

**SSB 5012 - S AMD 94**

By Senators Johnson, Reardon

ADOPTED AS AMENDED 03/12/2003

1 Strike everything after the enacting clause and insert the  
2 following:

3 "NEW SECTION. **Sec. 1.** INTENT. The legislature intends to  
4 authorize the establishment of charter schools for the purpose of  
5 providing more, high quality public school choices for families,  
6 students, and teachers. High quality public school choices are those  
7 proven and promising learning environments that are likely to result in  
8 improved student achievement.

9 NEW SECTION. **Sec. 2.** DEFINITIONS. Unless the context clearly  
10 requires otherwise, the definitions in this section apply throughout  
11 this chapter.

12 (1) "Applicant" means a nonprofit corporation that has submitted an  
13 application to a sponsor to obtain approval to operate a charter  
14 school. The nonprofit corporation must either be a public benefit  
15 nonprofit corporation as defined in RCW 24.03.490, or a nonprofit  
16 corporation as defined in RCW 24.03.005 that has applied for tax-exempt  
17 status under section 501(c)(3) of the internal revenue code of 1986 (26  
18 U.S.C. Sec. 501(c)(3)). The nonprofit corporation may not be a  
19 sectarian or religious organization and must meet all of the  
20 requirements for a public benefit nonprofit corporation before  
21 receiving any funding under section 12 of this act.

22 (2) "Charter" means a contract between an applicant and a sponsor.  
23 The charter establishes, in accordance with this chapter, the terms and  
24 conditions for the management, operation, and educational program of  
25 the charter school.

26 (3) "Charter school" means a public school managed by an  
27 applicant's board of directors and operating independently of any

1 school district board under a charter approved in accordance with this  
2 chapter.

3 (4) "Board of directors" means the board of directors of the public  
4 benefit nonprofit corporation that manages and operates the charter  
5 school.

6 (5) "Sponsor" means: (a) The school district in which the charter  
7 school is located; (b) the state and regional universities as defined  
8 in RCW 28B.10.016; or (c) The Evergreen State College. Charter schools  
9 sponsored under (b) or (c) of this subsection shall be approved by the  
10 governing board of the sponsoring institution or by an official or  
11 agency designated by and accountable to the governing board.

12 NEW SECTION. **Sec. 3.** CHARTER SCHOOLS--POWERS. (1) The charter  
13 school's board of directors may hire, manage, and discharge any charter  
14 school employee in accordance with the terms of this chapter and that  
15 school's charter.

16 (2) The charter school's board of directors may enter into a  
17 contract with any school district, or any other public or private  
18 entity, also empowered to enter into contracts, for any and all real  
19 property, equipment, goods, supplies, and services, including  
20 educational instructional services.

21 (3) Charter schools may rent, lease, or own property, but may not  
22 acquire property by eminent domain. All charters and charter school  
23 contracts with other public and private entities must include  
24 provisions regarding the disposition of the property if the charter  
25 school fails to open as planned, closes, or the charter is revoked or  
26 not renewed. Charter schools may accept gifts and donations from other  
27 governmental and private entities, excluding sectarian or religious  
28 organizations. Charter schools may not accept any gifts or donations  
29 the conditions of which violate this chapter.

30 (4) Neither a charter school sponsor nor the school district in  
31 which the charter school is located is liable for acts or omissions of  
32 a charter school, including acts or omissions related to the  
33 application, the charter, the operation, and the performance of the  
34 charter school.

35 (5) Charter schools may not charge tuition, levy taxes, or issue  
36 bonds, however they may charge fees for optional noncredit  
37 extracurricular events.

1 (6) Charter schools may issue secured and unsecured debt to manage  
2 cash flow, improve operations, or finance the acquisition of real  
3 property or equipment. Such an issuance does not constitute an  
4 obligation, either general, special, or moral of the state, the charter  
5 school sponsor, the school district in which the charter school is  
6 located or any other political subdivision or agency of the state.  
7 Neither the full faith and credit nor the taxing power of the state,  
8 the charter school sponsor, the school district in which the charter  
9 school is located, or any other political subdivision or agency of the  
10 state may be pledged for the payment of such debt.

11 NEW SECTION. **Sec. 4.** LEGAL STATUS. A charter school is a public  
12 school including one or more of grades kindergarten through twelve,  
13 operated by a public benefit nonprofit corporation, according to the  
14 terms of a renewable five-year contract granted by a sponsor.

15 NEW SECTION. **Sec. 5.** CHARTER SCHOOLS--EXEMPTIONS. (1) A charter  
16 school shall operate independently of any school district board, under  
17 a charter approved by a sponsor under this chapter.

18 (2) Charter schools are exempt from all state statutes and rules  
19 applicable to school districts and school district boards of directors  
20 except as provided in this chapter and in the school's approved  
21 charter.

22 (3) A charter school's board of directors may elect to comply with  
23 one or more provisions of the statutes or rules that are applicable to  
24 school districts and school district board of directors.

25 (4) All approved charter schools shall:

26 (a) Comply with state and federal health, safety, and civil rights  
27 laws applicable to school districts;

28 (b) Participate in nationally normed standardized achievement tests  
29 as required in RCW 28A.230.190, 28A.230.193, and 28A.230.230 and the  
30 elementary, middle school, and high school standards and assessment  
31 examinations as required in RCW 28A.655.060;

32 (c) Employ certificated instructional staff as required in RCW  
33 28A.410.010, however charter schools may hire noncertificated  
34 instructional staff of unusual competence and in exceptional cases as  
35 specified in RCW 28A.150.260;

1 (d) Comply with the employee record check requirements in RCW  
2 28A.400.303;

3 (e) Be subject to the same financial and audit requirements as a  
4 school district;

5 (f) Comply with the annual performance report under RCW  
6 28A.655.110;

7 (g) Follow the performance improvement goals and requirements  
8 adopted by the academic achievement and accountability commission by  
9 rule under RCW 28A.655.030;

10 (h) Report at least annually to its sponsor, the school district in  
11 which the charter school is located, and to parents of children  
12 enrolled at the charter school on progress toward the student  
13 performance goals specified in the charter; and

14 (i) Comply with the open public meetings act in chapter 42.30 RCW  
15 and open public records requirements in RCW 42.17.250.

16 NEW SECTION. **Sec. 6.** ADMISSION REQUIREMENTS. (1) A charter  
17 school must enroll all students who submit a timely application. If  
18 capacity is insufficient to enroll all students who submit a timely  
19 application, the charter school must give enrollment priority to  
20 students who reside within the school district boundaries in which the  
21 charter school is physically located. Priority also must be given to  
22 siblings of students who are currently enrolled in the school.  
23 Students must be selected through an equitable selection process, such  
24 as a lottery, to fill any remaining spaces. Schools that convert to  
25 charter schools must also give priority to the students who are  
26 currently enrolled in school.

27 (2) A charter school may not limit admission based on race,  
28 religion, ethnicity, national origin, gender, income level,  
29 intellectual ability, disabling condition, proficiency in the English  
30 language, or athletic ability. A charter school may limit admission to  
31 students within a given age group or grade level.

32 NEW SECTION. **Sec. 7.** CHARTER APPLICATION--CHARTERING PROCESS.

33 (1) An applicant may apply to a sponsor to establish a charter school  
34 as provided in this section.

35 (2) An application for a charter school may be submitted to any  
36 qualified sponsor.

1 (3) The school district board of directors must elect whether to  
2 hold a public hearing in the school district on the application within  
3 twenty days of receipt of the application. If the school board is  
4 going to accept the application, a public hearing must be held before  
5 the granting of a charter. The school board must either accept or  
6 reject the application within sixty days after the receipt of the  
7 application. The sixty-day deadline for acceptance or rejection of the  
8 charter school application may be extended for an additional thirty  
9 days if both parties agree in writing.

10 (4) If the school board elects not to hold a hearing or rejects the  
11 application, the school board must notify the applicant in writing of  
12 the reasons for that decision. The applicant may submit a revised  
13 application for the school board's reconsideration. The school board  
14 may provide assistance to improve the application. If the school board  
15 rejects the application after submission of a revised application, the  
16 school board must notify the applicant in writing of the reasons for  
17 the rejection.

18 (5) Sponsors other than school districts must comply with the  
19 procedures in subsections (1) through (4) of this section for  
20 consideration of the charter application. A sponsor is not bound by  
21 another sponsor's findings or decision to deny the application.

22 (6) The superintendent of public instruction shall maintain copies  
23 of all approved charter applications. An applicant may obtain copies  
24 of those applications from the office of the superintendent of public  
25 instruction.

26 NEW SECTION. **Sec. 8.** APPLICATION REQUIREMENTS. The charter  
27 school application is a proposed contract and must include:

28 (1) The identification and description of the nonprofit corporation  
29 submitting the application, including the names and descriptions of the  
30 individuals who will operate the school;

31 (2) The nonprofit corporation's proposed articles of incorporation,  
32 bylaws, and most recent financial statement and balance sheet;

33 (3) A mission statement for the proposed school, consistent with  
34 the description of legislative intent in this chapter;

35 (4) A description of the school's educational program, including  
36 curriculum and instructional strategies;

1 (5) A description of the school's admissions policy and marketing  
2 program, including deadlines for applications or admission;

3 (6) A description of student performance standards that must meet  
4 those determined under RCW 28A.655.060, and be measured according to  
5 the assessment system determined under RCW 28A.655.060;

6 (7) A description of the plan for evaluating student performance  
7 and the procedures for taking corrective action in the event that  
8 student performance at the charter school falls below standards  
9 established in its charter;

10 (8) A description of the financial plan for the school. The plan  
11 shall include: (a) A proposed five-year budget of projected revenues  
12 and expenditures; (b) a plan for starting the school; (c) a five-year  
13 facilities plan; (d) evidence supporting student enrollment projections  
14 of at least twenty students; and (e) a description of major contracts  
15 planned for equipment and services, leases, improvements, purchases of  
16 real property, and insurance;

17 (9) A description of the proposed financial management procedures,  
18 including annual audits of the school's financial and administrative  
19 operations, which shall meet or exceed generally accepted standards of  
20 management and public accounting;

21 (10) An assessment of the school's potential legal liability and a  
22 description of the types and limits of insurance coverage the nonprofit  
23 corporation plans to obtain that are adequate. For purposes of this  
24 subsection, a liability policy of between one million and five million  
25 dollars is required;

26 (11) A description of the procedures to discipline and dismiss  
27 students; and

28 (12) A description of procedures to assure the health and safety of  
29 students, employees, and guests of the school and to comply with  
30 applicable federal and state health and safety laws and regulations.

31 NEW SECTION. **Sec. 9.** APPROVAL CRITERIA. A sponsor may approve an  
32 application for a charter school, if in the sponsor's reasonable  
33 judgment, after exercising due diligence and good faith, the sponsor  
34 finds:

35 (1) The applicant is a public benefit nonprofit corporation and the  
36 individuals it proposes to manage the school are qualified to operate  
37 a charter school and implement the proposed educational program;

1 (2) The mission statement is consistent with the description of  
2 legislative intent and restrictions on charter school operations in  
3 this chapter;

4 (3) The school's proposed educational program is free from  
5 religious or sectarian influence;

6 (4) The school's proposed educational program includes student  
7 academic performance standards that meet those determined under RCW  
8 28A.655.060 and are measured according to the assessment system  
9 determined under RCW 28A.655.060;

10 (5) The application includes a viable plan for evaluating pupil  
11 performance and procedures for taking appropriate corrective action in  
12 the event that pupil performance at the charter school falls below  
13 standards established in its charter;

14 (6) The school's educational program, including curriculum and  
15 instructional strategies, has the potential to improve student  
16 performance as measured under section 5 of this act;

17 (7) The school's admissions policy and marketing program is  
18 consistent with state and federal law;

19 (8) The financial plan for the school is designed to reasonably  
20 support the charter school's educational program based on a review of  
21 the proposed five-year budget of projected revenues, expenditures, and  
22 facilities;

23 (9) The school's financial and administrative operations, including  
24 its annual audits, meet or exceed generally accepted standards of  
25 accounting and management;

26 (10) The assessment of the school's potential legal liability, and  
27 the types and limits of insurance coverage the school plans to obtain,  
28 are adequate. For purposes of this subsection, a liability policy of  
29 between one million and five million dollars is required;

30 (11) The procedures the school plans to follow for discipline and  
31 dismissal of students are reasonable and comply with federal law;

32 (12) The procedures the school plans to follow to assure the health  
33 and safety of students, employees, and guests of the school comply with  
34 applicable state and federal health and safety laws and regulations;  
35 and

36 (13) The public benefit nonprofit corporation has been approved or  
37 conditionally approved by the internal revenue service for tax exempt

1 status under section 501(c)(3) of the internal revenue code of 1986 (26  
2 U.S.C. Sec. 501(c)(3)).

3 NEW SECTION. **Sec. 10.** CHARTER AGREEMENT--AMENDMENT. (1) A  
4 charter application approved by a sponsor with any changes constitutes  
5 a charter.

6 (2) A charter may be amended during its term at the request of the  
7 charter school board of directors and on the approval of the sponsor.

8 NEW SECTION. **Sec. 11.** CHARTER RENEWAL AND REVOCATION. (1) An  
9 approved plan to establish a charter school is effective for five years  
10 from the first day of operation. At the conclusion of the first three  
11 years of operation, the charter school may apply to the sponsor for  
12 renewal. A request for renewal must be submitted no later than six  
13 months before the expiration of the charter.

14 (2) A charter school renewal application must include:

15 (a) A report on the progress of the charter school in achieving the  
16 goals; student performance standards, including the student performance  
17 standards adopted by rule by the academic achievement and  
18 accountability commission in accordance with RCW 28A.655.030; and other  
19 terms of the charter; and

20 (b) A financial statement that discloses the costs of  
21 administration, instruction, and other expenditure objects and  
22 activities of the charter school.

23 (3) The sponsor may reject the application for renewal if any of  
24 the following occurred:

25 (a) The charter school materially violated its contract with the  
26 sponsor, as set forth in the charter;

27 (b) The students enrolled in the charter school failed to meet  
28 student performance standards identified in the charter, including the  
29 student performance standards adopted by rule by the academic  
30 achievement and accountability commission in accordance with RCW  
31 28A.655.030;

32 (c) The charter school failed to meet generally accepted standards  
33 of fiscal management; or

34 (d) The charter school violated provisions in law that have not  
35 been waived in accordance with this chapter.



1 (4) A sponsor shall give written notice of its intent not to renew  
2 the charter school's request for renewal to the charter school within  
3 three months of the request for renewal to allow the charter school an  
4 opportunity to correct identified deficiencies in its operation. At  
5 the request of the board of directors of the charter school, the  
6 sponsor shall review its decision for nonrenewal after the charter  
7 school has corrected any identified deficiencies.

8 (5) The sponsor may revoke a previously approved charter before the  
9 expiration of the term of the charter, and before application for  
10 renewal, for any of the reasons specified in subsection (3) of this  
11 section. Except in cases of emergency where the health and safety of  
12 children are at risk, a charter may not be revoked unless the sponsor  
13 first provides written notice of the specific violations alleged, a  
14 public hearing, and a reasonable opportunity for the charter school to  
15 correct the identified areas of concern. The sponsor of a charter  
16 school shall provide for an appeal process upon a determination by the  
17 sponsor that grounds exist to revoke a charter.

18 NEW SECTION. **Sec. 12.** FUNDING. (1) When the sponsor is a school  
19 district:

20 (a) For purposes of funding, students in charter schools shall be  
21 considered students of the sponsoring district for general fund  
22 apportionment purposes. Without violating section 13 of this act, the  
23 sponsoring school district shall provide prompt and timely funding for  
24 charter schools on a per student basis in amounts the schools would  
25 have received if the students were enrolled in a noncharter public  
26 school in the district except that a charter school shall not generate  
27 eligibility for small school assistance. Funding for charter schools  
28 shall include regular apportionment, categorical, and nonbasic  
29 education funds, as appropriate and shall be based on enrollment and  
30 other financial information submitted by the charter school to the  
31 school district as is required to determine state apportionment  
32 amounts;

33 (b) Local levy moneys approved by the voters before the effective  
34 date of a charter between a school district and an applicant shall not  
35 be allocated to a charter school unless the sponsoring school district  
36 determines it has received sufficient authority from voters to allocate  
37 maintenance and operation excess tax levy money to the charter school.

1 For levies approved after the effective date of a charter, charter  
2 schools shall be included in levy planning, budgets, and funding  
3 distribution in the same manner as other schools in the district only  
4 to the extent agreed to by the school district board of directors. In  
5 making the decision, the school district board of directors shall  
6 consult with the charter school board of directors; and

7 (c) A charter school is eligible for state matching funds for  
8 common school construction if a sponsoring school district determines  
9 it has received voter approval of local capital funds for the project.

10 (2) Public schools converting to charter schools shall receive  
11 funding in the same manner as other charter schools sponsored by school  
12 districts.

13 (3) If the sponsor is not a school district, students in the  
14 charter school shall still be considered students of the district in  
15 which the charter school is located for general fund apportionment  
16 purposes. Without violating section 13 of this act, the superintendent  
17 of public instruction shall provide prompt and timely funding for  
18 charter schools on a per student basis in amounts the schools would  
19 have received if the students were enrolled in a noncharter school in  
20 the district except that a charter school shall not generate  
21 eligibility for small school assistance. The funding shall include  
22 regular apportionment, categorical, and nonbasic education funds and  
23 shall be based on enrollment and other financial information submitted  
24 by the charter school to the school district or the superintendent of  
25 public instruction, as is required to determine state apportionment  
26 amounts.

27 (4) No local levy money may be allocated to a charter school if the  
28 charter school is sponsored by a sponsor that is not a school district.

29 NEW SECTION. **Sec. 13.** ADMINISTRATION FEE. To offset costs of  
30 oversight and administering the charter, a sponsor may retain up to  
31 three percent of state funding and local excess levy funding, if  
32 applicable, that is being driven to the charter school. Except for the  
33 administration fee in this section, no other offsets or deductions are  
34 allowed, whether for central administration or other off-site support  
35 services, from a charter school's per-pupil share of state  
36 appropriations, local levies, or other funds, unless the charter school

1 has contracted with a school district to obtain specific additional  
2 services.

3 NEW SECTION. **Sec. 14.** LEAVES OF ABSENCE. If a school district  
4 employee makes a written request for an extended leave of absence to  
5 work at a charter school, the school district shall grant the request.  
6 The school district may require that the request for a leave be made up  
7 to ninety days before the employee would otherwise have to report for  
8 duty. The leave shall be granted for up to three years. If the  
9 employee returns to the school district within the three-year period,  
10 the employee shall be hired before the district hires anyone else with  
11 fewer years of service, with respect to any position for which the  
12 returning employee is certificated or otherwise qualified.

13 NEW SECTION. **Sec. 15.** STUDY OF CHARTER SCHOOLS. The Washington  
14 institute for public policy shall study the implementation and  
15 effectiveness of this act. The institute shall make recommendations to  
16 the legislature about the effectiveness of charter schools and the  
17 impact of charter schools. The institute shall also recommend changes  
18 to this chapter including improvements that could be made to the  
19 application and approval process. A preliminary report of the study is  
20 due to the legislature by March 1, 2006, and a final report is due  
21 September 1, 2007.

22 NEW SECTION. **Sec. 16.** NUMBER OF CHARTER SCHOOLS. (1)  
23 Applications for charter schools may begin on the effective date of  
24 this section. The maximum number of charters that can be granted under  
25 this chapter is five in the first year commencing July 1, 2003, five in  
26 the second year, and fifteen in each of the next four years. These  
27 annual allocations shall be cumulative so that if the maximum is not  
28 reached in any given year the maximum shall be increased accordingly  
29 for the successive years.

30 (2) A sponsor may not sponsor a charter school in a school district  
31 with a student enrollment of less than three thousand students, except  
32 that a sponsor may sponsor a charter school in a school district with  
33 a student enrollment between two and three thousand students in  
34 counties where the population exceeds five hundred thousand persons.

1 (3) For purposes of monitoring compliance with this section and  
2 providing information to new charter school applicants, the  
3 superintendent of public instruction shall maintain a running total of  
4 the projected and actual enrollment at charter schools and the number  
5 of charters granted.

6 (4) For purposes of implementing this subsection, a sponsor shall  
7 notify the office of the superintendent of public instruction when it  
8 receives a charter school application, when it approves a charter  
9 school, and when a charter school is terminated.

10 (5) The maximum number of charter schools allowed under this  
11 section does not include public schools converting to charter schools.

12 NEW SECTION. **Sec. 17.** A new section is added to chapter 41.56 RCW  
13 to read as follows:

14 This chapter applies to charter schools as defined in section 2 of  
15 this act and the charter school's employees included in the bargaining  
16 unit. The bargaining unit of employees of charter schools must be  
17 limited to the employees of the charter school and must be separate  
18 from other bargaining units in the school district or educational  
19 service district.

20 This section, designating charter schools as employers and charter  
21 schools as members under the teachers' retirement systems, the school  
22 employees' retirement systems, and the public employees' retirement  
23 systems, takes effect only if the department of retirement systems  
24 receives determinations from the internal revenue service and the  
25 United States department of labor that such participation does not  
26 jeopardize the status of these retirement systems as governmental plans  
27 under the federal employees' retirement income security act and the  
28 internal revenue code.

29 NEW SECTION. **Sec. 18.** A new section is added to chapter 41.59 RCW  
30 to read as follows:

31 This chapter applies to collective bargaining agreements between  
32 charter schools and the employees of charter schools included in the  
33 bargaining unit. The bargaining unit of employees of charter schools  
34 must be limited to the employees of the charter school and must be  
35 separate from other bargaining units in the school district or  
36 educational service district.

1 This section, designating charter schools as employers and charter  
2 schools as members under the teachers' retirement systems, the school  
3 employees' retirement systems, and the public employees' retirement  
4 systems, takes effect only if the department of retirement systems  
5 receives determinations from the internal revenue service and the  
6 United States department of labor that such participation does not  
7 jeopardize the status of these retirement systems as governmental plans  
8 under the federal employees' retirement income security act and the  
9 internal revenue code.

10 **Sec. 19.** RCW 41.59.080 and 1998 c 244 s 11 are each amended to  
11 read as follows:

12 The commission, upon proper application for certification as an  
13 exclusive bargaining representative or upon petition for change of unit  
14 definition by the employer or any employee organization within the time  
15 limits specified in RCW 41.59.070(3), and after hearing upon reasonable  
16 notice, shall determine the unit appropriate for the purpose of  
17 collective bargaining. In determining, modifying or combining the  
18 bargaining unit, the commission shall consider the duties, skills, and  
19 working conditions of the educational employees; the history of  
20 collective bargaining; the extent of organization among the educational  
21 employees; and the desire of the educational employees; except that:

22 (1) A unit including nonsupervisory educational employees shall not  
23 be considered appropriate unless it includes all such nonsupervisory  
24 educational employees of the employer; and

25 (2) A unit that includes only supervisors may be considered  
26 appropriate if a majority of the employees in such category indicate by  
27 vote that they desire to be included in such a unit; and

28 (3) A unit that includes only principals and assistant principals  
29 may be considered appropriate if a majority of such employees indicate  
30 by vote that they desire to be included in such a unit; and

31 (4) A unit that includes both principals and assistant principals  
32 and other supervisory employees may be considered appropriate if a  
33 majority of the employees in each category indicate by vote that they  
34 desire to be included in such a unit; and

35 (5) A unit that includes supervisors and/or principals and  
36 assistant principals and nonsupervisory educational employees may be

1 considered appropriate if a majority of the employees in each category  
2 indicate by vote that they desire to be included in such a unit; and

3 (6) A unit that includes only employees in vocational-technical  
4 institutes or occupational skill centers may be considered to  
5 constitute an appropriate bargaining unit if the history of bargaining  
6 in any such school district so justifies; and

7 (7) Notwithstanding the definition of collective bargaining, a unit  
8 that contains only supervisors and/or principals and assistant  
9 principals shall be limited in scope of bargaining to compensation,  
10 hours of work, and the number of days of work in the annual employment  
11 contracts; and

12 (8) The bargaining unit of certificated employees of school  
13 districts, educational service districts, or institutions of higher  
14 education that are education providers under chapter 28A.193 RCW must  
15 be limited to the employees working as education providers to juveniles  
16 in each adult correctional facility maintained by the department of  
17 corrections and must be separate from other bargaining units in school  
18 districts, educational service districts, or institutions of higher  
19 education; and

20 (9) The bargaining unit for employees of charter schools as defined  
21 in section 2 of this act must be limited to the employees of the  
22 charter school and must be separate from other bargaining units in the  
23 school district or educational service district.

24 NEW SECTION. Sec. 20. CAPTIONS NOT LAW. Captions used in this  
25 chapter do not constitute any part of the law.

26 NEW SECTION. Sec. 21. Sections 1 through 16 and 20 of this act  
27 constitute a new chapter in Title 28A RCW.

28 NEW SECTION. Sec. 22. This act is necessary for the immediate  
29 preservation of the public peace, health, or safety, or support of the  
30 state government and its existing public institutions, and takes effect  
31 immediately.

32 NEW SECTION. Sec. 23. If any provision of this act or its  
33 application to any person or circumstance is held invalid, the

1 remainder of the act or the application of the provision to other  
2 persons or circumstances is not affected."

**SSB 5012 - S AMD 94**

By Senators Johnson, Reardon

**ADOPTED AS AMENDED 03/12/2003**

3 On page 1, line 1 of the title, after "schools;" strike the  
4 remainder of the title and insert "amending RCW 41.59.080; adding a new  
5 section to chapter 41.56 RCW; adding a new section to chapter 41.59  
6 RCW; adding a new chapter to Title 28A RCW; providing contingent  
7 effective dates; and declaring an emergency."

**--- END ---**