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**SUBSTITUTE HOUSE BILL 2010**

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**State of Washington**

**65th Legislature**

**2017 Regular Session**

**By** House Community Development, Housing & Tribal Affairs (originally sponsored by Representatives Maycumber, Dent, Blake, Kretz, Dye, and Manweller)

READ FIRST TIME 02/17/17.

1 AN ACT Relating to the prevention of homelessness in wildfire  
2 areas; amending RCW 36.22.179 and 43.185C.060; creating a new  
3 section; and providing an expiration date.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that wildfires have  
6 left hundreds of families homeless in rural counties. For some  
7 communities, wildfire is a prominent reason there are families living  
8 in poverty without permanent shelters. The legislature declares that  
9 wildfire prevention and response activities in rural communities are  
10 a mechanism to prevent homelessness.

11 **Sec. 2.** RCW 36.22.179 and 2014 c 200 s 1 are each amended to  
12 read as follows:

13 (1) In addition to the surcharge authorized in RCW 36.22.178, and  
14 except as provided in subsection (2) of this section, an additional  
15 surcharge of ten dollars shall be charged by the county auditor for  
16 each document recorded, which will be in addition to any other charge  
17 allowed by law. From September 1, 2012, through June 30, 2019, the  
18 surcharge shall be forty dollars. The funds collected pursuant to  
19 this section are to be distributed and used as follows:

1 (a)(i) The auditor shall retain two percent for collection of the  
2 fee, and of the remainder shall remit sixty percent to the county to  
3 be deposited into a fund that must be used by the county and its  
4 cities and towns to accomplish the purposes of chapter 484, Laws of  
5 2005, six percent of which may be used by the county for  
6 administrative costs related to its homeless housing plan, and the  
7 remainder for programs which directly accomplish the goals of the  
8 county's local homeless housing plan, except that for each city in  
9 the county which elects as authorized in RCW 43.185C.080 to operate  
10 its own local homeless housing program, a percentage of the surcharge  
11 assessed under this section equal to the percentage of the city's  
12 local portion of the real estate excise tax collected by the county  
13 shall be transmitted at least quarterly to the city treasurer,  
14 without any deduction for county administrative costs, for use by the  
15 city for program costs which directly contribute to the goals of the  
16 city's local homeless housing plan; of the funds received by the  
17 city, it may use six percent for administrative costs for its  
18 homeless housing program.

19 (ii) Until June 30, 2019, for a county located east of the crest  
20 of the Cascade mountain range that shares a common border with Canada  
21 and has a population of one hundred thousand or less, any funds  
22 collected and remitted to the county for the authorized purposes in  
23 (a)(i) of this subsection may be used to educate homeowners about  
24 wildfire risk and prevention measures and be used for wildfire  
25 prevention and response activities. Any eligible county must hold a  
26 public hearing before using funding for such authorized purposes.

27 (b) The auditor shall remit the remaining funds to the state  
28 treasurer for deposit in the home security fund account. The  
29 department may use twelve and one-half percent of this amount for  
30 administration of the program established in RCW 43.185C.020,  
31 including the costs of creating the statewide homeless housing  
32 strategic plan, measuring performance, providing technical assistance  
33 to local governments, and managing the homeless housing grant  
34 program. Of the remaining eighty-seven and one-half percent, at least  
35 forty-five percent must be set aside for the use of private rental  
36 housing payments, and the remainder is to be used by the department  
37 to:

38 (i) Provide housing and shelter for homeless people including,  
39 but not limited to: Grants to operate, repair, and staff shelters;  
40 grants to operate transitional housing; partial payments for rental

1 assistance; consolidated emergency assistance; overnight youth  
2 shelters; grants and vouchers designated for victims of human  
3 trafficking and their families; and emergency shelter assistance; and  
4 (ii) Fund the homeless housing grant program.

5 (2) The surcharge imposed in this section does not apply to (a)  
6 assignments or substitutions of previously recorded deeds of trust,  
7 (b) documents recording a birth, marriage, divorce, or death, (c) any  
8 recorded documents otherwise exempted from a recording fee or  
9 additional surcharges under state law, (d) marriage licenses issued  
10 by the county auditor, or (e) documents recording a state, county, or  
11 city lien or satisfaction of lien.

12 **Sec. 3.** RCW 43.185C.060 and 2014 c 200 s 2 are each amended to  
13 read as follows:

14 The home security fund account is created in the state treasury,  
15 subject to appropriation. The state's portion of the surcharge  
16 established in RCW 36.22.179 and 36.22.1791 must be deposited in the  
17 account. Expenditures from the account may be used only for homeless  
18 housing programs as described in this chapter and for wildfire  
19 prevention and response activities pursuant to RCW  
20 36.22.179(1)(a)(ii). If an independent audit finds that the  
21 department has failed to set aside at least forty-five percent of  
22 funds received under RCW 36.22.179(1)(b) after June 12, 2014, for the  
23 use of private rental housing payments, the department must submit a  
24 corrective action plan to the office of financial management within  
25 thirty days of receipt of the independent audit. The office of  
26 financial management must monitor the department's corrective action  
27 plan and expenditures from this account for the remainder of the  
28 fiscal year. If the department is not in compliance with RCW  
29 36.22.179(1)(b) in any month of the fiscal year following submission  
30 of the corrective action plan, the office of financial management  
31 must reduce the department's allotments from this account and hold in  
32 reserve status a portion of the department's appropriation equal to  
33 the expenditures made during the month not in compliance with RCW  
34 36.22.179(1)(b).

35 NEW SECTION. **Sec. 4.** This act expires June 30, 2019.

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