
SUBSTITUTE HOUSE BILL 2650

State of Washington 59th Legislature 2006 Regular Session

By House Committee on Housing (originally sponsored by Representatives Miloscia, Pettigrew, Ormsby, Roberts, Hasegawa, Sells and Green)

READ FIRST TIME 01/30/06.

1 AN ACT Relating to programs to end homelessness; amending RCW
2 43.185C.005, 43.185C.010, 43.185C.020, 43.185C.030, 43.185C.040,
3 43.185C.050, 43.185C.060, 43.185C.070, 43.185C.080, 43.185C.090,
4 43.185C.100, 43.185C.130, 43.185C.160, 43.185C.900, 36.22.179,
5 43.185B.030, 43.20A.790, 43.330.167, 43.63A.650, 43.63A.655, and
6 74.50.060; adding new sections to chapter 43.185C RCW; recodifying RCW
7 36.22.179 and 43.63A.655; and making an appropriation.

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

9 **Sec. 1.** RCW 43.185C.005 and 2005 c 484 s 1 are each amended to
10 read as follows:

11 Despite laudable efforts by all levels of government, private
12 individuals, nonprofit organizations, and charitable foundations to end
13 homelessness, the number of homeless persons in Washington is
14 unacceptably high. The state's homeless population, furthermore,
15 includes a large number of families with children, youth, and employed
16 persons. The legislature finds that the fiscal and societal costs of
17 homelessness are high for both the public and private sectors, and that
18 ending homelessness should be a goal for state and local government.

1 The legislature finds that there are many causes of homelessness,
2 including a shortage of affordable housing; a shortage of family-wage
3 jobs which undermines housing affordability; a lack of an accessible
4 and affordable health care system available to all who suffer from
5 physical and mental illnesses and chemical and alcohol dependency;
6 domestic violence; ~~((and))~~ a lack of education and job skills necessary
7 to acquire adequate wage jobs in the economy of the twenty-first
8 century; inadequate services for mentally ill and developmentally
9 disabled citizens living in the community; and the difficulties faced
10 by formerly institutionalized persons in reintegrating to society and
11 finding stable employment and housing.

12 The support and commitment of all sectors of the statewide
13 community is critical to the chances of success in ending homelessness
14 in Washington. While the provision of housing and housing-related
15 services to the homeless should be administered at the local level to
16 best address specific community needs, the legislature also recognizes
17 the need for the state to play a primary coordinating, supporting,
18 ~~((and))~~ monitoring, and evaluating role. There must be a clear
19 assignment of responsibilities and a clear statement of achievable and
20 quantifiable goals. Systematic statewide data collection on
21 ~~((homelessness))~~ homeless individuals in Washington must be a critical
22 component of such a program enabling the state to work with local
23 governments to not only count all homeless people in the state, but
24 also to record and manage information about homeless persons ~~((and))~~ in
25 order to assist them in finding housing and other supportive services
26 that can assist them, when possible, in achieving a higher degree of
27 self-sufficiency and economic independence if that is a reasonable and
28 appropriate goal.

29 The creation of a homeless client management information system,
30 the systematic collection and rigorous evaluation of homeless data, a
31 nationwide search for and implementation through adequate resource
32 allocation of best practices, and the systematic measurement of
33 progress toward interim goals and the ultimate goal of ending
34 homelessness are all necessary components of a statewide effort to end
35 homelessness in Washington by July 1, 2015.

36 **Sec. 2.** RCW 43.185C.010 and 2005 c 484 s 3 are each amended to
37 read as follows:

1 The definitions in this section apply throughout this chapter
2 unless the context clearly requires otherwise.

3 (1) "Department" means the department of community, trade, and
4 economic development.

5 (2) "Director" means the director of the department of community,
6 trade, and economic development.

7 (3) "Homeless person" means an individual living outside or in a
8 building not meant for human habitation or which they have no legal
9 right to occupy, in an emergency shelter, or in a temporary housing
10 program which may include a transitional and supportive housing program
11 if habitation time limits exist. This definition includes substance
12 abusers, mentally ill people, and sex offenders who are homeless.

13 (4) "Washington homeless census" means an annual statewide census
14 conducted as a collaborative effort by towns, cities, counties,
15 community-based organizations, and state agencies, with the technical
16 support and coordination of the department, to count and collect data
17 on all homeless individuals in Washington.

18 (5) "Washington homeless client survey" means a statewide survey
19 conducted as a collaborative effort by towns, cities, counties,
20 community-based organizations, and state agencies, with the technical
21 support and coordination of the department, to count and collect
22 specific identifying data on all homeless individuals in Washington to
23 be entered into the Washington homeless client management information
24 system.

25 (6) "Washington homeless client management information system"
26 means a data base of information about homeless individuals in the
27 state used to coordinate resources to assist homeless clients to obtain
28 and retain housing and reach greater levels of self-sufficiency or
29 economic independence when appropriate, depending upon their individual
30 situations.

31 (7) "(~~Homeless housing~~) Ending homelessness account" means the
32 state treasury account receiving the state's portion of income from
33 revenue from the sources established by RCW 36.22.179 (as recodified by
34 this act).

35 ((+6)) (8) "~~(Homeless housing)~~ Ending homelessness grant
36 program" means the vehicle by which competitive grants are awarded by
37 the department, utilizing moneys from the ((homeless housing)) ending
38 homelessness account, to local governments for programs directly

1 related to housing homeless individuals and families, addressing the
2 root causes of homelessness, preventing homelessness, collecting data
3 on homeless individuals, and other efforts directly related to housing
4 homeless persons.

5 ((+7)) (9) "Local government" means a county government in the
6 state of Washington or a city government, if the legislative authority
7 of the city affirmatively elects to accept the responsibility for
8 housing homeless persons within its borders.

9 ((+8)) (10) "Housing continuum" means the progression of
10 individuals along a housing-focused continuum with homelessness at one
11 end and homeownership at the other.

12 ((+9)) (11) "Local ~~((homeless housing))~~ ending homelessness task
13 force" means a voluntary local committee created to ~~((advise a local
14 government on the creation of))~~ develop a local ~~((homeless housing))~~
15 ending homelessness plan and participate in a local ~~((homeless
16 housing))~~ ending homelessness program. It must include a
17 representative of the county, a representative of the largest city
18 located within the county, at least one homeless or formerly homeless
19 person, such other members as may be required to maintain eligibility
20 for federal funding related to housing programs and services and if
21 feasible, a representative of a private nonprofit organization with
22 experience in low-income housing.

23 ((+10)) (12) "Long-term private or public housing" means
24 subsidized and unsubsidized rental or owner-occupied housing in which
25 there is no established time limit for habitation of less than two
26 years.

27 ((+11)) (13) "Interagency council on homelessness" means a
28 committee appointed by the governor and consisting of, at least, ~~((the
29 director))~~ policy level representatives of the department of community,
30 trade, and economic development; the ~~((secretary of the))~~ department of
31 corrections; ~~((the secretary of))~~ the department of social and health
32 services; ~~((the director of))~~ the department of veterans affairs; and
33 the ~~((secretary of the))~~ department of health.

34 ((+12)) (14) "Performance measurement" means the process of
35 comparing specific measures of success against ultimate and interim
36 goals.

37 ((+13)) (15) "Performance evaluation" means the process of
38 evaluating performance by established criteria according to the

1 achievement of outlined goals, measures, targets, standards, or other
2 outcomes, using a ranked scorecard from highest to lowest performance
3 which employs a scale of one to one hundred, one hundred being the
4 optimal score.

5 (16) "Quality management program" means a nationally recognized
6 program similar or equivalent to the Baldrige criteria. All local
7 governments receiving over two hundred thousand dollars from the ending
8 homelessness program surcharge in RCW 36.22.179 (as recodified by this
9 act) and from the surcharge in RCW 36.22.178 shall implement a quality
10 management program and shall apply to the Washington state quality
11 award program once every three years.

12 (17) "Community action agency" means a nonprofit private or public
13 organization established under the economic opportunity act of 1964.

14 ~~((14))~~ (18) "Housing authority" means any of the public
15 corporations created by chapter 35.82 RCW.

16 ~~((15))~~ (19) "~~(Homeless housing)~~ Ending homelessness program"
17 means the program authorized under this chapter as administered by the
18 department at the state level and by the local government or its
19 designated subcontractor at the local level.

20 ~~((16))~~ (20) "~~(Homeless housing)~~ Ending homelessness plan" means
21 the ten-year plan developed by the county or other local government to
22 address ~~(housing for homeless persons)~~ ending homelessness.

23 ~~((17))~~ (21) "~~(Homeless housing)~~ Ending homelessness strategic
24 plan" means the ten-year plan developed by the department, in
25 consultation with ~~(the interagency council on homelessness and)~~ the
26 affordable housing advisory board.

27 **Sec. 3.** RCW 43.185C.020 and 2005 c 484 s 5 are each amended to
28 read as follows:

29 There is created within the department the ~~(homeless housing)~~
30 ending homelessness program to develop and coordinate a statewide
31 strategic plan aimed at housing homeless persons. The program shall be
32 developed and administered by the department with advice and input from
33 the affordable housing advisory board established in RCW 43.185B.020.

34 **Sec. 4.** RCW 43.185C.030 and 2005 c 484 s 6 are each amended to
35 read as follows:

36 (1) The department shall annually conduct both a Washington

1 homeless census ((or count)) of all homeless individuals statewide and
2 an annual Washington homeless client survey which shall collect
3 information on all homeless individuals in the state consistent with
4 the requirements of RCW 43.63A.655 (as recodified by this act). The
5 census and survey shall make every effort to count and collect
6 information about all homeless individuals living outdoors, in
7 shelters, and in transitional housing, coordinated, when reasonably
8 feasible, with already existing homeless census and counting projects,
9 including those funded in part by the United States department of
10 housing and urban development under the McKinney-Vento homeless
11 assistance program. The department shall determine, in consultation
12 with local governments, the data to be collected and shall review and
13 report annually on the effectiveness of the data collection process,
14 including suggestions for process improvements. Information collected
15 shall be entered, when appropriate, into the homeless client management
16 information system for the purpose of coordinating supportive services
17 and housing opportunities for the homeless client to assist the client
18 to achieve greater levels of self-sufficiency and economic independence
19 if that is deemed a reasonable and achievable goal for the client.

20 (2) The annual count of homeless individuals throughout the state
21 shall commence immediately. The annual Washington homeless client
22 survey shall be implemented by December 31, 2009, and shall be
23 conducted at least annually on a schedule created by the department.
24 The annual count and survey may be the same if the requirements of both
25 are met. The department shall make summary data by county and each
26 city available to the public each year. This data, and its analysis,
27 shall be included in the department's annual updated ending
28 homelessness strategic plan.

29 Information for the Washington homeless client survey shall be
30 collected after having obtained informed, reasonably time-limited
31 written consent from the homeless individual to whom the information
32 relates. Data collection shall be done in a manner consistent with
33 federally informed consent guidelines regarding human research which,
34 at a minimum, require that individuals be informed about the expected
35 duration of their participation, an explanation of whom to contact for
36 answers to pertinent questions about the data collection and their
37 rights regarding their personal identifying information, an explanation
38 regarding whom to contact in the event of injury to the individual

1 related to the homeless client survey, a description of any reasonably
2 foreseeable risks to the homeless individual, and a statement
3 describing the extent to which confidentiality of records identifying
4 the individual will be maintained. A unique identifier shall be
5 collected during the homeless client survey and shall be used in the
6 homeless client management information system which, at a minimum, must
7 include the client's name, except as provided for in subsection (3) of
8 this section.

9 (3) All personal information collected (~~(in the census)~~) through
10 the ending homelessness program is confidential, and the department and
11 each local government shall take all necessary steps to protect the
12 identity and confidentiality of each person (~~(counted)~~) whose
13 information is recorded and ultimately entered into the homeless client
14 management information system. The department and each local
15 government are prohibited from disclosing any personally identifying
16 information about any homeless individual when there is reason to
17 believe or evidence indicating that the homeless individual is an adult
18 or minor victim of domestic violence, dating violence, sexual assault,
19 or stalking or is the parent or guardian of a child victim of domestic
20 violence, dating violence, sexual assault, or stalking; or revealing
21 other confidential information regarding HIV/AIDS status, as found in
22 RCW 70.24.105. The department and each local government shall not
23 (~~(ask)~~) require any homeless housing provider to disclose personally
24 identifying information about any homeless individuals when the
25 providers implementing those programs have reason to believe or
26 evidence indicating that those clients are adult or minor victims of
27 domestic violence, dating violence, sexual assault, or stalking or are
28 the parents or guardians of child victims of domestic violence, dating
29 violence, sexual assault, or stalking. Summary data, which includes
30 specific performance outcome data to be determined by the department in
31 consultation with the department of social and health services, for the
32 provider's facility or program may be substituted.

33 (~~(The Washington homeless census shall be conducted annually on a~~
34 ~~schedule created by the department. The department shall make summary~~
35 ~~data by county available to the public each year. This data, and its~~
36 ~~analysis, shall be included in the department's annual updated homeless~~
37 ~~housing program strategic plan.~~

1 ~~Based on the annual census and provider information from the local~~
2 ~~government plans, the department shall, by the end of year four,~~
3 ~~implement an online information and referral system to enable local~~
4 ~~governments and providers to identify available housing for a homeless~~
5 ~~person.))~~ The department, in consultation and cooperation with the
6 department of social and health services, and each local government
7 shall create privacy plans to ensure that information entered into the
8 homeless client management information system data base remains
9 confidential and is only shared amongst service providers, the program
10 managing entity of the local government, and the department. The
11 department shall conduct an annual performance evaluation of each local
12 government in relation to the successful implementation of its privacy
13 plan.

14 The state auditor shall conduct a performance audit of the
15 department and all local governments, which shall cost, at a minimum,
16 one hundred thousand dollars, by 2013 to evaluate the performance of
17 the department and local governments in protecting the privacy of
18 persons whose information is collected through the homeless client
19 management information system.

20 (4) The department shall work with local governments and their
21 providers to develop a capacity for continuous case management, when
22 appropriate, to assist homeless persons.

23 (5) By the end of year four, the department shall implement an
24 organizational quality management (~~(system)~~) program.

25 **Sec. 5.** RCW 43.185C.040 and 2005 c 484 s 7 are each amended to
26 read as follows:

27 (1) (~~Six months after the first Washington homeless census,~~) The
28 department shall, in consultation with the interagency council on
29 homelessness and the affordable housing advisory board, prepare and
30 publish a ten-year (~~homeless housing~~) ending homelessness strategic
31 plan which shall outline statewide goals and performance measures and
32 shall be coordinated with the plan for homeless families with children
33 required under RCW 43.63A.650. To guide local governments in
34 preparation of their first local (~~homeless housing~~) ending
35 homelessness plans due December 31, 2005, the department shall issue by
36 October 15, 2005, temporary guidelines consistent with this chapter and
37 including the best available data on each community's homeless

1 population. Local governments' ten-year (~~homeless housing~~) ending
2 homelessness plans shall not be substantially inconsistent with the
3 goals and program recommendations of the temporary guidelines and, when
4 amended after 2005, the state ending homelessness strategic plan.

5 (2) Program outcomes and performance measures and goals shall be
6 created by the department and reflected in the department's (~~homeless~~
7 ~~housing~~) ending homelessness strategic plan as well as interim goals
8 against which state and local governments' performance may be measured,
9 including:

10 (a) By the end of year one, completion of the first census as
11 described in RCW 43.185C.030. By December 31, 2009, implement the
12 annual Washington homeless client survey as described in RCW
13 43.185C.030 and the Washington homeless client management information
14 system as described in RCW 43.63A.655 (as recodified by this act);

15 (b) By the end of each subsequent year, goals common to all local
16 programs which are measurable and the achievement of which would move
17 that community toward housing its homeless population; and

18 (c) By July 1, 2015, reduction of the homeless population statewide
19 and in each county by fifty percent.

20 (3) The department shall develop a consistent statewide data
21 gathering instrument to monitor the performance of cities and counties
22 receiving grants in order to determine compliance with the terms and
23 conditions set forth in the grant application or required by the
24 department.

25 The department shall, in consultation with the interagency council
26 on homelessness and the affordable housing advisory board, report
27 annually to the governor and the appropriate committees of the
28 legislature the fiscal and societal cost of the homeless crisis,
29 including identifying to the extent practical, savings in state and
30 local program costs that could be achieved through the achievement of
31 stable housing for the clients served by those programs, an assessment
32 of the state's performance in furthering the goals of the state ten-
33 year (~~homeless housing~~) ending homelessness strategic plan and the
34 performance of each participating local government in creating and
35 executing a local (~~homeless housing~~) ending homelessness plan which
36 meets the requirements of this chapter. The annual report (~~may~~)
37 shall include performance measures such as:

1 (a) The reduction in the number of homeless individuals and
2 families from the initial count of homeless persons;

3 (b) The number of new units available and affordable for homeless
4 families by housing type from all sources;

5 (c) The number of homeless individuals identified who are not
6 offered suitable housing within one day and within thirty days of their
7 request or identification as homeless;

8 (d) The number of households at risk of losing housing who maintain
9 it due to a preventive intervention;

10 (e) The transition time from homelessness to permanent housing and
11 to measurable benchmark increases in self-sufficiency and economic
12 independence;

13 (f) The cost per person housed at each level of the housing
14 continuum;

15 (g) The ability of the state and local governments to successfully
16 collect data and report performance;

17 (h) The extent of collaboration and coordination among public
18 bodies, as well as community stakeholders, and the level of community
19 support and participation;

20 (i) The quality and safety of housing provided; and

21 (j) The effectiveness of outreach to homeless persons, and their
22 satisfaction with the program.

23 (4) Based on the performance of local (~~homeless housing~~) ending
24 homelessness programs in meeting their interim goals, on general
25 population changes and on changes in the homeless population recorded
26 in the annual census and Washington homeless client survey, the
27 department may revise the performance measures and goals of the state
28 (~~homeless housing~~) ending homelessness strategic plan, set goals for
29 years following the initial ten-year period, and recommend changes in
30 local governments' plans.

31 **Sec. 6.** RCW 43.185C.050 and 2005 c 484 s 8 are each amended to
32 read as follows:

33 (1) Each local (~~homeless housing~~) ending homelessness task force
34 shall prepare and recommend to its local government legislative
35 authority a ten-year (~~homeless housing~~) ending homelessness plan for
36 its jurisdictional area which shall be not inconsistent with the
37 department's statewide temporary guidelines, (~~for the December 31,~~

1 2005, ~~plan,~~) and thereafter the department's ten-year (~~homeless~~
2 ~~housing~~) ending homelessness strategic plan, and which shall be aimed
3 at eliminating homelessness, with a minimum goal of reducing
4 homelessness by fifty percent by July 1, 2015. The local government
5 may amend the proposed local plan and shall adopt a plan by December
6 31, 2005. The department shall conduct an annual performance
7 evaluation of all local government plans. Performance in meeting the
8 goals of (~~this~~) local plans shall be assessed annually by the
9 department in terms of the performance measures described in RCW
10 43.185C.040(3) and others published by the department. The department
11 shall request input from members of the appropriate committees of the
12 legislature when establishing additional performance measures. Local
13 plans may include specific local performance measures adopted by the
14 local government legislative authority(~~τ~~) and (~~may include~~)
15 recommendations for any state legislation needed to meet the state or
16 local plan goals. The department shall conduct an annual performance
17 evaluation of each local government by December 31st of each year
18 beginning in 2007. Factors upon which a local government's performance
19 is evaluated include the participation of each city in the county in
20 the county's homeless census and client survey, thoroughness of the
21 local plan, and the results of homeless program activities.

22 (2) Eligible activities under the local plans include:

23 (a) Rental and furnishing of dwelling units for the use of homeless
24 persons;

25 (b) Costs of developing affordable housing for homeless persons,
26 and services for formerly homeless individuals and families residing in
27 transitional housing or permanent housing and still at risk of
28 homelessness;

29 (c) Operating subsidies for transitional housing or permanent
30 housing serving formerly homeless families or individuals;

31 (d) Services to prevent homelessness, such as emergency eviction
32 prevention programs including temporary rental subsidies to prevent
33 homelessness;

34 (e) Temporary services to assist persons leaving state institutions
35 and other state programs to prevent them from becoming or remaining
36 homeless;

37 (f) Outreach services for homeless individuals and families;

1 (g) Development and management of local (~~homeless~~) ending
2 homelessness plans including homeless census and client survey data
3 collection(~~(+)~~), identification of goals, performance measures,
4 strategies, and costs, and evaluation of progress towards established
5 goals;

6 (h) Rental vouchers payable to landlords for persons who are
7 homeless or below thirty percent of the median income or in immediate
8 danger of becoming homeless;

9 (i) Implementing a quality management program, if applicable; and
10 (~~(+)~~) (j) Other activities to reduce and prevent homelessness as
11 identified for funding in the local plan.

12 **Sec. 7.** RCW 43.185C.060 and 2005 c 484 s 10 are each amended to
13 read as follows:

14 The (~~homeless housing~~) ending homelessness account is created in
15 the custody of the state treasurer. The state's portion of the
16 surcharge established in RCW 36.22.179 (as recodified by this act) must
17 be deposited in the account. Expenditures from the account may be used
18 only for the (~~homeless housing~~) ending homelessness program as
19 described in this chapter. Only the director or the director's
20 designee may authorize expenditures from the account. The account is
21 subject to allotment procedures under chapter 43.88 RCW, but an
22 appropriation is not required for expenditures.

23 **Sec. 8.** RCW 43.185C.070 and 2005 c 484 s 11 are each amended to
24 read as follows:

25 (1) During each calendar year in which moneys from the (~~homeless~~
26 ~~housing~~) ending homelessness account are available for use by the
27 department for the (~~homeless housing~~) ending homelessness grant
28 program, the department shall announce to all Washington counties,
29 participating cities, and through major media throughout the state, a
30 grant application period of at least ninety days' duration. This
31 announcement will be made as often as the director deems appropriate
32 for proper utilization of resources. The department shall then
33 promptly grant as many applications as will utilize available funds,
34 less appropriate administrative costs of the department as described in
35 RCW 36.22.179 (as recodified by this act).

1 (2) The department will develop, with advice and input from the
2 affordable housing advisory board established in RCW 43.185B.020,
3 criteria to evaluate grant applications.

4 (3) The department may approve applications only if they are
5 consistent with the local and state (~~homeless housing program~~
6 ~~strategie~~) ending homelessness plans. The department may give
7 preference to applications based on some or all of the following
8 criteria:

9 (a) The total homeless population in the applicant local government
10 service area, as reported by the most recent (~~annual~~) Washington
11 homeless census and client survey;

12 (b) Current local expenditures to provide housing for the homeless
13 and to address the underlying causes of homelessness as described in
14 RCW 43.185C.005;

15 (c) Local government and private contributions pledged to the
16 program in the form of matching funds, property, infrastructure
17 improvements, and other contributions; and the degree of leveraging of
18 other funds from local government or private sources for the program
19 for which funds are being requested, to include recipient contributions
20 to total project costs, including allied contributions from other
21 sources such as professional, craft and trade services, and lender
22 interest rate subsidies;

23 (d) Construction projects or rehabilitation that will serve
24 homeless individuals or families for a period of at least twenty-five
25 years;

26 (e) Projects which demonstrate serving homeless populations with
27 the greatest needs, including projects that serve special needs
28 populations;

29 (f) The degree to which the applicant project represents a
30 collaboration between local governments, nonprofit community-based
31 organizations, local and state agencies, and the private sector,
32 especially through its integration with the coordinated and
33 comprehensive plan for homeless families with children required under
34 RCW 43.63A.650;

35 (g) The cooperation of the local government in the (~~annual~~)
36 Washington homeless (~~census project~~) census and client survey;

37 (h) The commitment of the local government and any subcontracting

1 local governments, nonprofit organizations, and for-profit entities to
2 employ a diverse work force;

3 (i) The extent, if any, that the local homeless population is
4 disproportionate to the revenues collected under this chapter and RCW
5 36.22.178 and 36.22.179 (as recodified by this act); and

6 (j) Other elements shown by the applicant to be directly related to
7 the goal and the department's state ending homelessness strategic plan.

8 **Sec. 9.** RCW 43.185C.080 and 2005 c 484 s 12 are each amended to
9 read as follows:

10 (1) Only a local government is eligible to receive ((a homeless
11 housing)) an ending homelessness grant from the ((homeless housing))
12 ending homelessness account. Any city may assert responsibility for
13 homeless housing within its borders if it so chooses, by forwarding a
14 resolution to the legislative authority of the county stating its
15 intention and its commitment to operate a separate ((homeless housing))
16 ending homelessness program. The city shall then receive a percentage
17 of the surcharge assessed under RCW 36.22.179 (as recodified by this
18 act) equal to the percentage of the city's local portion of the real
19 estate excise tax collected by the county. A participating city may
20 also then apply separately for ((homeless housing program)) ending
21 homelessness grants. A city choosing to operate a separate ((homeless
22 housing)) ending homelessness program shall be responsible for
23 complying with all of the same requirements as counties and shall adopt
24 a local ((homeless housing)) ending homelessness plan meeting the
25 requirements of this chapter for ((county)) local plans. However, the
26 city may by resolution of its legislative authority accept the county's
27 ((homeless housing)) ending homelessness task force as its own and
28 based on that task force's recommendations adopt ((a homeless housing))
29 an ending homelessness plan specific to the city.

30 (2) Local governments receiving or applying for ((homeless
31 housing)) ending homelessness funds may subcontract with any other
32 local government, housing authority, community action agency or other
33 nonprofit organization for the execution of programs contributing to
34 the overall goal of ending homelessness within a defined service area.
35 All subcontracts shall be consistent with the local ((homeless
36 housing)) ending homelessness plan adopted by the legislative authority
37 of the local government, time limited, and filed with the department

1 and shall have specific performance terms. While a local government
2 has the authority to subcontract with other entities, the local
3 government continues to maintain the ultimate responsibility for the
4 (~~homeless housing~~) ending homelessness program within its borders.

5 (3) A county may decline to participate in the program authorized
6 in this chapter by forwarding to the department a resolution adopted by
7 the county legislative authority stating the intention not to
8 participate. A copy of the resolution shall also be transmitted to the
9 county auditor and treasurer. If such a resolution is adopted, all of
10 the funds otherwise due to the county under RCW 43.185C.060 shall be
11 remitted monthly to the state treasurer for deposit in the (~~homeless
12 housing~~) ending homelessness account, without any reduction by the
13 county for collecting or administering the funds. Upon receipt of the
14 resolution, the department shall promptly begin to identify and
15 contract with one or more entities eligible under this section to
16 create and execute a local (~~homeless housing~~) ending homelessness
17 plan for the county meeting the requirements of this chapter. The
18 department shall expend all of the funds received from the county under
19 this subsection to carry out the purposes of chapter 484, Laws of 2005
20 in the county, provided that the department may retain six percent of
21 these funds to offset the cost of managing the county's program.

22 (4) A resolution by the county declining to participate in the
23 program shall have no effect on the ability of each city in the county
24 to assert its right to manage its own program under this chapter, and
25 the county shall monthly transmit to the city the funds due under this
26 chapter.

27 **Sec. 10.** RCW 43.185C.090 and 2005 c 484 s 13 are each amended to
28 read as follows:

29 The department shall allocate grant moneys from the (~~homeless
30 housing~~) ending homelessness account to finance in whole or in part
31 programs and projects in approved local (~~homeless housing~~) ending
32 homelessness plans to assist homeless individuals and families gain
33 access to adequate housing, prevent at-risk individuals from becoming
34 homeless, address the root causes of homelessness, track and report on
35 homeless-related data, and facilitate the movement of homeless or
36 formerly homeless individuals along the housing continuum toward more

1 stable and independent housing and economic independence. The
2 department may issue criteria or guidelines to guide local governments
3 in the application process.

4 **Sec. 11.** RCW 43.185C.100 and 2005 c 484 s 14 are each amended to
5 read as follows:

6 The department shall provide technical assistance to any
7 participating local government that requests such assistance.
8 Technical assistance activities may include:

9 (1) Assisting local governments to identify appropriate parties to
10 participate on local (~~homeless housing~~) ending homelessness task
11 forces;

12 (2) Assisting local governments to identify appropriate service
13 providers with which the local governments may subcontract for service
14 provision and development activities, when necessary;

15 (3) Assisting local governments to implement or expand homeless
16 census (~~programs~~) and client surveys to meet (~~homeless housing~~)
17 ending homelessness program requirements;

18 (4) Assisting local governments in the local implementation of the
19 homeless client management information system;

20 (5) Assisting in the identification of "best practices" from other
21 areas;

22 ((+5)) (6) Assisting in identifying additional funding sources for
23 specific projects; and

24 ((+6)) (7) Training local government and subcontractor staff.

25 **Sec. 12.** RCW 43.185C.130 and 2005 c 484 s 17 are each amended to
26 read as follows:

27 The department shall ensure that the state's interest is protected
28 upon the development, use, sale, or change of use of projects
29 constructed, acquired, or financed in whole or in part through the
30 (~~homeless housing~~) ending homelessness grant program. These policies
31 may include, but are not limited to: (1) Requiring a share of the
32 appreciation in the project in proportion to the state's contribution
33 to the project, or (2) requiring a lump sum repayment of the grant upon
34 the sale or change of use of the project.

1 **Sec. 13.** RCW 43.185C.160 and 2005 c 485 s 1 are each amended to
2 read as follows:

3 (1) Each county shall create (~~(a homeless housing)~~) an ending
4 homelessness task force to develop a ten-year (~~(homeless housing)~~)
5 ending homelessness plan addressing short-term and long-term housing
6 for homeless persons.

7 Membership on the task force may include representatives of the
8 counties, cities, towns, housing authorities, civic and faith
9 organizations, schools, community networks, human services providers,
10 law enforcement personnel, criminal justice personnel, including
11 prosecutors, probation officers, and jail administrators, substance
12 abuse treatment providers, mental health care providers, emergency
13 health care providers, businesses, at-large representatives of the
14 community, and a homeless or formerly homeless individual.

15 In lieu of creating a new task force, a local government may
16 designate an existing governmental or nonprofit body which
17 substantially conforms to this section and which includes at least one
18 homeless or formerly homeless individual to serve as its homeless
19 representative. As an alternative to a separate plan, two or more
20 local governments may work in concert to develop and execute a joint
21 (~~(homeless housing)~~) ending homelessness plan, or to contract with
22 another entity to do so according to the requirements of this chapter.
23 While a local government has the authority to subcontract with other
24 entities, the local government continues to maintain the ultimate
25 responsibility for the (~~(homeless housing)~~) ending homelessness program
26 within its borders.

27 A county may decline to participate in the program authorized in
28 this chapter by forwarding to the department a resolution adopted by
29 the county legislative authority stating the intention not to
30 participate. A copy of the resolution shall also be transmitted to the
31 county auditor and treasurer. If a county declines to participate, the
32 department shall create and execute a local (~~(homeless housing)~~) ending
33 homelessness plan for the county meeting the requirements of this
34 chapter.

35 (2) In addition to developing a ten-year (~~(homeless housing)~~)
36 ending homelessness plan, each task force shall establish guidelines
37 consistent with the statewide (~~(homeless housing)~~) ending homelessness
38 strategic plan, as needed, for the following:

- 1 (a) Emergency shelters;
- 2 (b) Short-term housing needs;
- 3 (c) Temporary encampments;
- 4 (d) Supportive housing for chronically homeless persons; and
- 5 (e) Long-term housing.

6 Guidelines must include, when appropriate, standards for health and
7 safety and notifying the public of proposed facilities to house the
8 homeless.

9 (3) Each county, including counties exempted from creating a new
10 task force under subsection (1) of this section, shall report to the
11 department of community, trade, and economic development such
12 information as may be needed to ensure compliance with this chapter.

13 **Sec. 14.** RCW 43.185C.900 and 2005 c 484 s 2 are each amended to
14 read as follows:

15 This chapter may be known and cited as the (~~homelessness housing~~)
16 ending homelessness and assistance act.

17 **Sec. 15.** RCW 36.22.179 and 2005 c 484 s 9 are each amended to read
18 as follows:

19 (~~(1)~~) In addition to the surcharge authorized in RCW 36.22.178,
20 and except as provided in subsection (~~(2)~~) (3) of this section, an
21 additional surcharge of ten dollars shall be charged by the county
22 auditor for each document recorded, which will be in addition to any
23 other charge allowed by law. The funds collected pursuant to this
24 section are to be distributed and used as follows:

25 (~~(a)~~) (1) The auditor shall retain two percent for collection of
26 the fee, and of the remainder shall remit sixty percent to the county
27 to be deposited into a fund that must be used by the county and its
28 cities and towns to accomplish the purposes of chapter 484, Laws of
29 2005, six percent of which may be used by the county for administrative
30 costs related to its (~~homeless housing~~) ending homelessness plan, and
31 the remainder for programs which directly accomplish the goals of the
32 county's (~~homeless housing~~) ending homelessness plan, except that for
33 each city in the county which elects as authorized in RCW 43.185C.080
34 to operate its own (~~homeless housing~~) ending homelessness program, a
35 percentage of the surcharge assessed under this section equal to the
36 percentage of the city's local portion of the real estate excise tax

1 collected by the county shall be transmitted at least quarterly to the
2 city treasurer, without any deduction for county administrative costs,
3 for use by the city for program costs which directly contribute to the
4 goals of the city's (~~homeless housing~~) ending homelessness plan; of
5 the funds received by the city, it may use six percent for
6 administrative costs for its (~~homeless housing~~) ending homelessness
7 program.

8 (~~(b)~~) (2) The auditor shall remit the remaining funds to the
9 state treasurer for deposit in the (~~homeless housing~~) ending
10 homelessness account. The department may use twelve and one-half
11 percent of this amount for administration of the program established in
12 RCW 43.185C.020, including the costs of creating the statewide
13 (~~homeless housing~~) ending homelessness strategic plan, updating and
14 managing the Washington homeless client survey and homeless client
15 management information system, measuring performance, providing
16 technical assistance to local governments, and managing the (~~homeless~~
17 ~~housing~~) ending homelessness grant program. The remaining eighty-
18 seven and one-half percent is to be distributed by the department to
19 local governments through the (~~homeless housing~~) ending homelessness
20 grant program.

21 (~~(2)~~) (3) The surcharge imposed in this section does not apply to
22 assignments or substitutions of previously recorded deeds of trust.

23 NEW SECTION. Sec. 16. The sum of two million dollars, or as much
24 thereof as may be necessary, is appropriated for the fiscal year ending
25 June 30, 2007, from the general fund to the ending homelessness
26 account. Up to five hundred thousand dollars of this funding shall be
27 used by the department to implement and continually update the
28 Washington homeless client management information system as required in
29 RCW 43.63A.655 (as recodified by this act). The department shall
30 distribute one million five hundred thousand dollars of this funding to
31 the participating local governments, using a formula to be determined
32 by the department, to be used for local planning, data collection and
33 management, program implementation purposes, implementation of quality
34 management and evaluation programs, and local housing programs eligible
35 under this act.

1 **Sec. 17.** RCW 43.185B.030 and 1993 c 478 s 6 are each amended to
2 read as follows:

3 The affordable housing advisory board shall:

4 (1) Analyze those solutions and programs that could begin to
5 address the state's need for housing that is affordable for all
6 economic segments of the state, including homeless and special needs
7 populations, including, but not limited to, programs or proposals which
8 provide for:

9 (a) Financing for the acquisition, rehabilitation, preservation, or
10 construction of housing;

11 (b) Use of publicly owned land and buildings as sites for
12 affordable housing;

13 (c) Coordination of state initiatives with federal initiatives and
14 financing programs that are referenced in the Cranston-Gonzalez
15 national affordable housing act (42 U.S.C. Sec. 12701 et seq.), as
16 amended, and development of an approved housing strategy as required in
17 the Cranston-Gonzalez national affordable housing act (42 U.S.C. Sec.
18 12701 et seq.), as amended;

19 (d) Identification and removal, where appropriate and not
20 detrimental to the public health and safety, or environment, of state
21 and local regulatory barriers to the development and placement of
22 affordable housing;

23 (e) Stimulating public and private sector cooperation in the
24 development of affordable housing; and

25 (f) Development of solutions and programs affecting housing,
26 including the equitable geographic distribution of housing for all
27 economic segments, as the advisory board deems necessary;

28 (2) Consider both homeownership and rental housing as viable
29 options for the provision of housing. The advisory board shall give
30 consideration to various types of residential construction and
31 innovative housing options, including but not limited to manufactured
32 housing;

33 (3) Review, evaluate, and make recommendations regarding existing
34 and proposed housing programs and initiatives including, but not
35 limited to, tax policies, land use policies, and financing programs.
36 The advisory board shall provide recommendations to the director, along
37 with the department's response in the annual housing report to the
38 legislature required in RCW 43.185B.040; and

1 (4) Prepare and submit to the director, by each December 1st,
2 beginning December 1, 1993, a report detailing its findings and make
3 specific program, legislative, and funding recommendations and any
4 other recommendations it deems appropriate.

5 **Sec. 18.** RCW 43.20A.790 and 1999 c 267 s 2 are each amended to
6 read as follows:

7 (1) The department shall collaborate with the department of
8 community, trade, and economic development in the development of the
9 coordinated and comprehensive plan for homeless families with children
10 required under RCW 43.63A.650, which designates the department of
11 community, trade, and economic development as the state agency with
12 primary responsibility for providing shelter and housing services to
13 homeless families with children. The plan for homeless families with
14 children shall be coordinated with the state ending homelessness
15 program strategic plan. In fulfilling its responsibilities to
16 collaborate with the department of community, trade, and economic
17 development pursuant to RCW 43.63A.650, the department shall develop,
18 administer, supervise, and monitor its portion of the plan. The
19 department's portion of the plan shall contain at least the following
20 elements:

- 21 (a) Coordination or linkage of services with shelter and housing;
22 (b) Accommodation and addressing the needs of homeless families in
23 the design and administration of department programs;
24 (c) Participation of the department's local offices in the
25 identification, assistance, and referral of homeless families; and
26 (d) Ongoing monitoring of the efficiency and effectiveness of the
27 plan's design and implementation.

28 (2) The department shall include community organizations involved
29 in the delivery of services to homeless families with children, and
30 experts in the development and ongoing evaluation of the plan.

31 (3) The duties under this section shall be implemented within
32 amounts appropriated for that specific purpose by the legislature in
33 the operating and capital budgets.

34 (4) The department shall report upon performance measures quarterly
35 to the department of community, trade, and economic development, via an
36 electronic reporting system to be created by the department.

1 **Sec. 19.** RCW 43.330.167 and 2004 c 276 s 718 are each amended to
2 read as follows:

3 (1)(a) There is created in the custody of the state treasurer an
4 account to be known as the homeless families services fund. Revenues
5 to the fund consist of a one-time appropriation by the legislature,
6 private contributions, and all other sources deposited in the fund.

7 (b) Expenditures from the fund may only be used for the purposes of
8 the program established in this section, including administrative
9 expenses. Only the director of the department of community, trade, and
10 economic development, or the director's designee, may authorize
11 expenditures.

12 (c) Expenditures from the fund are exempt from appropriations and
13 the allotment provisions of chapter 43.88 RCW. However, money used for
14 program administration by the department is subject to the allotment
15 and budgetary controls of chapter 43.88 RCW, and an appropriation is
16 required for these expenditures.

17 (2) The department may expend moneys from the fund to provide state
18 matching funds for housing-based supportive services for homeless
19 families over a period of at least ten years.

20 (3) Activities eligible for funding through the fund include, but
21 are not limited to, the following:

22 (a) Case management;

23 (b) Counseling;

24 (c) Referrals to employment support and job training services and
25 direct employment support and job training services;

26 (d) Domestic violence services and programs;

27 (e) Mental health treatment, services, and programs;

28 (f) Substance abuse treatment, services, and programs;

29 (g) Parenting skills education and training;

30 (h) Transportation assistance;

31 (i) Child care; and

32 (j) Other supportive services identified by the department to be an
33 important link for housing stability.

34 (4) Organizations that may receive funds from the fund include
35 local housing authorities, nonprofit community or neighborhood-based
36 organizations, public development authorities, federally recognized
37 Indian tribes in the state, and regional or statewide nonprofit housing
38 assistance organizations.

1 (5) The homeless families services program shall be incorporated
2 into the state ending homelessness strategic plan and, where
3 applicable, with local ending homelessness plans. The homeless
4 families services program shall report results quarterly to the
5 department. The department shall conduct an annual performance
6 evaluation of the homeless families services fund program.

7 **Sec. 20.** RCW 43.63A.650 and 1999 c 267 s 3 are each amended to
8 read as follows:

9 (1) The department shall be the principal state department
10 responsible for coordinating federal and state resources and activities
11 in housing, except for programs administered by the Washington state
12 housing finance commission under chapter 43.180 RCW, and for evaluating
13 the operations and accomplishments of other state departments and
14 agencies as they affect housing.

15 (2) The department shall work with local governments, tribal
16 organizations, local housing authorities, nonprofit community or
17 neighborhood-based organizations, for-profit developers, and regional
18 or statewide nonprofit housing assistance organizations, for the
19 purpose of coordinating federal and state resources with local
20 resources for housing.

21 (3) The department shall be the principal state department
22 responsible for providing shelter and housing services to homeless
23 families with children. The department shall have the principal
24 responsibility to coordinate, plan, and oversee the state's activities
25 for developing a coordinated and comprehensive plan to serve homeless
26 families with children. The plan shall be developed collaboratively
27 with the department of social and health services. The department
28 shall include community organizations involved in the delivery of
29 services to homeless families with children, and experts in the
30 development and ongoing evaluation of the plan. The department shall
31 follow professionally recognized standards and procedures. The plan
32 shall be implemented within amounts appropriated by the legislature for
33 that specific purpose in the operating and capital budgets. The
34 department shall submit the plan to the appropriate committees of the
35 senate and house of representatives no later than September 1, 1999,
36 and shall update the plan and submit it to the appropriate committees
37 of the legislature by January 1st of every (~~odd-numbered~~) year

1 through 2007. The plan shall address at least the following: (a) The
2 need for prevention assistance; (b) the need for emergency shelter; (c)
3 the need for transitional assistance to aid families into permanent
4 housing; (d) the need for linking services with shelter or housing; and
5 (e) the need for ongoing monitoring of the efficiency and effectiveness
6 of the plan's design and implementation. The plan shall include
7 performance measures to be determined by the department in
8 collaboration with the department of social and health services. The
9 department shall evaluate the plan and its results annually based upon
10 the performance measures outlined in the plan.

11 **Sec. 21.** RCW 43.63A.655 and 1999 c 267 s 4 are each amended to
12 read as follows:

13 (1) In order to improve services for the homeless, the department,
14 within amounts appropriated by the legislature for this specific
15 purpose, shall implement ((a)) the Washington homeless client
16 management information system for the ongoing collection ((and analysis
17 of)) and updates of information about all homeless individuals in the
18 state.

19 (2) The homeless client management information system shall serve
20 as an online information and referral system to enable local
21 governments and providers to connect homeless persons in the data base
22 with available housing and other supportive services. Local
23 governments shall develop a capacity for continuous case management,
24 which shall include independent living plans, when appropriate, to
25 assist homeless persons.

26 (3) Information about homeless individuals for the Washington
27 homeless client management information system shall come from the
28 Washington homeless client survey and other state agencies and
29 community organizations serving homeless individuals and families.

30 (4) The information in the Washington homeless client management
31 information system will also provide the department with the
32 information to consolidate and analyze data about the extent and nature
33 of homelessness in Washington state, giving emphasis to information
34 about extent and nature of homelessness in Washington state families
35 with children.

36 (5) The system may be merged with other data gathering and
37 reporting systems and shall:

1 (a) Protect the right of privacy of individuals;

2 (b) Provide for consultation and collaboration with all relevant
3 state agencies including the department of social and health services,
4 experts, and community organizations involved in the delivery of
5 services to homeless persons; and

6 (c) Include related information held or gathered by other state
7 agencies.

8 ~~((+2))~~ (6) Within amounts appropriated by the legislature, for
9 this specific purpose, the department shall evaluate the information
10 gathered and disseminate the analysis and the evaluation broadly, using
11 appropriate computer networks as well as written reports.

12 (7) The Washington homeless client management information system
13 shall be implemented by December 31, 2009, and updated with new
14 homeless client information annually.

15 **Sec. 22.** RCW 74.50.060 and 1989 1st ex.s. c 18 s 3 are each
16 amended to read as follows:

17 (1) The department shall establish a shelter assistance program to
18 provide, within available funds, shelter for persons eligible under
19 this chapter. "Shelter," "shelter support," or "shelter assistance"
20 means a facility under contract to the department providing room and
21 board in a supervised living arrangement, normally in a group or
22 dormitory setting, to eligible recipients under this chapter. This may
23 include supervised domiciliary facilities operated under the auspices
24 of public or private agencies. No facility under contract to the
25 department shall allow the consumption of alcoholic beverages on the
26 premises. The department may contract with counties and cities for
27 such shelter services. To the extent possible, the department shall
28 not displace existing emergency shelter beds for use as shelter under
29 this chapter. In areas of the state in which it is not feasible to
30 develop shelters, due to low numbers of people needing shelter
31 services, or in which sufficient numbers of shelter beds are not
32 available, the department may provide shelter through an intensive
33 protective payee program, unless the department grants an exception on
34 an individual basis for less intense supervision.

35 (2) The department shall report annually to the appropriate
36 committees of the legislature on performance measures established by
37 the department.

1 (3) The department of social and health services shall provide the
2 annual report on program performance measures to the department of
3 community, trade, and economic development, which shall include the
4 information in the state affordable housing for all plan.

5 (4) Persons continuously eligible for the general assistance--
6 unemployable program since July 25, 1987, who transfer to the program
7 established by this chapter, have the option to continue their present
8 living situation, but only through a protective payee.

9 NEW SECTION. Sec. 23. A new section is added to chapter 43.185C
10 RCW to read as follows:

11 The department, the Washington housing finance commission, the
12 affordable housing advisory board, and all participating local
13 governments, housing authorities, and other nonprofit organizations
14 receiving state funds or financing through the housing finance
15 commission, shall, by December 31, 2006, and annually thereafter,
16 review current housing planning and reporting requirements related to
17 housing programs and services and give recommendations to the
18 legislature to streamline and simplify all planning and reporting
19 requirements. The entities listed in this section shall also give
20 recommendations for additional legislative actions that could promote
21 the ending homelessness goal.

22 NEW SECTION. Sec. 24. A new section is added to chapter 43.185C
23 RCW to read as follows:

24 (1) The interagency council on homelessness, as defined in RCW
25 43.185C.010, shall be convened not later than August 31, 2006, and
26 shall meet at least two times each year and report to the appropriate
27 committees of the legislature annually by December 31st on its
28 activities.

29 (2) The interagency council on homelessness shall work to create
30 greater levels of interagency coordination and to coordinate state
31 agency efforts with the efforts of state and local entities addressing
32 homelessness.

33 (3) The interagency council shall seek to:

34 (a) Align homeless-related housing and supportive service policies
35 among state agencies;

1 (b) Identify ways in which providing housing with appropriate
2 services can contribute to cost savings for state agencies;

3 (c) Identify and eliminate policies and actions which contribute to
4 homelessness or interfere with its reduction;

5 (d) Review and improve strategies for discharge from state
6 institutions which contribute to homelessness;

7 (e) Recommend and adopt new policies to improve practices and/or
8 align resources, including those policies requested by the affordable
9 housing advisory board or through state and local housing plans; and

10 (f) Ensure that the housing status of people served by state
11 programs is collected in consistent formats available for analysis.

12 NEW SECTION. **Sec. 25.** A new section is added to chapter 43.185C
13 RCW to read as follows:

14 (1) The department of social and health services shall report
15 annually to the department and to the appropriate committees of the
16 legislature on performance measures related to the housing status of
17 very low-income clients and clients with disabilities in order to
18 promote coordination with the efforts of other state agencies and local
19 governments in ending homelessness. Such reports shall include
20 performance measures to be determined by the department.

21 (2) The department of social and health services shall estimate, in
22 cooperation with the interagency council on homelessness, the total
23 amount of the annual department of social and health services budget
24 that could be saved by homeless clients obtaining and retaining stable
25 housing and self-sufficiency.

26 (3) The department of social and health services shall provide the
27 annual report on program performance measures to the department.

28 NEW SECTION. **Sec. 26.** A new section is added to chapter 43.185C
29 RCW to read as follows:

30 (1) The department of corrections shall report annually to the
31 appropriate committees of the legislature on the housing status of
32 inmates at the time of discharge and the housing status of clients
33 under correctional supervision at a minimum of three, six, and twelve-
34 month intervals to promote coordination of the efforts of the
35 department with the efforts of other state agencies and local

1 governments in ending homelessness. Such reports shall include
2 performance measures to be determined by the department.

3 (2) The department of corrections shall provide the annual report
4 on program performance measures to the department.

5 NEW SECTION. **Sec. 27.** RCW 36.22.179 and 43.63A.655 are each
6 recodified as sections in chapter 43.185C RCW.

--- END ---