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HOUSE BILL 1768

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State of Washington

62nd Legislature

2011 Regular Session

**By** Representatives Kenney, Upthegrove, Santos, Dickerson, Kagi, Hasegawa, Van De Wege, Pedersen, and Tharinger

Read first time 02/01/11. Referred to Committee on Community Development & Housing.

1 AN ACT Relating to a surcharge for very low-income and homeless  
2 housing assistance; amending RCW 43.185C.190 and 43.185C.060;  
3 reenacting and amending RCW 43.185C.010; and adding a new section to  
4 chapter 36.22 RCW.

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

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 36.22 RCW  
7 to read as follows:

8 The county auditor shall charge a surcharge of forty-eight dollars  
9 for each document recorded, which is in addition to any other charge  
10 allowed by law. The surcharge in this section applies only to  
11 assignments or substitutions of previously recorded deeds of trust.  
12 The funds collected under this section are to be distributed and used  
13 as follows:

14 (1) The auditor shall retain two percent for collection of the fee.

15 (2) The auditor shall remit, on a monthly basis, forty-nine percent  
16 to the state treasurer for deposit in the affordable housing for all  
17 account created in RCW 43.185C.190 to be used solely by the department  
18 of commerce to support building operation and maintenance costs of  
19 housing projects or units within housing projects that: (a) Are

1 eligible to receive housing trust funds; (b) are affordable to very  
2 low-income households with incomes at or below fifty percent of the  
3 area median income; and (c) require a supplement to rent income to  
4 cover ongoing operating expenses.

5 (3) The auditor shall remit, on a monthly basis, forty-nine percent  
6 to the state treasurer for deposit in the home security fund account  
7 created in RCW 43.185C.060 to be used by the department of commerce to:  
8 (a) Provide housing and shelter for homeless people including, but not  
9 limited to: Grants to operate, repair, and staff shelters; grants to  
10 operate transitional housing; partial payments for rental assistance;  
11 consolidated emergency assistance; overnight youth shelters; and  
12 emergency shelter assistance; and (b) fund the homeless housing grant  
13 program defined in RCW 43.185C.010.

14 **Sec. 2.** RCW 43.185C.190 and 2007 c 427 s 2 are each amended to  
15 read as follows:

16 The affordable housing for all account is created in the state  
17 treasury, subject to appropriation. The state's portion of the  
18 surcharges established in RCW 36.22.178 (~~shall~~) and section 1(2) of  
19 this act must be deposited in the account. Expenditures from the  
20 account may only be used for affordable housing programs.

21 **Sec. 3.** RCW 43.185C.060 and 2007 c 427 s 6 are each amended to  
22 read as follows:

23 The home security fund account is created in the state treasury,  
24 subject to appropriation. The state's portion of the surcharge  
25 established in RCW 36.22.179 (~~and~~), 36.22.1791, and section 1(3) of  
26 this act must be deposited in the account. Expenditures from the  
27 account may be used only for homeless housing programs as described in  
28 this chapter.

29 **Sec. 4.** RCW 43.185C.010 and 2009 c 565 s 40 are each reenacted and  
30 amended to read as follows:

31 The definitions in this section apply throughout this chapter  
32 unless the context clearly requires otherwise.

33 (1) "Community action agency" means a nonprofit private or public  
34 organization established under the economic opportunity act of 1964.

35 (2) "Department" means the department of commerce.

1 (3) "Director" means the director of the department of commerce.

2 (4) "Home security fund account" means the state treasury account  
3 receiving the state's portion of income from revenue from the sources  
4 established by RCW 36.22.179, RCW 36.22.1791, section 1(3) of this act,  
5 and all other sources directed to the homeless housing and assistance  
6 program.

7 (5) "Homeless housing grant program" means the vehicle by which  
8 competitive grants are awarded by the department, utilizing moneys from  
9 the home security fund account, to local governments for programs  
10 directly related to housing homeless individuals and families,  
11 addressing the root causes of homelessness, preventing homelessness,  
12 collecting data on homeless individuals, and other efforts directly  
13 related to housing homeless persons.

14 (6) "Homeless housing plan" means the ten-year plan developed by  
15 the county or other local government to address housing for homeless  
16 persons.

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

21 (8) "Homeless housing strategic plan" means the ten-year plan  
22 developed by the department, in consultation with the interagency  
23 council on homelessness and the affordable housing advisory board.

24 (9) "Homeless person" means an individual living outside or in a  
25 building not meant for human habitation or which they have no legal  
26 right to occupy, in an emergency shelter, or in a temporary housing  
27 program which may include a transitional and supportive housing program  
28 if habitation time limits exist. This definition includes substance  
29 abusers, people with mental illness, and sex offenders who are  
30 homeless.

31 (10) "Housing authority" means any of the public corporations  
32 created by chapter 35.82 RCW.

33 (11) "Housing continuum" means the progression of individuals along  
34 a housing-focused continuum with homelessness at one end and  
35 homeownership at the other.

36 (12) "Interagency council on homelessness" means a committee  
37 appointed by the governor and consisting of, at least, policy level  
38 representatives of the following entities: (a) The department of

1 commerce; (b) the department of corrections; (c) the department of  
2 social and health services; (d) the department of veterans affairs; and  
3 (e) the department of health.

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

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

17 (15) "Long-term private or public housing" means subsidized and  
18 unsubsidized rental or owner-occupied housing in which there is no  
19 established time limit for habitation of less than two years.

20 (16) "Performance measurement" means the process of comparing  
21 specific measures of success against ultimate and interim goals.

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

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

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