the commission of a public utility district to engage in a distributed energy resources planning process that accomplished certain goals before developing a transportation electrification plan and authorized the governing authority of a municipal electric utility or the commission of a public utility district to offer programs in the electrification of transportation for its customers if it made a cost-effectiveness determination in accordance with a transportation electrification plan. HB 2897 was voted out of the House Technology & Economic Development Committee but was not pulled from the Rules Committee.

**Transportation Fuel Emissions:** [HB 2338](#) aimed to reduce the greenhouse gas emissions associated with transportation fuels. The bill would have directed the Department of Ecology to adopt a rule establishing a program (Clean Fuels Program) to limit the greenhouse gas emissions per unit of transportation fuel energy to 10 percent below 2017 levels by 2028, excluded exported fuel, fuel used by vessels, railroad locomotives, and aircraft, and certain other categories of fuel from Clean Fuels Program requirements, required the Clean Fuel Program to include processes for the tracking of compliance obligations and bankable, tradeable credits, requires annual reporting by the ECY on the Clean Fuels Program, as well as an analysis of the program's first five years by the Joint Legislative Audit and Review Committee, and retained the

current distribution of revenue under the 2015 Transportation Revenue Package, eliminating changes that would have been triggered as a result of legislative enactment of a Clean Fuels Program. HB 2338 was voted out of the House Environment and Transportation Committees but not pulled from the Rules Committee.

**Vehicle Fuel Standards:** [HB 2328](#) adopted California vehicle standards for zero-emission vehicles and for medium duty trucks. HB 2328 was voted out of the House Environment and Appropriations Committees but not pulled from the Rules Committee.

## **Education**

### **Bills Passed**

**Apprenticeship Programs for Homeless and Foster Youth:** [SB 6274](#) establishes the Passport to Careers program, which has two pathways: the Passport to College Promise program and the Passport to Apprenticeship Opportunities program; expands the Passport to College Promise program to include unaccompanied homeless youth and former foster youth in federal and tribal foster care systems; provides financial assistance for former foster youth and unaccompanied homeless youth to pursue apprenticeships and pre-apprenticeships; and expands supports for unaccompanied homeless youth through the Supplemental Education Transition Planning program.

**Basic Education Provisions:** [SB 6362](#) is the comprehensive HB 2242 (2017) fix bill. Some of the highlights that were addressed in the final legislation include:

- Salary Allocations: Moves ahead the schedule for full funding of the increased state salary allocations for school employees to the 2018-19 school year, rather than phasing in over two school years, and revises limitations on salary increases in the 2018-19 school year;
- K-3 Class Size: Delays the requirement that districts meet the 17:1 K-3 class size ratio until the 2019-20 school year;
- Regionalization: Increases regional salary adjustments for districts west of the Cascade Mountains adjacent to a district with a regionalization factor more than one tercile higher. Those districts will receive six additional percentage points;
- Experience Factor: Adds an experience factor adjustment for school districts with above-average education and experience for Certificated Instructional Staff, beginning in the 2019-20 school year;
- Special Education: Increases the special education excess cost multiplier from 0.9309 to 0.9609, and requires the Special Education State Oversight Committee to consider the high-cost needs of students enrolled in special education served by institutions;
- Learning Assistance Program (LAP): Bases the high-poverty LAP allocation on the three-year rolling average of enrollments in Free and Reduced-Price meal programs in a school;
- Highly Capable: Specifies criteria for identifying highly capable students;
- Pupil Transportation: Creates a transportation alternate funding grant program;
- I-1433: Indicates legislative intent to provide funding to support schools with paid sick leave costs;



- “School Day” Definition: Establishes a work group to make recommendations for defining duties performed in a “school day”;
- Accountability/Transparency: Accounting and Transparency provisions originally scheduled to be implemented in the 2019–20 school year are accelerated to the 2018–19 school year;
- Hold Harmless: Provides a hold-harmless payment to districts for the 2018-19 and 2019-20 school years that receive less funding from their state allocation, levy, and LEA than they received in the 2017-18 school year, and appropriates \$12 million for hold harmless payments; and
- Professional Learning Days: Three Professional Learning Days continue to be phased-in over a three-year period (one per year), but the beginning of the phase-in is delayed from the 2018–19 school year to the 2019–20 school year (this section was vetoed by the Governor during the bill signing)

**Breakfast After the Bell:** [HB 1508](#) promotes student health and readiness through meal and nutrition programs. The bill was amended in Senate Ways & Means to remove language that would limit the amount of added sugar to 25% by weight, which is not possible for schools to implement given current labeling requirements. Instead, language was added in requiring OSPI to develop guidance for low sugar foods. The amendment also removed language requiring school gardens to be “organic” after it was determined that this would be very difficult and cumbersome for schools to implement.

**Common School Funding/Property Tax Buy Down:** [SB 6614](#) reduces, in calendar year 2019, the state property tax from \$2.70 to \$2.40 per \$1,000 AV. This corresponds to a property tax reduction of approximately \$390 million in calendar year 2019. In fiscal year 2019, \$935 million of state property taxes are redirected into Education Legacy Trust Account.

**CTC Academic Employee Collective Bargaining:** [SB 5993](#) authorized boards of trustees of community and technical colleges to provide additional compensation to academic employees that exceeds the amount or percentage established by the Legislature.

**Financial Aid and DACA Students:** [HB 1488](#) expands higher education opportunities for certain students by allowing students who qualify for resident tuition under the “1079” category to be eligible for the College Bound Scholarship program.

**Hunger-Free Student’s Bill of Rights:** [HB 2610](#) prohibits schools and districts from taking action directed at a student under the age of 15 to collect unpaid school meal fees, and from stigmatizing a student who cannot pay for a school meal; requires school districts to notify parents or guardians of the negative balance of a student’s school meal account no later than 10 days after the account has reached a negative balance; requires OPSI to collect, analyze, and promote to school districts and community-based organizations, best practices in local meal charge policies; requires schools and districts to improve systems to identify homeless students, students in foster care, runaway students, and migrant students to ensure that each student has

proper access to free school meals; requires schools and districts, at least monthly, to directly certify students for free school meals if the students qualify because of enrollment in assistance programs; and requires schools to annually distribute applications for free and reduced-price meals to student households and to, if necessary, provide related language assistance to parents and guardians.

**Student Loan Bill of Rights:** [SB 6029](#) establishes a Student Education Loan Advocate to assist student education loan borrowers, compile data, provide information on student education loans, and receive, review, and take action on complaints from borrowers; requires student education loan servicers to obtain a license from the Department of Financial Institutions to operate in the state, and authorizes DFI to establish fees; requires servicers to comply with various provisions regarding assessing and crediting fees; prohibits third-party student education loan modification servicers from several practices that may misrepresent the student loan situation or encourage a borrower to do something counterproductive to their situation; and instructs the Washington Institute of Public Policy to review available literature on the impacts of establishing student loan authority and to report back to the Legislature by December 31, 2018.

**Student Opportunity, Assistance, and Relief Act:** [HB 1169](#) would repeal multiple provisions allowing suspension of a professional license due to student loan default; change the judgement interest rate for unpaid private student loan debt to two percentage points above the prime rate, unless the judgement interest rate is specified in the contract; increases the bank account and wage garnishment exemptions for judgements on private student loan debt; and modified the dorms regarding garnishment to specify whether it is for the private student loan debt and, if so, to notify the debtor of their exemption rights for private student loan debt.

**Student Mental Health:** [HB 1377](#) specifies the roles and duties of school counselors, social workers, and psychologists, requires first-class school districts to provide a minimum of six hours of professional collaboration time per year for school counselors, social workers, and psychologists that focuses on recognizing signs of emotional or behavioral distress in students beginning in the 2019-20 school year, establishes the Professional Collaboration Lighthouse Grant Program to assist school districts with early adoption and implementation of mental health professional collaboration time, subject to funding by the Legislature, and directs the Professional Educator Standards Board to convene a taskforce on the need for school counselors, psychologists, and social workers, the capacity of the state to meet the need, and the preparation of these professionals.

**WSOS Program:** [HB 1452](#) expands the Washington State Opportunity Scholarship (WSOS) program to students pursuing professional-technical certificates and degrees, creates a new account, called the Pathways Scholarship Account, from which scholarships for professional-technical certificates and degrees will be awarded, and allows students who are ineligible to file for federal student aid to file a state financial aid application to meet scholarship renewal requirements.

## ***Bills Not Passed***

**Apprenticeships:** [SB 6486](#) would have required the Workforce Training and Education Coordinating Board and the Washington State Apprenticeship and Training Council to develop an apprenticeship strategic plan and convenes an apprenticeship workgroup to review existing registered apprenticeships, analyze opportunities for expanding apprenticeships, and make recommendations to increase youth and adult apprenticeships. SB 6486 passed out of the Senate with a 31-16 vote count but was held on second reading in the House.

**Evergreen Free College Program:** [SB 6101](#) established the Evergreen Free College Program to provide free college tuition and fees to eligible residents seeking a bachelor's degree, associates degree, or certificate from a state institution of higher education. It would have established a six-step phase-in for the program based on when a student obtained a high school diploma, or equivalent, and their family income level. For the 2019-20 academic year, eligible students would have received an award for a free 13th year if they have graduated from high school within the past six months and had a family income that does not exceed 70 percent of the state MFI. SB 6101 was voted out of the Senate Higher Education & Workforce Development and Ways & Means Committees but was not pulled from the Rules Committee.

**Harassment and Bullying:** [SB 5766](#) required school districts to adopt or amend a transgender student policy and procedure that incorporates a model policy and rules and guidelines, directed school districts to designate a primary contact for the transgender student policy, with specified duties, required development and offering of a mandatory training class for the primary school district contacts for the antiharassment, intimidation, and bullying policy and the transgender student policy, and provided for alignment of the questions in the Healthy Youth Survey with the model transgender student policy and procedure. SB 5766 passed out of the Senate with a 30-18 vote count but was not pulled from the Rules Committee in the House.

**Landmark Preservations and School Districts:** [SB 5805](#) concerned the application of landmark or historic preservation regulations and provided that school district property in districts with more than 50,000 students is subject to state and local landmark or historic preservation regulations only to the extent explicitly approved by the school district board of directors. The bill would have required the school district board of directors to consult with relevant state and local landmark or historic preservation authorities. SB 5805 received a public hearing in the Senate Early Learning & K-12 Education Committee but was not voted out.

**Lunch Co-Pays:** [HB 2712](#) originally aimed to eliminate lunch copays for students who qualify for reduced-price lunches. The bill was amended in House Appropriations to only eliminate lunch copays for grades pre-kindergarten to third grades and also requires the Office of the Superintendent of Public Instruction to develop and implement a plan to increase school participation in the Community Eligibility Provision, which provides free lunches to schools that meet certain criteria. HB 2712 passed out of the House with a 59-39 vote count but did not move out of the Senate Early Learning & K-12 Education Committee in the Senate.

**Puget Sound Taxpayer Accountability Account:** [HB 2488/SB 6306](#) allowed counties to use

funding distributed from the Puget Sound Taxpayer Accountability Account for facilities to improve educational outcomes, in addition to educational services. HB 2488 received a public hearing in the House Appropriations Committee but was not voted out. SB 6306 did not receive any action after introduction. HB 2488 received a public hearing in the House Appropriations Committee but was not voted out. SB 6306 did not receive any action after introduction.

**School Construction Allocations:** [SB 6531](#)/[HB 2953](#) made phased changes to the Construction Cost Allocation (CCA), Student Space Allocation (SSA), and the statutory Funding Assistance Percentage (FAP), the funding components of the School Construction Assistance Program (SCAP), beginning July 1, 2019 and ending June 30, 2027 and codifies the CCA and the SSA funding components of the SCAP. SB 6531 passed out of the Senate with a 40-8 vote count but did not move out of the House Capital Budget after the public hearing. HB 2953 did not receive any action after introduction.

**Washington Promise:** [HB 1840](#)/[SB 5666](#) established the Washington promise program. The bill would have: established the Washington Promise Program (Promise) to provide free community and technical college tuition and fees to eligible students; created a four-step phase-in for the Promise based on when a student obtained a high school diploma, or equivalent, and their family income level; provided a \$500 cost of attendance stipend for students who have a family income that does not exceed 70 percent of the state median family income; required the State Board for Community and Technical Colleges (State Board) to develop a plan to offer all Promise students a student success course and to implement the plan by the 2019-20 academic year; required the Caseload Forecast Council to forecast the number of eligible students for the Promise; and required a study of the Promise by the Student Achievement Council, in collaboration with the State Board. Neither HB 1840 or SB 5666 received any action during the 2018 session.

**Working Connections Childcare:** [SB 6100](#) allowed individuals participating in higher education programs, including public or private four-year colleges or universities, to be eligible for Working Connections Child Care (WCCC) benefits and provided that these individuals do not need to work as a condition of receiving WCCC benefits. SB 6100 received a public hearing in the Senate Early Learning & K-12 Education Committee but was not voted out.

## V. An Interconnected City

*One supported by a cohesive and multimodal transportation network*

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### **Transportation**

#### **Bills Passed**

**Autonomous Vehicle Working Group:** [HB 2970](#) tasks the Washington State Transportation Commission with convening an agency work group to develop policy recommendations to address the operation of autonomous vehicles (AVs) on public roadways in the state and requires

an annual report to the Governor and the appropriate legislative committees, including recommendations on proposed modifications to state law and rules to address the emergence and deployment of AV technology in the state.

**Electric Bicycles:** [SB 6434](#) concerns electric-assisted bicycle, and provides state agencies and local jurisdictions the authority to regulate the use of both class 1 and class 2 electric-assisted bicycles and motorized foot scooters on facilities and properties under their jurisdiction and control. The bill also requires local regulation of electric-assisted bicycles to be consistent along the entire length of a shared use path that crosses two or more jurisdictional boundaries in order for the local regulation to be enforceable.

### ***Bills Not Passed***

**Alaskan Way Viaduct:** [HB 2741/SB 6378](#) established that tolls must be used to re-pay the transportation partnership account for any amounts transferred from the transportation partnership account to the highway bond retirement fund. HB 2741 was voted out of the House Transportation Committee but was held on second reading. SB 6378 received a public hearing in the Senate Transportation Committee but was not voted out of Committee.

**Alternative Fuels Vehicle Retail Sales and Use Tax:** [HB 2653](#) extended the alternative fuel vehicle retail sales and use tax exemption termination date to June 30, 2021 and eliminated the possibility of early termination of the exemption based on the number of qualifying vehicles titled in the state. HB 2653 was voted out of the House with an 86-12 vote count but did not move out of the Senate Transportation Committee after the public hearing.

[SB 6080](#) extended the retail sales and use tax exemption for clean alternative fuel vehicles so that it expired once 11,000 qualifying vehicles are titled in the state, rather than after 7500 qualifying vehicles were titled in the state. SB 6080 was voted out of the Senate Energy, Environment & Technology and Ways & Means Committees but was held on second reading.

**Fuel Tax Exemptions:** [HB 2340](#) extended the retail sales and use tax exemption for clean alternative fuel vehicles by modifying the timing for early termination of it to occur after 10,000 qualifying vehicles are titled in the state (rather than after 7,500 qualifying vehicles are titled in the state). HB 2340 received a public hearing in the House Transportation Committee but was not voted out.

[HB 2549](#) expanded the retail sales and use tax exemption to apply to vehicles that used at least one method of propulsion that is capable of being reenergized by an external source of electricity and that are capable of traveling at least 20 miles (rather than the current 30 miles) using only battery power. It also extended the retail sales and use tax exemption for clean alternative fuel vehicles by modifying the timing for early termination of it to occur after 12,500 qualifying vehicles are titled in the state (rather than when 7,500 qualifying vehicles are titled in the state).

HB 2549 received a public hearing in the House Transportation Committee but was not voted out.

[HB 2653](#) extended the alternative fuel vehicle retail sales and use tax exemption termination date to June 30, 2021 and eliminated the possibility of early termination of the exemption based on the number of qualifying vehicles titled in the state. HB 2653 passed out of the House with an 86-12 vote count but did not move out of the Senate Transportation Committee after the public hearing.

**Motor Vehicle Excise Tax:** [HB 2357](#) allowed for semiannual or quarterly payment plans for certain motor vehicle excise tax assessments that are equal to or greater than \$200 and due on or after January 1, 2019. HB 2357 received a public hearing in the House Transportation Committee but was not vote out.

**RTA Adjustment:** [SB 5955](#) required Sound Transit to implement a market value adjustment program, which would have calculated a credit on motor vehicle excise taxes, and implemented the program in a manner that allowed the delivery of the system and financing plan approved by the voters to the extent practicable. SB 5955 passed out of the Senate with a 30-14 vote count but was held on second reading in the House.

**Transit-Only Lane Enforcement Cameras:** [HB 2403](#) allowed local governments to enact an ordinance allowing for the use of transit-only lane enforcement cameras. HB 2403 was voted out of the House Transportation Committee but then not pulled from the Rules Committee.

**Transportation Network Companies:** [HB 2716/SB 6043](#) established regulations for Transportation Network Companies (TNCs) and TNC drivers, TNC vehicle certification, certain TNC passenger protections, mandatory TNC record retention requirements, a zero tolerance policy for Driving Under the influence for TNCs, and a non-discrimination policy for TNCs; established a \$5,000 TNC annual permit fee, a 10 cent surcharge fee for state enforcement and regulation of TNC licensing, and a 10 cent surcharge to offset costs related to the improvement of transportation options for individuals with disabilities (applicable in jurisdictions of a certain size); and preempted local law in the areas of licensing and permits for TNCs and TNC drivers, all rate or fare requirements for TNCs within the boundaries of the state, the routes and operations of TNCs, and safety and equipment requirements for TNCs. HB 2716 received a public hearing in the House Transportation Committee but was not voted out. SB 6043 was voted out of the Senate Transportation Committee but was not pulled from the Rules Committee.

[HB 2945/SB 6500](#) established regulations for Transportation Network Companies (TNCs) and TNC drivers, TNC vehicle certification, certain TNC passenger protections, mandatory TNC reporting and record retention requirements, civil infractions related to TNCs, a zero tolerance policy for Driving Under the Influence for TNCs, and a nondiscrimination policy for TNCs; established trip fees and surcharges per TNC ride, which consist of fees for the Department of Licensing's TNC permit and certification services, a 10 cent surcharge fee for state enforcement and regulation of TNC licensing, and a 10 cent surcharge to offset costs related to the improvement of

transportation options for individuals with disabilities (applicable in jurisdictions of a certain size); and preempted local law in the areas of licensing and permits for TNCs and TNC drivers, but permitted local ordinances enacted as of January 2017 to remain in effect for cities with populations over 500,000 and counties with populations over 1 million. HB 2945 received a public hearing in the House Transportation Committee but was not voted out. SB 6500 received a public hearing in the Senate Transportation Committee but was not voted out.

## VI. An Affordable City

*One where housing and services remain affordable and accessible to everyone*

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### **Homelessness & Housing**

#### **Bills Passed**

**Facilities Financing:** [SB 6371](#) concerns facilities financed by the Housing Finance Commission (HFC). The bill increases the Housing Finance Commission's debt limit from \$6 billion to \$8 billion and expands the organizations eligible for lower-cost financing through the HFC's Nonprofit Facilities Program.

**HEN Expansion:** [HB 2667](#) expands eligibility for the Essential Needs and Housing Support (HEN) program referral to individuals who receive Aged, Blind, or Disabled (ABD) assistance and requires information sharing of limited recipient data between the Department of Social and Health Services, the Department of Commerce, and HEN providers.

**Homeless Housing Surcharge:** [HB 1570](#) increases the temporary \$40 local homeless housing and assistance surcharge to \$62 and makes it permanent. The bill allows counties to pay off general obligation bonds issued by the county for homeless housing and assistance and creates new and updated reporting requirements and studies for certain homeless assistance programs. Analysis suggests this bill will provide King County with an additional \$12-15 million per biennium, as well as the potential to bond against as it is now a permanent source of funds.

**Homeless Minors:** [HB 1630](#) allows unaccompanied youth aged 13 and older to give consent for the collection of personally identifying information for the Washington Homeless Client Management Information System.

**Lodging Excise Tax:** [HB 2015](#) applies the King County convention center tax on lodging to lodging premises with 59 or fewer units, including short-term rentals. The public facilities district (PFD) may use the funds for the renovation and expansion of the convention and trade center. If a city within the PFD boundaries imposed a lodging tax on short-term rentals on or before December 31, 2017, the convention center lodging tax on short-term rentals will not be imposed on that city. However, if the city repeals the ordinance authorizing the city's short-term rental lodging



tax, the PFD will distribute to the city the amount of the convention center lodging tax on short-term rentals revenues collected within the city's jurisdiction. These funds must be used to support community-initiated equitable development and affordable housing programs. This distribution will continue so long as the city does not impose a new tax on short-term rentals. The remaining revenues collected from the imposition of the lodging tax on short-term rentals within the county shall be divided equally between the PFD and the county. The county must use the funds for affordable housing.

**Property Tax Exemptions:** [SB 5143](#) clarifies the property tax exemption for nonprofit homeownership development by specifying that land that is to be leased for 99 years or life to a low-income household qualifies for the exemption and specifies that the lease of the exempted land to a low-income household terminates the property tax exemption.

[HB 2597](#) permits cities and counties to provide senior citizens, individuals with disabilities, and veterans with an exemption from any portion of their regular property tax attributable to a levy lid lift, with voter approval.

**Source of Income:** [HB 2578](#) amends the Residential Landlord-Tenant Act to prohibit discrimination based on a tenant's source of income. The bill also creates the Landlord Mitigation Program and Account in the Department of Commerce from which landlords of private market rental units rented to tenants with certain sources of income may be reimbursed for damages while also increasing the affordable housing surcharge to \$13 from \$10 and provides approximately 40% of this additional \$3 to the Landlord Mitigation Account.

**Surplus Property:** [HB 2383](#) requires certain state agencies to provide an annual inventory of real property available for sale or lease; requires all state agencies to notify state, local, federal, and tribal entities of any sale of surplus state lands; allows any state or local agency to dispose of property to any public, private, or nongovernmental body for affordable housing development on any mutually agreeable terms.

### ***Bills Not Passed***

**Youth Homelessness:** [SB 6148](#) directed certain state agencies to convene a workgroup with aligned nongovernmental agencies to create a plan for children and youth experiencing homelessness to achieve educational equity with their general student population peers. Tasks the workgroup with addressing certain topics and submitting a report to the Legislature by December 17, 2018. SB 6148 received a public hearing in the Senate Early Learning & K-12 Education Committee but was not voted out.

**Affordable Housing Development:** [HB 1797](#) allowed cities to apply for a one-time remittance of 4.37 percent of the state sales and use tax on public purchases for affordable housing development or public infrastructure to support such development, allowed the governing body of a county with a population over 1.5 million and the cities within such county to authorize the existing 0.1 percent local sales and use tax used for mental health services and affordable



housing, and allowed revenue from the local real estate excise tax to be used for affordable housing development through 2022, so long as other local capital projects have adequate funding. The sale tax would have generated approximately \$67 million per year in King County. HB 1797 remained on second reading from the 2017 session but was not brought to the floor.

**Affordable Housing Investments:** [HB 2437](#) authorized counties or cities to impose a local sales tax, credited against the state sales tax, for affordable housing or to back bonds dedicated to affordable housing and required a local match from the local government. The bill required King County to distribute funds in an equitable manner throughout the county in furtherance of a regional implementation plan. A rough estimate by the Association of Washington Cities indicated the credit would have generated \$16 million per year in King County allowing for \$200 million bond capacity. HB 2437 passed out of the House with a 52-46 vote count but was held on second reading in the Senate.

**Affordable Housing Tax Credit:** [SB 6532](#) established the Washington Affordable Housing Tax Credit program authorizing state credits for low-income housing developments and authorized \$7 million in annual Washington Affordable Housing tax credits with respect to taxes imposed for the insurance premiums tax or the business and occupation (B&O) tax. SB 6532 was voted out of the Senate Financial Institutions & Insurance Committee and then referred to the Ways & Means Committee where it received no further action.

**Homestead Exemption:** [SB 6242](#) authorized a \$100,000 assessed value homestead exemption for state property taxes, subject to approval by the voters of a constitutional amendment. SB 6242 received a public hearing in the Senate Ways & Means Committee but was not voted out.

**Property Tax Exemptions:** [SB 6251](#) modified the qualifying income thresholds for the property tax exemption and deferral programs for low-income senior citizens, individuals with disabilities, and veterans, beginning in calendar year 2022. SB 6251 passed out of the Senate with a 47-0 vote count but was held on second reading in the House.

[SB 6347](#) expanded eligibility for the 12-year Multifamily Property Tax Exemption for new and rehabilitated multi-unit residential housing projects located in a city or town with a population of less than 15,000 to qualify for a tax exemption until July 1, 2023. Additionally, it created a new 15-year Multifamily Property Tax Exemption for new and rehabilitated multi-unit residential housing projects located in any city or town with a population of less than 15,000. SB 6347 passed out of the Senate with a 43-4 vote count but did not receive action in the House Finance Committee after being passed out of the Community Development, Housing & Tribal Affairs Committee.

**Notice of Termination of Tenancies:** [HB 2040/SB 5408](#) increased the notice of termination for tenancies under the residential landlord-tenant act and extended the required notice period for termination of a periodic tenancy. HB 2040 received a public hearing in the House Judiciary Committee but was not voted out. SB 5408 was passed out of the Senate with a 29-18 vote count but received no action in the House.

**Preventing Fires:** [SB 6473](#)/[HB 2864](#) directed the director of fire (Director) protection to investigate ways to prevent fire deaths in rental dwellings. SB 6473 passed out of the Senate with a 39-8 vote count but was held on second reading in the House. HB 2864 was voted out of the House Local Government Committee but was not pulled from the Rules Committee.

**Rent Regulation:** [HB 2583](#)/[SB 6400](#) repealed provisions that prohibit towns, cities, and counties from enacting, maintaining, or enforcing ordinances which regulate the amount of rent to be charged for single-family or multiple-unit residential rental structures. HB 2583 received a public hearing in the House Judiciary Committee but was not voted out. SB 6400 received a public hearing in the Senate Financial Institutions & Insurance Committee but was not voted out.

**Restrictive Covenants:** [SB 6379](#)/[HB 2674](#) required a local government to hold a public hearing when it proposes to remove, vacate, or extinguish a recorded restrictive covenant, or any known covenant from an unrecorded deed, from property it owns. SB 6379 passed out of the Senate with a 46-1 vote count but was held on third reading in the House.

## **Health Care**

### **Bills Passed**

**Behavioral Health Authority:** [HB 1388](#) changes the designation of the state behavioral health authority from DSHS to HCA and transfers related powers, functions, and duties to HCA and DOH.

**Conversion Therapy:** [SB 5722](#) restricts the practice of conversion therapy and makes it unprofessional conduct for a licensed health care provider to perform conversion therapy on a patient under the age of 18. If a provider violates the law, they would face sanctions ranging from fines to license revocation or suspension. Health Care

**Drug Takeback:** [HB 1047](#) requires manufacturers that sell drugs into Washington to operate a drug take-back program to collect and dispose of prescription and over-the-counter drugs from residential sources. The take back programs will operate on a year-round basis and be required to offer reasonably convenient drop off sites in communities across the state.

**Health Benefit Exchange:** [HB 2516](#) aligns statutes with current practice and update references to federal law.

**Individual Market Access:** [HB 2408](#) requires a health carrier to offer qualified health plans in counties where it offers a health plan approved by the School Employees' Benefits Board (SEBB) and allows individuals to purchase WSHIP coverage at lower rates depending on their income.

**Mental Health Field Response Team:** [HB 2892](#) creates a new grant-funded program based on local partnerships between law enforcement agencies and mental health providers. Grants are awarded to local law enforcement agencies based on locally developed proposals to incorporate

mental health professionals into the agencies' mental health field response.

**Outpatient Behavioral Health Facilities:** [SB 6491](#) expands assisted outpatient mental health treatment (AOMHT) after April 1, 2018, to include substance use disorder treatment and renames it assisted outpatient behavioral health treatment (AOBHT), reduces eligibility criteria for AOBHT and extends and simplifies AOBHT filing processes, allows revocation to inpatient treatment for a person receiving less restrictive alternative treatment if the criteria for inpatient detention are met, allows a family member, guardian, or conservator of a person who files a court petition for review of a decision to not detain the person for involuntary treatment and to request that the court require the filing of an AOBHT petition.

**Preventive Services Coverage:** [HB 1523](#) requires health plans to cover the same preventive services required by federal law as of December 31, 2016.

**Youth Mental Health:** [HB 2779](#) is an omnibus bill that reestablishes the Children's Mental Health Work Group through the year 2020, allows provider reimbursement for supervision and partial hospitalization and intensive outpatient treatment programs, direct the Health Care Authority and the Department of Children, Youth, and Families to develop strategies for expanding home visiting, directs an advisory group to make recommendations regarding parent initiated treatment, and requires the delivery of mental health instruction in two high school pilot sites.

### ***Bills Not Passed***

**Access to Medicaid:** [SB 6304/](#)[HB 2660](#) aligned the income eligibility standards for the Apple Health for Kids program (Program) with the current federal standards and removed requirements that funds must be specifically appropriated for the program. SB 6304 was voted out of the Senate Health & Long Term Care Committee but did not receive any action in the Ways & Means Committee after referral. HB 2660 received a public hearing the House Appropriations Committee but was not voted out.

**Community Health Workers:** [HB 2436](#) defined "community health worker" and "frontline public health worker." HB 2436 was voted out of the house Health Care & Wellness and the Appropriations Committees but then held on second reading.

**Employee Reproductive Choice Act:** [SB 6102/](#)[HB 2908](#) made it an unfair practice for employers to not provide its employees with contraception coverage at no cost to the employee and makes it an unfair practice for an employer not regulated by the state due to federal preemption, to not comply with the ACA and federal rules on barrier-free access to contraceptive coverage. SB 6102 passed out of the Senate with a 26-21 vote count but was not voted out the House Judiciary Committee after the public hearing.

**Essential Coverage:** [SB 6084](#) was a state backstop being considered for the Affordable Care Act. The bill originally aimed to require maintenance of minimum essential health care coverage. In other words, this bill would have established an individual mandate at the state level. The bill was first amended in the Senate Health & Long Term Care committee by adding on a task force

to explore individual mandate enforcement mechanisms and the feasibility of other options to incentivize the maintenance of minimum essential coverage and requires the taskforce to report on its findings to the legislature by December 1, 2018. SB 6084 passed out of the Senate with a 25-23 vote count but was held on second reading in the House.

**LGBTQ Long-term Care:** [SB 5700](#) required training for long-term care providers on the needs of the LGBTQ population. SB 5700 passed out of the Senate with a 29-18 vote count and then was voted out of the House Health Care & Wellness Committee before receiving no action in the House Appropriations Committee.

**Market Stabilization:** [HB 2355/SB 6062](#) established a claims-based reinsurance program for individual market health plans, required the reinsurance program to collect assessments on behalf of the Washington State Health Insurance Pool, and changed the entities subject to assessments for the Washington State Health Insurance Pool to be the same as the entities subject to reinsurance assessments. HB 2355 was voted out of the House Health Care & Wellness Committee and then held on second reading. SB 6062 was voted out of the Senate Health & Long Term Care and Ways & Means Committee but not pulled from the Rules Committee.

**Opioid Treatment and Prevention:** The House version of Governor Inslee's proposal for addressing the opioid crisis, [HB 2489](#), would have implemented a "hub and spoke" system that would allow every community access to medical expertise on the issue, establish statewide access to treatment, and would make medication-assisted treatment more available in the state. HB 2489 was voted out of the House with a 98-0 vote count but then was not pulled from the Senate Rules Committee. Though the bill did not move out of the Legislature, several components related to opioid use and misuse were funded in the supplemental Operating Budget, including:

- MAT Rate Increase:
  - \$1.214 mil GF-S (6.156 total) – HCA
  - \$90,000 GF-S – Dept. of Corrections
- Data Tracking (DOH): 300,000 GF-S (\$996,000 total)
- Prescription Monitoring Program (PMP) Staffing for Electronic Health Records Integration (DOH): \$160,000
- Hub & Spoke Expansion (DBHR): \$2.315 mil GF-S (\$4.630 mil total)
- Naloxone Distribution (DBHR): \$864,000 total non-GFS
- Tribal Opioid Reduction Grants (DBHR): \$1.5 mil
- MAT Tracking Tool (DBHR): \$1.3 mil
- Youth Drug Prevention Services (DBHR): \$1.657 mil
- PCAP Expansion - for mothers who abuse alcohol & drugs during pregnancy (DBHR): \$417,000 GF-S (\$687,000 total)
- SUD Peer Services Plan (DBHR): \$806,000

**Prescription Monitoring Program:** [HB 2325/SB 6028](#) required practitioners prescribing an opiate or benzodiazepine to review the patient's controlled substance history in the prescription monitoring program. HB 2325 received a public hearing in the House Health Care & Wellness Committee but was not voted out.

**Substance Disorder Treatment:** [HB 2572](#) prohibited state health plans, private insurance plans, and behavioral health organizations from establishing prior authorization requirements for substance use disorder treatment and mandates coverage for up to 24 hours of acute treatment and clinical stabilization services for substance use disorders. HB 2572 passed out of the House with a 98-0 vote count but was held on second reading in the Senate.

**Tobacco 21:** [HB 1054/SB 5025](#) raised the age at which a person may purchase and possess cigarettes, tobacco, and vapor products from 18- to 21-years of age and required licensed retailers to display signs stating the age restriction for purchasing tobacco or vapor products. HB 1054 passed out of the House with a 63-35 vote count and then received no action in the Senate. SB 5025 received a public hearing in the Senate Labor & Commerce Committee but was not voted out.