City of Seattle

2020 State Legislative Bulletin

February 24, 2020

Number 5

Key Dates:

posite House Policy Cutoff
posite House Fiscal Cutoff
posite House Floor Cutoff
e Die

Education

<u>Bill Details</u>		<u>Status</u>	<u>Sponsor</u>
	Sexual health education	H Education	Wilson
ESSB 5395 (HB 1407)	Requires every public school to provide compreh Washington state health and physical education s		t is consistent with
	Menstrual products/schools	S 2nd Reading	Dhingra
<u>SSB 6073</u>	Requires school districts and charter schools to m the beginning of the 2021-22 school year. Senat 17 th , 48-0. It heads to the House but has not yet	e bill 6073 was voted out of the Se	

Environment

Bill Details		<u>Status</u>	<u>Sponsor</u>
	Greenhouse gas/transp. fuels	S Environment, En	Fitzgibbon
<u>E2SHB</u> <u>1110</u> (SB 5412)	Low Carbon Fuel Standards. Directs the Department of Ecolo Program (Program) to limit greenhouse gas emissions per un below 2017 levels by 2028 and 20 percent below 2017 levels	nit of transportation fuel	energy to 10 percent

Upcoming Events: Environment, Energy & Technology (Senate) Exec Session 2/25 @ 10:00 am

On-demand transp. emissions

Reducing emissions from vehicles associated with on-demand transportation services. Requires certain 2SHB service providers arranging for the transportation of people, food, or other goods to submit information 2310 to the Department of Ecology regarding vehicle miles driven and greenhouse gas emissions. Requires (SB 6399) providers develop plans to meet greenhouse gas emission reduction goals by 2023.

Upcoming Events: Transportation (Senate) Public Hearing 2/24 @ 3:30 pm

Greenhouse gas emissions S Environment, E Slatter Amending state greenhouse gas emission limits for consistency with the most recent assessment of climate change science. Adds new interim milestones for state greenhouse gas (GHG) emission reduction E2SHB limits in 2030 and 2040. Revises the 2050 state GHG emissions reduction limits from 50 percent to 95 2311 percent below 1990 levels and requires the state to achieve net zero GHG emissions. Amends GHG (SB 6272) emissions reduction targets for state agencies.

Upcoming Events: Environment, Energy & Technology (Senate) Exec Session 2/25 @ 10:00 am

Comm. property/clean energy Duerr Creates a commercial property assessed clean energy and resiliency (C-PACER) program that facilitates a partnership for the financing of energy efficiency retrofits and new construction. Authorizes a capital E2SHB provider (private entity) to provide financing for qualifying capital improvements such as energy 2405 efficiency, water conservation, renewable energy, and resiliency projects which are repaid through (SB 6222) assessments on property.

Upcoming Events: Environment, Energy & Technology (Senate) Public Hearing 2/25 @ 10:00 am

Transportation Electrification

Authorizes the governing body of a municipal electric utility or a public utility district to adopt a beneficial **SHB 2586** electrification plan and to offer incentives and other programs to accelerate the beneficial electrification (SB 6496) of homes and buildings for the utility's customers. This bill has not been scheduled for a hearing. Did not make it out of committee; likely dead for this year.

Heating oil insurance

Directs the Pollution Liability Insurance Agency (PLIA) to design and implement a process to close out existing claims under the Heating Oil Pollution Liability Insurance Program. Prohibits the Heating Oil Pollution Liability Insurance Program from registering heating oil tanks for coverage after July 1, 2020. SSB 6256 States the intent of the Legislature that the Underground Storage Tank Revolving Loan and Grant (SHB Program be used to assist owners and operators of heating oil tanks to remediate past releases and 2424) prevent future releases. Modifies the circumstances in which the State Treasurer may transfer funds from the Pollution Liability Insurance Program Trust Account into the PLIA Underground Storage Tank Revolving Account. Passed the Senate 48-0 on February 19th.

Upcoming Events: Environment & Energy (House) Public Hearing 2/27 @ 8:00 am

S Environment, En

S Transportation

H Rules C

Ramel

Wellman

Fitzgibbon

S Passed 3rd

General Government

<u>Bill Details</u>		<u>Status</u>	<u>Sponsor</u>
	Cottage food product labels	S Ag/Water/Natura	Eslick
<u>HB 2217</u>	Removes the requirement for cottage food busine and instead requires inclusion of the cottage food	-	
	Upcoming Events: Agriculture, Water, Natural Res pm	ources & Parks (Senate) Public Hea	ring 2/25 @ 1:30
	Cottage food sales cap	S Ag/Water/Natura	Eslick
<u>HB 2218</u>	Increases the cap on annual gross sales for cottage Passed the House 97-0.	e food products is increased from \$	525,000 to \$50,000.
	Foreign national ownership	H State Govt & T	Salomon
<u>SSB 6152</u>	Requires certain campaign finance reports to contribution that the corporation's ownership corpassed the Senate on February 13 th by a vote of 3 th is scheduled for a public hearing in the House Corporation 21 st .	nprises less than 50 percent foreig 0-16; with two Republicans voting	n nationals. The bill with the Democrats.
	Facial recognition services	S Passed 3rd	Nguyen
<u>ESSB 6280</u>	Concerning the use of facial recognition services. It o develop an accountability report and an annual facial recognition service (service). Specifies agence prior to deployment, independent testing for accur operator training. Prohibits the use of a service for enforcement and pursuant to a search warrant or conditions. Specifies disclosure and record keepin force.	I report that meet certain requirem cy requirements regarding public n uracy across distinct subpopulation r ongoing surveillance, except in su agency director determination und	ents on the use of a otification, testing s, and service apport of law der certain
	Upcoming Events: Innovation, Technology & Econ am, Innovation, Technology & Economic Developr		-
	Personal data	H Inn, Tech & Ec	Carlyle
<u>2SSB 6281</u> (SHB	2020 Privacy Act. Provides Washington residents of correction, deletion, data portability, and opt out purposes.	•	•
2742)	Upcoming Events: Innovation, Technology & Econ am, Innovation, Technology & Economic Developr		

Health Care

Bill Details		<u>Status</u>	<u>Sponsor</u>
	Mental health coverage	S Health & Long T	Macri
SHB 2338	Prohibiting discrimination in health care cover requirements. Expands health insurance non		health parity
	Upcoming Events: Health & Long Term Care (Care (Senate) Exec Session 2/28 @ 8:00 am	Senate) Public Hearing 2/26 @ 1:30 pm	, Health & Long Term
	Postpartum period/Medicaid	H Approps	Randall
<u>E2SSB</u> 6128	Would extend postpartum Apple Health cove standards as the current program (up to 1989	c	he same eligibility
HB 2381)	SB 6128 was voted out of the Senate on Febr enrollment based on available funds. Pregnan served basis. The HCA authority is directed to	nt and postpartum persons will enroll o	•
	Vapor products	S Ways & Means	Kuderer
<u>SSB 6254</u> (HB 2454)	Governor request bill. Requires all vapor proc Board and requires manufacturers and distril Department of Health. Bans the sale of vapor products. Limits nicotine concentrations in va	outors to submit a list of product ingred r products containing vitamin E acetate	ients to the
	SB 6254 is in Ways and Means and is deemed vaping tax that is included in the bill. The bill		

Housing, Homelessness & Affordability

Bill Details		<u>Status</u>	<u>Sponsor</u>
	Tenants/installment payments	S Financial Inst,	Morgan
<u>EHB 1694</u>	Requires landlords to permit tenants to pay installments, subject to one exception and s of the installments.	•	
	Upcoming Events: Financial Institutions, Eco @ 8:00	nomic Development & Trade (Sena	te) Public Hearing 2/25
	Urban housing	S Housing Stabil	Fitzgibbon
<u>SHB 2343</u> (SSB 6334)	Concerning urban housing supply. Modifies to take in order to increase residential build triggers a cap on minimum residential parkin four times per hour to two times per hour.	ing capacity. Changes the frequencing requirements for certain affordation of the second structure of	y of transit service that ble housing units, from

the basis of impacts to the aesthetics element of the environment if they have undergone the design review process at the appropriate local government level. Modifies the definition of permanent supportive housing. Directs the Department of Ecology to initiate the rule-making process to remove parking as an element of the environment and as a component of the environmental checklist.

Upcoming Events: Housing Stability & Affordability (Senate) Public Hearing 2/24 @ 1:30 pm

	Nonprofit housing/property tax	S Housing Stabil	Doglio
<u>SHB 2384</u> (SB 6232)	Concerning the property tax exemption for a home park spaces to qualifying households.		rental housing or mobile
	Upcoming Events: Housing Stability & Afford	dability (Senate) Public Hearing 2/	24 @ 1:30 pm
HB 2948	Progressive Tax Authority	H Finance	Springer
	Authorizing counties with populations over t	two million to impose an excise ta	ax on business.
	Identicards/homelessness	S Transportation	Callan
<mark>SHB 2607</mark> (SB 6304)	Raises the age range to allow qualifying individenticard at reduced cost. Requires the Depunder age 25 who do not have a permanent	partment of Children, Youth, and	Families to assist youth
	Upcoming Events: Transportation (Senate) P	Public Hearing 2/25 @ 3:30 pm	
<u>SHB 2620</u>	Multiple-unit dwellings/tax	H Rules C	Walen
(2SSB 6411)	Expanding the property tax exemption for ne growth areas.	ew and rehabilitated multiple-uni	it dwellings in urban
	Affordable housing/REET	S Housing Stabil	Walen
<u>SHB 2634</u> (SB 6366)	Provides a Real Estate Excise Tax (REET) exer authority for affordable housing.	mption when selling to a nonprofi	it or public housing
	Upcoming Events: Housing Stability & Afford	dability (Senate) Public Hearing 2/	24 @ 1:30 pm
	Landlord mitigation/victims	H Rules C	Riccelli
<u>SHB 2732</u>	Expanding the landlord mitigation program the flee domestic violence, sexual assault, unlaw		n victims attempting to
	SEPA/shelters & encampments	H Env & Energy	Nguyen
<u>ESSB</u> 5946	Concerning the application of the state environments.	ronmental policy act to temporar	y shelters and transitiona
	Upcoming Events: Environment & Energy (H	louse) Exec Session 2/25 @ 3:30 p	m
ESSB	Residential tenants	S Passed 3rd	Kuderer

be able to pay the judgement with emergency rental assistance funds. Requires the tenant to provide a copy of the pledge of emergency rental assistance to stay the judgement and for the landlord to provide documentation necessary to possess such assistance. Removes the prohibition on eligibility for judicial discretion if a tenant is issues three or more 14-day notices within the previous 12-month period.

CCD (F12	School employee housing	S Ways & Means	Rolfes
<u>SSB 6512</u>	Providing housing to school district employees.	SB 6512 received a public hear	ing 2/20.
	Accessory dwelling units	S Passed 3rd	Liias
<u>ESSB</u> <u>6617</u>	Requires counties planning under the Growth M authorize up to two accessory dwelling units (A parking for ADUs close to major transit stops, a housing unit on the lot unless the owner owns Upcoming Events: Environment & Energy (Hous	DUs) per lot, to not require the nd to not require an owner to o more than five ADUs or the AD	e provision of off-street occupy an ADU or other U is a short-term rental.

Public Safety (PG 6 M)

<u>Bill Details</u>		<u>Status</u>	<u>Sponsor</u>
	High Capacity Magazines	Hearing 2/25 H Finance	Valdez
	Makes it unlawful for a person to manufacture purchase, or otherwise transfer a large capacit		
HB 2947 HB 2240 (SB	WBD: Prohibits sale or transfer of a HCM that accepts more than program funded by repealing the precious metal tax exem		ates a HCM buyback
6077) (PG 6 M)	BACKGROUND: Allows people who owned HCMs before the law takes effect other than a licensed dealer. Washington law does not imp aside from a requirement that firearms dealers must obtait assault weapons and magazines, but exempted assault wea- before the law became effective. This law was subject to a	pose regulations relating to ammunition or in a license to sell ammunition. In 1994, Co apons and large capacity ammunition feedi	ammunition magazines, ngress enacted a ban on
	Firearm background checks (PG 6 M)	Scheduled for exec session in S Law & Justice this Thursday, 2/27	Hansen
	Establishing a centralized single point of conta	ct background check system for fir	earms transfers.
E2SHB	Upcoming Events: Law & Justice (Senate) Publi Session 2/27 @ 10:00 am	c Hearing 2/24 @ 9:00 am, Law &	Justice (Senate) Exec
2467 (PG 6 M)	WTBD: Requires WSP establish a Firearms Background Check sys background checks required under state and federal law. I Background Check Accountability Board to oversee the ne	Requires dealers use the system and create	firearms dealers to conduct s the Washington Firearms
	BACKGROUND: Legislation enacted in 2019 directed OFM to conduct a stu streamline that system into a single point of contact system		

be aggregated through the WSP system:

- The background check must include a check of the following databases:
- the National Instant Criminal Background Check System;
- the Washington Crime Information Center and Washington State Identification System;
- the Health Care Authority electronic database;
- the Federal Bureau of Investigation national data exchange database and any available
- repository of statewide law enforcement record management systems information; and
- the Administrative Office of the Courts (AOC) case management system.

There is an appeal process if someone is denied. Exempt from inspection under the Public Records Act. The oversight board includes members of WSP, WASPC, the general public, firearm safety advocates.

	Passed the House	
False reporting (PG 6 BTM)	unanimously, passed Sen Law	Valdez
Faise reporting (roobin)	and Justice 2/20 and is in	valuez
	Rules	

Modifies the crime of False Reporting and elevates the crime to a new first or second-degree felony offense if it involves certain conduct and results in death or bodily harm.

Heard and received executive action.

WBD:

This bill is an attempt to address the problem of "swatting" or the deliberate act of creating a 911 hoax typically involving hostages, gunfire or other acts of extreme violence aimed at getting a SWAT team to harass an innocent individual.

SHB 2632 (SB 6295) (PG 6 BTM) Under this new law false reporting is elevated from a gross misdemeanor to class C felony offense if it causes bodily harm and a Class B felony if someone is killed as a result. The bill includes carve outs for juveniles who engage in this conduct for the first time. Advocates view this bill as the first step in a larger effort to address online hate and harassment.

BACKGROUND:

False Reporting is classified as a gross misdemeanor in current law and someone can be charged with False Reporting if they report a fire, explosion, crime, or other emergency knowing it is a crime and they knew this would result in an evacuation of a building, place of assembly, or transportation facility, or cause public inconvenience or alarm.

- Misdemeanor = 90 max confinement and \$1K max fine
- Gross misdemeanor = 364 days max confinement and \$5K max fine
- Class C felony = 5 years max confinement and \$10K max fine
- Class B felony = 10 years max confinement and \$10K max fine
- Class A felony = life max confinement and \$50K max fine

Juvenile Diversion. If a juvenile commit first, second, or third-degree False Reporting, and it is his or her first violation, then the prosecutor may divert the case. Civil Liability for False Reporting. If a person is convicted of false reporting in any degree, he or she is liable for the reasonable costs of the emergency response incurred by the public agency. An individual who is a victim of False Reporting may bring a civil action against the person who committed the offense.

Public assist./crime victims (PG 6 BTM)

Passed the Senate unanimously and is scheduled for exec session in House Human Services 2/26

Human Services 2/26 Expands eligibility of the food assistance program for legal immigrants, state family assistance programs, and medical care services (MCS) to include victims of certain crimes including human

3SSB 5164 (HB 1971) (PG 6 BTM)

Upcoming Events: Human Services & Early Learning (House) Exec Session 2/25 @ 1:30 pm

WDB:

trafficking.

Would make victims of human trafficking and other crimes eligible for food, cash and medical assistance if they do not qualify for SNAP, TANF and Medicaid due to their immigration status. They must meet the income eligibility requirements for these programs and have filed or be preparing to file for asylum or a T or U visa with the appropriate federal authority.

BACKGROUND:

- Congress created the T Visa nonimmigrant status visa and the U Visa for crime victims in 2000 under the Victims of Trafficking and Violence Prevention Act to help victims of trafficking or other crimes who need to stay in the US if they are deemed admissible and would suffer hardship if removed from the US.
- A person who is a victim of a severe form of trafficking in persons is eligible for public benefits to the same extent as a person admitted into the United States as a refugee.
- Food Assistance Program for Legal Immigrants (FAP) is a state program for those not eligible for SNAP because of the loophole in federal law that doesn't permit them to access these federal benefits their alien status. Income and asset levels still apply.
- Similarly, State Family Assistance Programs provide cash assistance to legal immigrants who aren't eligible for Temporary Assistance for Needy Families (TANF) the federal cash assistance program.

To the extend funds are available, Medical Care Services (MCS which is regulated by the HCA) must be made available depending on availability to those who qualify but aren't eligible for Medicaid.

Office of firearm safety (PG 7 TOP)

Passed Sen 25-23 and is scheduled for exec session in Dhingra House Judiciary 2/28

Creates the Office of Firearm Violence Prevention within the Department of Commerce. Duties of the Office Include: collecting data and identifying gaps in data needed for ongoing analysis, policy development and implementation of firearm violence intervention and prevention strategies; researching, identifying and recommending policy options; researching, identifying and applying for non-state funding to support the work; working with the Office of Crime Victim Advocacy to identify opportunities to better support victims of firearm violence; and administering a grant program on firearm violence intervention and prevention.

Passed Senate on a vote of 25-23.

WBD:

Creates the Washington Office of Firearm Violence Prevention and a community grant program aimed at reducing firearm violence and specifically charged with:

- working with LEAs, county prosecutors, researchers, and public health agencies to improve available data collection methods, and to identify gaps in data needed for ongoing analysis and policy recommendations;
- Seek nonstate funding to aid the research and implementation of firearm violence prevention strategies;
- working with the office of crime victim's advocacy to identify opportunities to provide support to victims;
- Creates the Washington Firearm Violence Intervention and Prevention Grant Program; for local jurisdictions impacted by gun violence

BACKGROUND:

A competitive grants program will support evidence-based violence reduction initiatives focusing on intervention services to the population segment identified as having the highest risk of perpetrating or being victimized by firearm violence.

A competitive process administered by a selection cmte including people who have been impacted by violence, formerly incarcerated persons and those with experience implementing evidence-based gun violence reduction initiatives, will award cities disproportionately impacted by violence and to community-based organizations serving the residents of those cities.

Under this bill the "Shots Fired" project could be extended to other parts of the state. https://www.seattletimes.com/seattle-news/crime/prosecutors-shots-fired-project-collects-king-county-gun-violence-data-forthe-first-time/

Prohibiting guns at daycare centers (SB 5434)

passed Senate 27-20 and scheduled for exec in House Jud 2/28

WBD:

Prohibits weapons in any licensed child care center and makes violations a gross misdemeanor.

BACKGROUND:

Firearms are currently restricted in many places including schools, jails, courtrooms and local jurisdictions have some control over stadiums and convention centers. Does not apply to a family day care provider operating out of their home although safe storage requirements would apply.

Bill Details		Status	<u>Sponsor</u>
	Domestic worker protections	Passed the House 59-39 and scheduled for exec session in Senate Labor on 2/25	Stonier
	Requires employers of domestic workers, and workers, to provide minimum wages, overtime	., .	

Upcoming Events: Labor & Commerce (Senate) Public Hearing 2/25 @ 8:00 am, Labor & Commerce (Senate) Exec Session 2/25 @ 12:00 pm

WBD:

2SHB 2511

(SSB 6247) (PG 7 TOP)

- Requires employers of domestic workers provide minimum wage, overtime, and meal and rest breaks, a written contract outlining the terms of employment and prohibits adverse action
- Prohibits hiring entities from taking adverse action for workers exercising their rights

expectations of employment in written agreements.

• Establishes notification requirements before terminating employment, procedures for administrative investigations, civil penalties and a private cause of action

BACKGROUND: The Washington Law Against Discrimination (WLAD) prohibits discrimination in employment based on the person's protected status, such as race, creed, color, national origin, sex, disability, and other protected categories. The WLAD only applies to employers who employ eight or more persons and does not include any nonprofit religious or sectarian organization. An aggrieved person may file a complaint with the Human Rights Commission or may file a private cause of action in court.

Employment standards and benefits generally apply only if an employer-employee relationship exists. The Minimum Wage Act, the industrial insurance laws, and the unemployment insurance laws each have various exemptions for domestic services. For example, persons doing "casual labor" in a home, and persons whose duties required they sleep or reside at their place of employment, are exempt from the Minimum Wage Act.

A "domestic worker" includes hourly and salaried employees and includes any worker who works for one or more hiring entity and works in residences as a nanny, house cleaner, home care worker, cook, gardener, or household manager, or for other domestic service purposes. Domestic worker does not include individuals who provide care subsidized under the Department of Social and Health Services (DSHS) or babysitting, dog walking, pet sitting, or house sitting.

A hiring entity employing a domestic worker must pay min wage, uninterrupted 30 min meal break if worked 5 hours, allow 10 min rest breaks for more than 3 hours work and may NOT retain documents, threaten a worker, take adverse action for organizing

Termination of Employment.

The hiring entity must provide a minimum of two-weeks' notice before terminating employment. For live-in domestic workers, a minimum of four-weeks' notice is required. A domestic worker is entitled to severance pay if a hiring entity fails to comply with notification requirements.

Administrative Enforcement and Private Cause of Action.

A domestic worker may file a complaint with the Department within three years of when the alleged violation occurred. The Department may investigate and, within 60 days of the filing of the complaint, must either issue a citation assessing a civil penalty or, if the allegations are not substantiated, a closure letter.

Courts/arrests (MID PG 7)

Passed House 53-43 and scheduled for exec session in S Law & Justice on 2/27

<u>SHB 2567</u> (SB 6522) (MID PG 7) Aims to protect all people from warrantless civil immigration arrests at courts, prohibits court staff and prosecutors from using state and local justice resources to report people for federal immigration enforcement, and requires courts to collect data on immigration agents' surveillance of courthouses in Washington.

Upcoming Events: Law & Justice (Senate) Public Hearing 2/25 @ 10:00 am, Law & Justice (Senate) Exec Session 2/27 @ 10:00 am

WTBD:

Restricts data sharing and civil arrests inside or near state court facilities with ICE without a court order, if it is a criminal matter or the individual is in contempt of court.

BACKGROUND:

Warrantless civil arrests negatively impact the willingness of people to seek justice in our court system. This includes many of the most vulnerable members of our society including victims of sexual violence and domestic abuse, trafficking and other crimes.

There have been 200 documented civil arrests in courthouses across WA to date. ICE agents, often in plainclothes, are making these warrantless civil arrests which deters people from going to court. Similar to KWWA, prohibits sharing immigration info with federal authorities unless connected with a criminal investigation.

Would decrease racial inequity in regard to immigrant access to court services including, obtaining domestic violence and sexual assault protection orders, child support orders, seeking back wages, testifying in civil and criminal proceedings, and getting married.

Death penalty elimination (PG 7 BTM)

Passed the Sen 28-18 and scheduled for exec session in H Carlyle Public Safety on 2/27

Eliminates the death penalty and requires life imprisonment without possibility of release or parole as the sentence for aggravated first degree murder.

Upcoming Events: Public Safety (House) Public Hearing 2/24 @ 1:30 pm, Public Safety (House) Exec Session 2/27 @ 8:00 am

WBD:

Eliminates the death penalty and provides that all persons convicted of aggravated first-degree murder must be sentenced to life in prison without the possibility of release or parole.

<u>SB 5339</u> (HB 1488) (PG 7 BTM)

BACKGROUND:

Under the death penalty statute, a death sentence may be imposed only against those persons convicted of aggravated (means premeditated) first-degree murder and only after a special sentencing proceeding has been held to determine whether the death penalty is warranted.

- Examples of aggravated murder include:
- the victim was a police officer performing official duties, or a judge, juror, witness, or attorney and the murder was related to the victim's official duties;
- the murder was committed in the course of, in furtherance of, or in immediate flight from, certain crimes, such as first- or seconddegree robbery, rape, or burglary;
- the murder was committed in exchange for money or to conceal the commission of a crime;
- the person committed the murder to obtain or maintain a position in the hierarchy of an organization; and
- there was more than one victim and the murders were part of a common scheme or plan, or the result of a single act.
- A moratorium on executions was put in place by the Governor in 2014. In October 2018, the Court declared Washington's death penalty to be unconstitutional, concluding that the death penalty was administered in an arbitrary and racially biased manner

Long-term care workers (PG 7 BTM)

Passed Sen 37-11 and scheduled for exec in H Labor 2/27 Cleveland

Requires home care agencies and the consumer directed employers to establish certain protocols related to employee discrimination and abuse. Requires the Department of Labor and Industries (L&I) to convene a stakeholder work group to recommend best practices for training employers, workers, and clients to keep home care settings free from discrimination and abusive conduct. Authorizes L&I to assess a civil penalty up to \$5,000 for instances of noncompliance.
(PG 7 BTM)
Upcoming Events: Labor & Workplace Standards (House) Public Hearing 2/24 @ 1:30 pm, Labor & Workplace Standards (House) Exerc

Workplace Standards (House) Exec Session 2/25 @ 3:30 pm, Labor & Workplace Standards (House) Exec Session 2/27 @ 8:00 am

WDB:

Requires home care agencies adopt policies to address discrimination and abusive behavior by January 1, 2021, update their policy annually, ensure employees are properly trained. The bill also requires employees be notified if a client has a history of abusive behavior and prevents retaliation if they request reassignment as a result.

Also establishes a workgroup to recommend best practices for training and gives L&I authority to investigate agencies and assess a civil penalty up to \$5K for each instance of noncompliance by an employing agency.

The City's domestic worker protection bills specifically exclude home care workers who are paid through public funds so this legislation will extend worker protections to a portion of City domestic workers who are not presently covered by City law.

BACKGROUND:

Discrimination does not include a client refusing to hire or terminate an employee based on gender preferences. The policy must define discrimination, harassment, and abusive conduct, describe how the employer will protect employees against retaliatory behavior; provide resources for a worker to utilize; and include any additional recommendations from the training work group convened by L&I.

Establishes a workplace violence committee to develop and monitor their violence prevention plan. Workplace violence committee consisting of employee-elected individuals, employer-selected individuals, and at least one client representative, is required to develop and monitor the plan.

L&I is directed to convene a stakeholder work group made up of workers, clients and employers recommending best practices for training employers, long-term care workers, and clients to keep home care settings free from discrimination and abusive conduct while maintaining the ability for individuals who need services to access these services and maintaining the ability to provide services. The work group must include:

Enforcement. L&I is authorized to investigate home care agencies and the CDE to ensure compliance with the policy, prevention plan, informing workers, and recording and reporting requirements, and may assess a civil penalty of up to \$5,000 for each instance of noncompliance.

WIC fruit & veg. benefit (PG 8 TP)

Passed Sen unanimously and scheduled for exec session in H H Lovelett Services 2/26

Expanding access to nutritious food.

SB 6309 was passed out of the Senate on 2/14 in a 46-0 vote and was heard on in House Human Services & Early Leaning on 2/21.

2SSB 6309 (HB 2262) (PG 8 TP)

Increases the Dept of Health Women Infants and Children (WIC) Farmers' Market Nutrition Program (FMNP) benefit from \$28 to \$32 to expand access to nutrition education and fresh produce at local farmers markets.

BACKGROUND:

WBD:

The federal Women, Infants, and Children (WIC) Farmers' Market Nutrition Program (FMNP) provides fresh produce + nutrition education through a partnership with local farmers markets. Women who are pregnant, breastfeeding and children ages 1 to 5 years are eligible to participate in the WIC FMNP and must be below 185 percent of the federal poverty level (approx. \$47K a year for a family of four)

The program is administered by the State Department of Health (DOH). Each eligible participant receives a \$28 benefit for the summer season for the purchase of fruits and vegetables at an authorized farmers market or farm store. This state supplement would increase the federal benefit by \$4 for participants.

Young voters (MD PG 8)

Passed Sen 28-19 heard in H State Govt on 2/20

Liias

ESB 6313 (HB 2558) (MID PG 8) Allows persons to vote in a primary election if they are 17 years old, but will be 18 by the general election. Requires that DOL provide an automated process for 16 and 17 year olds to sign up to register to vote. Requires that public universities, if requested by the student government, and certain public university branch campuses open student engagement centers to provide ballots.

The Senate bill passed 28-19 on 2/13. It was heard in the House State Government & Tribal Relations committee on 2/20.

WBD:

Allows 17-year old's to vote in the primary election if they turn 18 by the general election. Also requires DOL provide an automated opt-out vs. opt in process for 16 and 17-year old's getting their license and requires universities with over 5K students open engagement centers (given the success at CWU) providing ballots and voter registration materials.

BACKGROUND:

The Democratic Party allows 17-year-olds to participate in caucuses; those voters should be able to vote in state and local primaries which may be just as important to them. Student engagement centers include same-day voter registration and ballot printing, which are currently located off-campus and geographically inaccessible for many students.

Registering to Vote. Persons who are age 18 or older and who are United States citizens that have lived in the state, county, and precinct for 30 days immediately preceding an election are entitled to vote. The National Voter Registration Act requires states to provide the opportunity to register to vote for federal elections.

Washington adopted the Motor Voter Act, requiring the Department of Licensing (DOL) to provide voter registration services. Before issuing an original license, identification card, or license renewal, the licensing agent must determine if the applicant wants to register to vote or transfer an existing voter registration. If so, the agent provides the applicant with a voter registration form with instructions and records the applicant's request to register to vote. In addition to DOL, the following agencies and programs offer voter registration:

- the DSHS Division of Vocational Rehabilitation;
- the DSHS Developmental Disabilities Administration;
- he DSHS Aging and Disabilities Service Administration; Ÿ the Department of Services for the Blind; he Health Care Authority; and
- the Health Benefits Exchange (HBE).

Automatic Voter Registration. In 2018, the Legislature passed E2SHB 2595, which provides for an automatic voter registration process at two state agencies. At DOL, an applicant for an enhanced driver's license or identicard, or for a change of address on an existing enhanced driver's license or identicard, is automatically registered to vote or update an existing registration if the applicant is over 18 years of age and United States citizenship is verified unless the applicant opts not to register. HBE transmits the name, address, and date of birth of each consenting applicant who is a citizen and at least 18 years old to the Secretary of State (SOS) for the purpose of the applicant being registered to vote. The Governor and SOS may require other agencies to provide automatic voter registration.

Sign-up to Register to Vote. In 2018, the Legislature also passed 2SHB 1513, which allows certain minors to sign up to register to vote. A person who is at least 16 years of age and who meets all other voter registration requirements may register to vote electronically, or at any location where voter registration is permitted, but is not added to the state voter list until such time as the person will be 18 years of age by the next election.

Transportation

Bill Details		<u>Status</u>	Sponsor
	Auto. traffic safety cameras	S Transportation	Fitzgibbon
<u>ESHB 1793</u> (SSB 5789)	Allows automated traffic safety cameras to be crossing violations; stopping when traffic obst violations; public transportation only lane vio	tructed violations; stopping at interse	
(SSB 5789)			
	Upcoming Events: Transportation (Senate) Pu	blic Hearing 2/24 @ 3:30 pm	
	Upcoming Events: Transportation (Senate) Pu Local transportation revenue	blic Hearing 2/24 @ 3:30 pm H Trans	Ramos

Regional transit authorities

S Rules 2

Liias

SSB 6606

Requires Sound Transit to transition from the 1996 car tab valuation schedule to the 2006 valuation schedule, which would reduce ST revenue by \$1 billion, or \$2.9 billion long term if they bond to replace the immediate lost revenue. Retains the existing 1.1% MVET that was repealed by I-976. By making a legislative change to an Initiative the bill requires a 2/3 vote of the legislature.

OTHER BILLS MAY COME UP

SB xxxx Sen Pedersen higher ed funding bill:

https://www.seattletimes.com/seattle-news/politics/washington-lawmakers-approve-change-to-business-tax-to-fund-college-affordability/

Highly Capable StudentsSB 5354/HB 1641Rivers&Rolfes /Vick&Stonierhttps://www.seattletimes.com/opinion/editorials/expand-instruction-for-more-gifted-kids/https://app.leg.wa.gov/billsummary?Year=2019&BillNumber=5354

WBD:

Would require universal screening for highly capable students and train educators to recognize and support these students.

BACKGROUND:

Requires districts implement procedures for assessment and referral, screening, and placement of their most highly capable students. Requires the state to fund student transportation for HiCap programs, prohibits district from requiring parent transportation and requires districts provide a minimum of 2 hours of professional development for principals and counselors to recognize students who may qualify.

Highly capable learning plans.SB 6282 Pedersen/ NO COMPANIONheard Sen Early Learning 1/22https://www.seattletimes.com/opinion/editorials/expand-instruction-for-more-gifted-kids/https://app.leg.wa.gov/billsummary?BillNumber=6282&Initiative=false&Year=2019

WBD:

In response to Seattle School Board Directors voting recently to phase out Washington Middle School's Highly Capable Cohort (HCC), which separates some high achieving students from their peers for instruction in designated classrooms or cohorts. Sen Pedersen's bill gives districts 30 days to develop individual learning plans for affected students when dissolving Highly Capable Cohort programs. His bill doesn't specifically protect designated cohorts whereas River's bill does.

Sexual Assault Protocols for HospitalsSB 6158DhingraPassed Senate HC 1/22 and in RulesWBD:

Directs the Office of the Attorney General to convene a task force to develop model protocols for hospitals and clinics to ensure a coordinated community response for sexual assault victims.

BACKGROUND:

Creates the sexual assault coordinated community response task force within the AG's office . The purpose of the task force is to develop model protocols ensuring adult or minor sexual assault victims receive a coordinated community response when presenting for care at any hospital or clinic following a sexual assault. The task force members must include four legislators, two sexual assault survivor representatives, two providers from community sexual assault programs, two representatives of SANEs, two representatives of children's advocacy centers and one representative from the following organizations:

WASPC, Prosecutors, Defenders, AWC, Counties, Superior Court Judges, Coalition of Sexual Assault Programs, Hospital Association, WA Medical Association, Office of the AG, SANEs. The task force must collaborate with state and local government, and medical facilities to implement coordinated community responses, including access to specific services, potential assistance from the crime victims' compensation program, legal advocacy, privacy of medical records, and access to necessary information among responding professionals and service providers. Additionally, the task force is required to research: best practices for collaborative and coordinated responses; existing gaps in trauma-informed, victim-centered care, and support and resources; securing nonstate funding for implementing a standardized and coordinated community response; andpolicy options for providing a coordinated community response. The task force must report its recommendations to the Legislature and Governor by December 1st of each year

Eliminating the 1% cap on property taxPollet (HB 2145)House Finance last year and is still thereWBD:Removes the 1% cap on property tax population growth + inflation

Rep Pollet's bill introduced in 2019 is still alive but there has been no movement on it to date during the 2020 session

Private detention facilities6442 Saldana/Ortiz Self 2576Hearing Sen Human Services 1/29WBD Prohibits private detention facilities in WA State exempting those that already operate under a contract to continue until
the end of the contractual obligation.

WSLC PRIORITIES

WORKER PROTECTION ACTHB 1965 HansenHouse RulesWBD: creates a mechanism for workers to file whistleblower complaints when current workplace laws are violated.BACKGROUND: Enforcement agencies have long backlogs, and this is a tool for workers to enforce their own Wage and hour,equal pay, health and safety and anti-discrimination laws.

BID LISTING HB 1571/SB 5457

WBD: HB 1571/SB 5457 would end "post-bid shopping" by having subcontractors listed in all bids. **BACKGROUND:** Some public works contractors alter their lists of subcontractors after winning bids so they can pay lower wages and boost profits at the expense of taxpayers — and project quality.

PUBLIC EMPLOYEE PRIVACY HB 1888

WBD: HB 1888 takes common sense steps to safeguard personal data—like birthdays and data that reveal addresses—to protect public workers' safety and guard against identity theft and fraud.

BACKGROUND: Our state has robust public disclosure laws, and that's a good thing. But it exposes the personal and financial information of public workers to scam artists.

SECURE SCHEDULING SB 5717/HB 1491

WBD—SB 5717/HB 1491 ensures that people who work for large food and retail businesses have protections: two-week notice of schedules, adequate rests between shifts, and flexibility to swap shifts.

BACKGROUND: Many retail and food service workers struggle with unpredictable schedules that make it difficult to manage family needs, attend school, or balance a second job. And not knowing how many hours to expect leaves many scrambling to pay bills and rent.

UNEMPLOYMENT INSURANCE FOR CAREGIVERS — Job search requirements for unemployed workers who care for loved ones often require those workers to take jobs that do not allow them to provide care. These standards should be updated so workers are not forced to choose between an uncommon shift and caring for their family.

q **WAGE LIENS** (HB 1514/SB 6053) — When workers' wages have been stolen, some employers dissolve their businesses and form new LLCs to avoid paying up. HB 1514 will implement wage liens, providing all workers with an avenue to secure their owed wages, just like construction workers and farm workers can through mechanics and crop liens.

ADMINISTRATIVE LAW JUDGES AND BAILIFFS COLLECTIVE BARGAINING (HB 2017 and 1333/SB 6367) — ALJs at the Office of Administrative Hearings and bailiffs for King County courts are denied the right to join together and collectively

bargain, despite their counterparts at DOL, DOC, and the BIIA having those rights. The state should resolve this inequity by allowing these workers to come together to form a union.

TRANSPARENCY AND ACCOUNTABILITY IN GOVERNMENT CONTRACTING (HB 1521/SB 5655) — This requires state agencies and local governments to evaluate the cost of outsourcing work to private contractors and to conduct follow- ups to ensure contractors meet their obligations. It also calls for accountability if companies fail to perform their duties.

Tribal

In her most recent email update, Representative Lekanoff (D-Bow) highlighted the priority tribal legislation she is working on this session. It includes salmon recovery legislation HB 2549 and HB 2552, a water resource policy bill HB 2553, as well as HB 2548 concerning tribally controlled colleges and universities. Lekanoff also noted she is working on a Missing and Murdered Indigenous Women proviso in the supplemental budget.

Working Families Tax Credit

https://app.leg.wa.gov/billsummary?BillNumber=1527&Year=2019&Initiative=false Special Ed Funding:

Majorities

DNA fix

Med reimbursement rates

From Cody's report:

The "Fair Start for Kids Act" (SHB 2661) intends to improve the workforce by providing childcare support. Specifically, the bill increases eligibility for childcare, early childhood development programs, and services for children and families. It provides for increased rates, training, grants, and services for early learning providers. The bill passed out of the policy committee and had a February 6 public hearing in its fiscal committee.

Attorney General Ferguson (D) has released a \$10 million proposal for the 2020 Legislature to fund a cold case unit with the purpose of reopening unsolved sexual assault cases. Representative Orwall (D-Kent) supports the proposal and points to the large number of sexual assault kits that have been recently processed, as noted in this Q13 News article. In related news, sexual assault survivors are backing a bill (SHB 2318) introduced to tighten the requirements for storing DNA evidence collected from those convicted of a sexual-related crime. As explained in this KIRO News article, the cost of implementing the proposed changes is \$34,000. The bill had a February 5 public hearing in its fiscal committee.

Tribal

"Right to Tribal Regalia Act" HB 2551, with the intent of removing barriers for cultural expression for tribal students at graduation ceremonies, had a February 4 public hearing and was passed out of its committee on February 7. This legislation is similar to existing laws in North Dakota, Montana and California. Senator Billig (D-Spokane) sponsored the Senate companion (SB 6607) and said that the bill Arledge Group

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was introduced due to a concern raised by one of his constituents who is a member of the Spokane Tribe of Indians. It was passed out of its committee on February 7.

On February 6, two bills pertaining to Native American behavioral health were scheduled for executive action in the Behavioral Health Sub-committee. SB 6258 would address the suicide and addiction crisis

among American Indians and Alaska Natives, but it did not pass out of committee. SB 6259, which intends to improve the Native American behavioral health system, was passed out of committee.

OTHERS (MO + COUNCIL):

Updating the Involuntary Treatment Act: SB 5720. This bill would increase the initial detention period under the Involuntary Treatment Act (ITA) from 72 hours to five days, excluding weekends and holidays. It would also modify definitions of likelihood of serious harm, gravely disabled, and violent act under the ITA. It would expand single-bed certifications to include patients detained due to a substance use disorder and certain ITA provisions relating to adults would apply to minors. The bill passed in the Senate last year, was heard in House Civil Rights and Judiciary and also in House Appropriations. The bill stalled in Appropriations in 2019 and as a result was returned to Rules at the end of the session. The bill passed the Senate this session on a vote of 44-3. Disability Rights WA, the WA Defender Association, and the WA Criminal Defense Lawyers Association all have significant due process concerns. Given the implications on youth, advocates for youth also have concern with the bill. Also the counties have noted that to the extent the legislation would result in increased costs for ITA, there are reduced non-Medicaid funds available for other services.

UPDATE: The bill is now in House Civil Rights and Judiciary and will have a public hearing on February 21st and is scheduled for executive session on February 26th.

<u>Swatting: HB 2632/SB 6295.</u> These bills seek to address the problem of swatting, the deliberate and malicious act of creating a 911 hoax typically involving hostages, gunfire, or other acts of extreme violence, with the goal of sending a SWAT team to harass and intimidate an innocent individual. Swatting creates an environment of fear and unnecessary risk, and in some cases, has led to the loss of life. Originating in gamer and streaming culture, swatting is now more widely used as a fear tactic targeting individuals because of their identities or due to their ideological beliefs. Rep. Valdez and Senator Salomon are sponsoring legislation that will update swatting from its current charge as a false police report/gross misdemeanor to increasing it to a felony, bringing the charges in alignment with the potential harm that can be caused. The bill includes carve outs for juveniles who engage in this conduct for the first time. Advocates view this bill as the first step in a larger effort to address online hate and harassment and promote greater training and education on these topics for law enforcement and the public.

UPDATE: HB 2632 passed out of the House on February 12th unanimously. It was heard in Senate Law & Justice on February 19th. Senate Law and Justice moved the bill out of committee on February 20th. SB 6295 is dead.

ANTI-HUNGER

<u>WIC Farmers Market Nutrition Program: HB 2262/SB 6309.</u> Over 140,000 low-income moms and young children get food assistance from the WIC Program, yet WIC provides only \$11/month for a mom to buy fruits and vegetables. The federal Farmers Market Nutrition Program (WIC FMNP) provides \$20 per WIC participant and a maximum \$40 per family each summer to buy fresh, local produce at Washington farmers markets. Increasing the value to \$32 per season helps new moms and growing children to be healthier and develop healthy eating habits.

UPDATE: HB 2262 is dead. SB 6309 was passed out of the Senate on February 14th in a 46-0 vote and is scheduled for a hearing House Human Services & Early Learning on February 21st.

VOTING RIGHTS

Opportunities Through Education (VOTE Act): SB 6313/HB 2558. This bill would allow eligible 17 year olds who will turn 18 by the next special or general election to vote in the preceding primary election. This bill also adds on-campus student engagement centers, for registration, voting and other civic engagement.

UPDATE: The Senate passed SB 6313 on February 13th in a 28-19 vote. It is scheduled for a hearing in House State Government and Tribal Relations on February 20th. The WA Secretary of State's Office testified in opposition to the bill and the County Auditors and WA State Association of Counties articulated concerns. The House bill never received a public hearing.

LABOR STANDARDS

Domestic Workers Bill of Rights: SB 6247/HB 2511. These bills would create a statewide Domestic Workers Bill of Rights. The legislation is partly modeled off legislation that was passed in Seattle in 2018 as well as the nine other states that have passed domestic workers labor protection bills. Both the Governor and Attorney General are in support of the bill. The bills were substantially pared back; removing requirements on minimum wage, overtime, meal and rest breaks, requiring written agreements, and requiring L&I to investigate complaints.

UPDATE: The issue of including au pairs in the legislation has been a central part of the debate over the bills. The House passed a bill that includes au pairs, on February 18th in a 59-39 vote. HB 2511 is scheduled for a hearing in the Senate Labor & Commerce Committee on February 25th.

<u>Protecting the privacy of students' immigration status: SB 5834/HB 1779.</u> Recent reports out of Boston have caused fear of immigration enforcement activities on school properties. This bill would ensure school districts are protecting the privacy of students' immigration status. The bill requires public schools to notify parents of their child's right to public education and prohibits schools from collecting information on students' immigration status. It would ensure consistent language and practice across school districts.

UPDATE: SB 5834 was passed in the Senate on Feb. 12 in a 29-17 vote and now heads to the House for consideration. It is scheduled for a hearing in the House Education Committee on February 25th.

Banning private detention facilities: HB 2576/SB 6442. These bills would prohibit a person, business, or state or local governmental entity from utilizing a contract with a private detention facility. The legislation allows existing contracts to remain in operation through the duration of that contract. The bill also specifies that this ban does not apply to any juvenile detention facility operating under an agreement for a consortium of counties authorized in state law, any facility providing evaluation and treatment or forensic services to a person who has been civilly detained as a sexually violent predator or is subject to an order of commitment as a sexually violent predator, any facility licensed as a enhanced services facility, or any facility used for work release.

The proposed legislation has expansive support from dozens of organizations including Disability Rights Washington, the State Labor Council, ACLU Washington, Church Council of Greater Seattle, Densho, Faith Action Network, Centro Latino, Gender Justice League, OneAmerica, NW Immigrants Rights Project, Planned Parenthood, SEIU 775, Sierra Club, WAISN, and many more. The bill is projected to have no fiscal impact.

UPDATE: Both bills have passed their chambers of origin. HB 2576 passed the House on February 17th in a 60-38 vote with two Republicans voting for the bill. The House bill now is just a study bill that requires the Department of Health to evaluate state and local authority and practices for inspecting private detention facilities and enforcing statutes, codes, rules, and policies on the health, safety, and welfare of detainees. The Senate bill passed SB 6442 on February 18th in a 30-18 vote. Republican Senators O'Ban and Walsh both voted for the bill.

VOTING RIGHTS

<u>Voting Eligibility Restoration for People Under Community Supervision: SB 6228/HB 2292.</u> SB 6228 would allow people convicted of felonies to have their right to vote restored while they are serving community custody ("parole"). Currently people with an incarceration history who have completed their sentence and are under community supervision are not eligible to vote in Washington. Those who fall behind on payments of their legal financial obligations (LFOs) can now lose their right to vote as well. If passed, this bill would bring 10,000 voters back into our democracy.

UPDATE: The Senate bill was brought to the floor as the last bill before policy cut-off. After debate began and amendments were considered, it became apparent that there were not sufficient votes to pass the bill. Consequently, the Senate deferred consideration, effectively killing the bill.

Bills in play

HB 2467 would overhaul Washington's decentralized and fragmented gun-purchase background-check system by <u>making</u> <u>the Washington State Patrol the sole point of contact</u> for background checks. The current system is spread among more than 200 law enforcement agencies. Studies have described the current arrangement as complicated and fragmented enough to potentially allow some people who would be barred from buying guns to get one.

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SB 6288 would <u>create a statewide Office of Firearm Safety and</u> <u>Violence Prevention</u>, housed within the Department of Commerce. That office would, among other things, promote and coordinate efforts by state and local governments to reduce gun violence. It would also set up a helpline to provide counseling and referrals for victims of firearms violence.

<u>SB 5434</u> would prohibit firearms at childcare centers and require family daycare providers to lock firearms on their premises in a gun safe or keep them unloaded in a locked room and secured with a disabling device, such as a trigger lock.

Bills that died

<u>SB 6076</u> and HB 2241 were bills requested by Gov. Jay Inslee and Attorney General Bob Ferguson that would have, among other things, banned the possession and transfer of so-called assault weapons. The bills never got committee or floor votes.

ADVERTISING

HB 2925 and SB 6686 were to ban people from <u>carrying</u> <u>firearms on the Capitol campus</u>.

Two Republican-sponsored bills — $\underline{SB \ 6406}$ and $\underline{SB \ 6402}$ — would have created new crimes for the use of a stolen firearm, and for the theft of a gun from a home, store or sales outlet.

<u>SB 6294</u> was to require safety training for people seeking to obtain a concealed-pistol license.