
ENGROSSED SENATE BILL 5647

State of Washington

65th Legislature

2017 Regular Session

By Senators Honeyford, Takko, Schoesler, and Saldaña

Read first time 02/01/17. Referred to Committee on Human Services,
Mental Health & Housing.

1 AN ACT Relating to creating a low-income home rehabilitation
2 revolving loan program; reenacting and amending RCW 43.79A.040; and
3 adding new sections to chapter 43.330 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 43.330
6 RCW to read as follows:

7 The definitions in this section apply throughout this chapter
8 unless the context clearly requires otherwise.

9 (1) "Home" means a single-family residential structure.

10 (2) "Home rehabilitation" means residential repairs and
11 improvements that address health, safety, and durability issues in
12 existing housing in rural areas.

13 (3) "Homeowner" means a person who owns and resides permanently
14 in the home the person occupies.

15 (4) "Low-income" means persons or households with income at or
16 below two hundred percent of the federal poverty level as adjusted
17 for family size and determined annually by the federal department of
18 health and human services.

19 (5) "Rehabilitation agency" means any approved department
20 grantee, tribal nation, or any public service company, municipality,
21 public utility district, mutual or cooperative, or other entity that

1 bears the responsibility for rehabilitating residences under this
2 chapter and has been approved by the department.

3 (6) "Rural areas" means areas of Washington state defined as non-
4 entitlement areas by the United States department of housing and
5 urban development.

6 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.330
7 RCW to read as follows:

8 (1) Subject to availability of amounts appropriated for this
9 specific purpose, the low-income home rehabilitation revolving loan
10 program is created within the department.

11 (2) The program must include the following elements:

12 (a) Eligible homeowners must be low-income and live in rural
13 areas.

14 (b) Homeowners who are senior citizens, persons with
15 disabilities, families with children five years old and younger, and
16 veterans must receive priority for loans.

17 (c) The cost of the home rehabilitation must be the lesser of
18 eighty percent of the assessed value of the property post
19 rehabilitation or forty thousand dollars.

20 (d) The maximum amount that may be loaned under this program may
21 not exceed the cost of the home rehabilitation as provided in (c) of
22 this subsection, and must not result in total loans borrowed against
23 the property equaling more than eighty percent of the assessed value.

24 (e) The interest rate of the loan must be equal to the previous
25 calendar year's annual average consumer price index compiled by the
26 bureau of labor statistics, United States department of labor.

27 (f) The department must allow participating homeowners to defer
28 repayment of the loan principal and interest and any fees related to
29 the administration or issuance of the loan. Any amounts deferred
30 pursuant to this section becomes a lien in favor of the state and is
31 secondary in rank over all other privileges, liens, monetary
32 encumbrances, or other security interests affecting the real
33 property, whenever incurred, filed, or recorded, except for local and
34 special district property tax assessments. The department must take
35 such necessary action to file and perfect the state's lien. All
36 amounts due under the loan become due and payable upon the sale of
37 the home or upon change in ownership of the home.

1 (3) All moneys from repayments must be deposited into the low-
2 income home rehabilitation revolving loan program account created in
3 section 4 of this act.

4 (4) The department must adopt rules for implementation of this
5 program.

6 NEW SECTION. **Sec. 3.** A new section is added to chapter 43.330
7 RCW to read as follows:

8 (1) The department must contract with rehabilitation agencies to
9 provide home rehabilitation to participating homeowners. Preference
10 must be given to local agencies delivering programs and services with
11 similar eligibility criteria.

12 (2) Any rehabilitation agency may charge participating homeowners
13 an administrative fee of no more than seven percent of the home
14 rehabilitation loan amount. The administrative fee must become a
15 component of the total loan amount to be repaid by the participating
16 homeowner.

17 (3) Any rehabilitation agency receiving funding under this
18 section must report to the department at least quarterly, or in
19 alignment with federal reporting, whichever is the greater frequency,
20 the project costs and the number of homes repaired or rehabilitated.
21 The director must review the accuracy of these reports.

22 NEW SECTION. **Sec. 4.** A new section is added to chapter 43.330
23 RCW to read as follows:

24 The low-income home rehabilitation revolving loan program account
25 is created in the custody of the state treasury. All transfers and
26 appropriations by the legislature, repayments of loans, private
27 contributions, and all other sources must be deposited into the
28 account. Expenditures from the account may be used only for the
29 purposes of the low-income home rehabilitation revolving loan program
30 created in section 2 of this act. Only the director or the director's
31 designee may authorize expenditures from the account. The account is
32 subject to allotment procedures under chapter 43.88 RCW, but an
33 appropriation is not required for expenditures.

34 **Sec. 5.** RCW 43.79A.040 and 2016 c 203 s 2, 2016 c 173 s 10, 2016
35 c 69 s 21, and 2016 c 39 s 7 are each reenacted and amended to read
36 as follows:

1 (1) Money in the treasurer's trust fund may be deposited,
2 invested, and reinvested by the state treasurer in accordance with
3 RCW 43.84.080 in the same manner and to the same extent as if the
4 money were in the state treasury, and may be commingled with moneys
5 in the state treasury for cash management and cash balance purposes.

6 (2) All income received from investment of the treasurer's trust
7 fund must be set aside in an account in the treasury trust fund to be
8 known as the investment income account.

9 (3) The investment income account may be utilized for the payment
10 of purchased banking services on behalf of treasurer's trust funds
11 including, but not limited to, depository, safekeeping, and
12 disbursement functions for the state treasurer or affected state
13 agencies. The investment income account is subject in all respects to
14 chapter 43.88 RCW, but no appropriation is required for payments to
15 financial institutions. Payments must occur prior to distribution of
16 earnings set forth in subsection (4) of this section.

17 (4)(a) Monthly, the state treasurer must distribute the earnings
18 credited to the investment income account to the state general fund
19 except under (b), (c), and (d) of this subsection.

20 (b) The following accounts and funds must receive their
21 proportionate share of earnings based upon each account's or fund's
22 average daily balance for the period: The 24/7 sobriety account, the
23 Washington promise scholarship account, the Washington advanced
24 college tuition payment program account, the Washington college
25 savings program account, the accessible communities account, the
26 Washington achieving a better life experience program account, the
27 community and technical college innovation account, the agricultural
28 local fund, the American Indian scholarship endowment fund, the
29 foster care scholarship endowment fund, the foster care endowed
30 scholarship trust fund, the contract harvesting revolving account,
31 the Washington state combined fund drive account, the commemorative
32 works account, the county enhanced 911 excise tax account, the toll
33 collection account, the developmental disabilities endowment trust
34 fund, the energy account, the fair fund, the family leave insurance
35 account, the food animal veterinarian conditional scholarship
36 account, the fruit and vegetable inspection account, the future
37 teachers conditional scholarship account, the game farm alternative
38 account, the GET ready for math and science scholarship account, the
39 Washington global health technologies and product development
40 account, the grain inspection revolving fund, the industrial

1 insurance rainy day fund, the juvenile accountability incentive
2 account, the law enforcement officers' and firefighters' plan 2
3 expense fund, the local tourism promotion account, the low-income
4 home rehabilitation revolving loan program account, the multiagency
5 permitting team account, the pilotage account, the produce railcar
6 pool account, the regional transportation investment district
7 account, the rural rehabilitation account, the Washington sexual
8 assault kit account, the stadium and exhibition center account, the
9 youth athletic facility account, the self-insurance revolving fund,
10 the children's trust fund, the Washington horse racing commission
11 Washington bred owners' bonus fund and breeder awards account, the
12 Washington horse racing commission class C purse fund account, the
13 individual development account program account, the Washington horse
14 racing commission operating account, the life sciences discovery
15 fund, the Washington state heritage center account, the reduced
16 cigarette ignition propensity account, the center for childhood
17 deafness and hearing loss account, the school for the blind account,
18 the Millersylvania park trust fund, the public employees' and
19 retirees' insurance reserve fund, and the radiation perpetual
20 maintenance fund.

21 (c) The following accounts and funds must receive eighty percent
22 of their proportionate share of earnings based upon each account's or
23 fund's average daily balance for the period: The advanced right-of-
24 way revolving fund, the advanced environmental mitigation revolving
25 account, the federal narcotics asset forfeitures account, the high
26 occupancy vehicle account, the local rail service assistance account,
27 and the miscellaneous transportation programs account.

28 (d) Any state agency that has independent authority over accounts
29 or funds not statutorily required to be held in the custody of the
30 state treasurer that deposits funds into a fund or account in the
31 custody of the state treasurer pursuant to an agreement with the
32 office of the state treasurer shall receive its proportionate share
33 of earnings based upon each account's or fund's average daily balance
34 for the period.

35 (5) In conformance with Article II, section 37 of the state
36 Constitution, no trust accounts or funds shall be allocated earnings
37 without the specific affirmative directive of this section.

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