

# HOUSE BILL REPORT

## SB 5482

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**As Passed House:**  
April 6, 2011

**Title:** An act relating to authorizing existing funding to house victims of human trafficking and their families.

**Brief Description:** Authorizing existing funding to house victims of human trafficking and their families.

**Sponsors:** Senators Kohl-Welles, Hobbs, Eide, Keiser, Fraser, Prentice and Conway.

**Brief History:**

**Committee Activity:**

Community Development & Housing: 3/16/11, 3/17/11 [DP];

General Government Appropriations & Oversight: 3/24/11, 3/28/11 [DP].

**Floor Activity:**

Passed House: 4/6/11, 94-0.

**Brief Summary of Bill**

- Allows funds received from the Affordable Housing for All Surcharge to be used to house victims of human trafficking and their families.
- Allows funds from the Home Security Fund to be used to house victims of human trafficking and their families.

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### HOUSE COMMITTEE ON COMMUNITY DEVELOPMENT & HOUSING

**Majority Report:** Do pass. Signed by 9 members: Representatives Kenney, Chair; Finn, Vice Chair; Smith, Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Ahern, Maxwell, Ryu, Santos and Walsh.

**Staff:** Jennifer Thornton (786-7147).

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### HOUSE COMMITTEE ON GENERAL GOVERNMENT APPROPRIATIONS & OVERSIGHT

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*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.*

**Majority Report:** Do pass. Signed by 13 members: Representatives Hudgins, Chair; Miloscia, Vice Chair; McCune, Ranking Minority Member; Taylor, Assistant Ranking Minority Member; Ahern, Armstrong, Blake, Fitzgibbon, Ladenburg, Moscoso, Pedersen, Van De Wege and Wilcox.

**Staff:** Andy Toulon (786-7178).

**Background:**

Human Trafficking.

In 2000 the United States enacted the Trafficking Victims Protection Act. In 2003 Washington became the first state to pass a law criminalizing human trafficking.

The United States Department of Justice estimates that annually between 14,500 and 17,500 foreign nationals enter the United States in the course of being trafficked. The "Trafficking in Persons Report" produced by the United States Department of State in 2010, reports that the United States is a source, transit, and destination country for men, women, and children subjected to trafficking in persons, specifically forced labor, debt bondage, and forced prostitution. Trafficking occurs primarily for labor and most commonly in domestic servitude, agriculture, manufacturing, janitorial services, hotel services, construction, health and elder care, hair and nail salons, and strip club dancing. Trafficking cases also involve passport confiscation, nonpayment or limited payment of wages, restriction of movement, isolation from the community, and physical and sexual abuse as means of keeping victims in compelled service.

Document Recording Surcharges.

Currently, there are three document recording surcharges related to affordable housing and homelessness:

1. A \$10 Affordable Housing for All document recording surcharge is collected by county auditors. The fees are distributed and used as follows:
  - up to 5 percent is retained by the county auditor for the collection and administration of the funds;
  - of the remaining, 40 percent is remitted to the State Treasurer for deposit into the Affordable Housing for All Account for the Department of Commerce (Department) to provide housing and shelter for households with incomes at or below 30 percent of the area median; and
  - the remainder is deposited in a fund for the county and its cities and towns for eligible housing activities that serve very low-income households (with incomes at or below 50 percent of the area median), with priority given to households with incomes at or below 30 percent of the area median. Funding may be used for: the acquisition, construction, or rehabilitation of housing projects; building operation and maintenance costs of housing projects; rental assistance vouchers; and operating costs for emergency shelters and overnight shelters.

2. A \$30 Homeless Housing and Assistance document recording surcharge is collected by county auditors. Beginning in the 2013-15 biennium, this surcharge will be \$10. The fees are distributed and used as follows:
  - 2 percent is retained by the county auditor for collection of the fee;
  - 58.8 percent is deposited into a fund used by the county and its cities and towns to accomplish the goals in the county's local homeless housing plan and cover administrative costs related to the plan. A specified share is remitted to the city treasurer to be used to accomplish the goals of any city that has its own local homeless housing plan; and
  - 39.2 percent is remitted to the State Treasurer for deposit in the Home Security Fund Account used by the Department to provide housing and shelter for people who are homeless, fund the Homeless Housing Grant Program, and administer the homeless housing program.
  
3. An additional \$8 document recording surcharge is collected by county auditors for homeless housing programs. The fees are distributed and used as follows:
  - 90 percent is deposited into a fund used by the county for programs accomplishing the goals of the county's homeless housing plan and related administration; and
  - 10 percent is remitted to the State Treasurer for deposit into the Home Security Fund Account used by the Department for program administration, housing and shelter assistance for homeless persons, and the Homeless Housing Grant Program.

**Summary of Bill:**

The uses of the funds received by the Department from the Affordable Housing for All Surcharge are expanded to include providing housing for victims of human trafficking and their families.

The eligible housing activities that counties may fund from the Affordable Housing for All Surcharge are expanded to include providing housing for victims of human trafficking and their families.

Funds from the Home Security Fund Account may be used to provide housing for victims of human trafficking and their families.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.

**Staff Summary of Public Testimony** (Community Development & Housing):

(In support) Washington became the first state in the country to create a statute on human trafficking. It created an anti-trafficking taskforce, with three iterations over time.

Washington was the first state to make human trafficking a crime in 2003. At first, the issue was finding out if we had victims in Washington. Container ships arrived into the Port of Seattle, with people being smuggled here, lured by offers of good employment. There were incidents of farm workers, and then a mail order bride murdered at the King County Courthouse. Another woman was murdered who came here to marry, and then there was a case of forced servitude. This still happens and there are urgent needs for providing services, particularly housing. Today, the challenge is trying to help people once they get out of the situation. Currently, we cannot help victims of labor trafficking with housing, and this bill would help them as they get their feet on the ground. This is permissive, and makes the funds available but does not direct particular funding. There is no fiscal note, and this passed the Senate unanimously.

(Opposed) None.

**Staff Summary of Public Testimony (General Government Appropriations & Oversight):**

(In support) Washington has been a leader in passing laws to stem the tide of trafficking. One of the most needed services for trafficking victims is housing. This bill provides a permissive expansion of eligibility rather than a set-aside. Domestic violence housing is a fallback but is often not appropriate for victims of trafficking. Domestic violence providers often limit services to those where there is intimate partner violence. They also may not be able to take men and are not prepared to serve groups of victims that come in. Many of the housing programs we find for trafficking victims are very temporary but these individuals need more long-term housing. While the effect on the Home Security Fund would be relatively small, the impact for the individuals would be very great. The impact will be compromised if the Legislature does not address shortfalls in the Home Security Fund. However, we support this bill because it is not a set-aside.

(Opposed) None.

**Persons Testifying (Community Development & Housing):** Senator Jeanne Kohl-Welles, prime sponsor; Velma Veloria; and Seth Dawson, Children's Advocacy Centers of Washington and Washington State Coalition of the Homeless.

**Persons Testifying (General Government Appropriations & Oversight):** Senator Kohl-Welles, prime sponsor; Bincy Jacob, Hao Nguyen, and Emma Catague, Asian and Pacific Islander Women and Family Safety Center; and Seth Dawson, Children's Advocacy Centers of Washington and Washington State Coalition for the Homeless.

**Persons Signed In To Testify But Not Testifying (Community Development & Housing):** None.

**Persons Signed In To Testify But Not Testifying (General Government Appropriations & Oversight):** None.