

SENATE BILL REPORT

SHB 1769

As of March 20, 2009

Title: An act relating to orders for housing assistance in dependency matters.

Brief Description: Concerning housing assistance in dependency matters.

Sponsors: House Committee on Early Learning & Children's Services (originally sponsored by Representatives Orwall, White, Dammeier, Clibborn, Nelson, Lias, Carlyle, Eddy, Upthegrove, Green, Chase, Seaquist, Miloscia, Kagi, Roberts, Kenney and Morrell).

Brief History: Passed House: 3/06/09, 96-0.

Committee Activity: Human Services & Corrections: 3/19/09.

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Staff: Jennifer Strus (786-7316)

Background: The Department of Social and Health Services must include in its social study report what preventive services were offered or provided to the family and have failed to prevent the need for out-of-home placement. Housing services, which are considered preventive services, may include referrals to federal, state, local, or private agencies or organizations; assistance with forms and applications; or financial subsidies for housing.

The court's ability to order housing assistance under chapter 13.34 RCW is limited to cases in which homelessness or the lack of adequate and safe housing is the primary reason for an out-of-home placement and subject to the availability of funds appropriated specifically for this purpose.

Summary of Bill: At the shelter care hearing on a dependency petition, the court must inquire into what services, including housing services or assistance, were provided to the family to prevent or eliminate the need for removal of the child. At the dispositional hearing, the court is to choose services, including housing services and assistance, that least interfere with family autonomy and are adequate to protect the child.

Housing services or assistance is defined to mean at least effective referrals to federal, state, local, or private agencies or organizations; assistance with forms; or any financial subsidies or other monetary assistance for housing.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

The section dealing with the court's ability to order housing services or assistance cannot be construed to create an entitlement to housing services or assistance nor to create judicial authority to order that services or assistance be provided if the services or funding for those services or assistance is unavailable or the child or family is ineligible.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: It is important to provide struggling families with assistance, especially housing assistance which lowers the incidence of out-of-home care placements. There are many struggling people out there who don't have the ability to find housing and they lose their children as a result. Without the housing, they cannot get their children back. The court may order them to find housing but the department does very little to help them find it. Without assistance in obtaining housing, many dependency cases are prolonged unnecessarily. The cost to the AGO in the fiscal note would be outweighed by the savings if housing is located and children remain with their parents. The Coalition has been concerned about parents losing their children because of lack of housing for many years. This bill is the best step we can take in these hard economic times to put the issue in focus. This bill does not ask for additional money for services; it merely continues to focus on lack of housing as being a problem for reunification in dependency cases.

Persons Testifying: PRO: Representative Orwall, prime sponsor; Tonia Morrison, Dependency 101 & Children's Alliance; Amy Murray, Parent to Parent and Dependency 101; Laurie Lippold, Children's Home Society; Seth Dawson, Washington State Coalition for the Homeless.