

1 that all children are accounted for, parents, guardians, and
2 caregivers are required to report missing children.

3 **Sec. 102.** RCW 74.15.030 and 2014 c 104 s 2 are each amended to
4 read as follows:

5 The secretary shall have the power and it shall be the
6 secretary's duty:

7 (1) In consultation with the children's services advisory
8 committee, and with the advice and assistance of persons
9 representative of the various type agencies to be licensed, to
10 designate categories of facilities for which separate or different
11 requirements shall be developed as may be appropriate whether because
12 of variations in the ages, sex and other characteristics of persons
13 served, variations in the purposes and services offered or size or
14 structure of the agencies to be licensed hereunder, or because of any
15 other factor relevant thereto;

16 (2) In consultation with the children's services advisory
17 committee, and with the advice and assistance of persons
18 representative of the various type agencies to be licensed, to adopt
19 and publish minimum requirements for licensing applicable to each of
20 the various categories of agencies to be licensed.

21 The minimum requirements shall be limited to:

22 (a) The size and suitability of a facility and the plan of
23 operation for carrying out the purpose for which an applicant seeks a
24 license;

25 (b) Obtaining background information and any out-of-state
26 equivalent, to determine whether the applicant or service provider is
27 disqualified and to determine the character, competence, and
28 suitability of an agency, the agency's employees, volunteers, and
29 other persons associated with an agency;

30 (c) Conducting background checks for those who will or may have
31 unsupervised access to children, expectant mothers, or individuals
32 with a developmental disability; however, a background check is not
33 required if a caregiver approves an activity pursuant to the prudent
34 parent standard contained in RCW 74.13.710;

35 (d) Obtaining child protective services information or records
36 maintained in the department case management information system. No
37 unfounded allegation of child abuse or neglect as defined in RCW
38 26.44.020 may be disclosed to a child-placing agency, private
39 adoption agency, or any other provider licensed under this chapter;

1 (e) Submitting a fingerprint-based background check through the
2 Washington state patrol under chapter 10.97 RCW and through the
3 federal bureau of investigation for:

4 (i) Agencies and their staff, volunteers, students, and interns
5 when the agency is seeking license or relicense;

6 (ii) Foster care and adoption placements; and

7 (iii) Any adult living in a home where a child may be placed;

8 (f) If any adult living in the home has not resided in the state
9 of Washington for the preceding five years, the department shall
10 review any child abuse and neglect registries maintained by any state
11 where the adult has resided over the preceding five years;

12 (g) The cost of fingerprint background check fees will be paid as
13 required in RCW 43.43.837;

14 (h) National and state background information must be used solely
15 for the purpose of determining eligibility for a license and for
16 determining the character, suitability, and competence of those
17 persons or agencies, excluding parents, not required to be licensed
18 who are authorized to care for children or expectant mothers;

19 (i) The number of qualified persons required to render the type
20 of care and treatment for which an agency seeks a license;

21 (j) The safety, cleanliness, and general adequacy of the premises
22 to provide for the comfort, care and well-being of children,
23 expectant mothers or developmentally disabled persons;

24 (k) The provision of necessary care, including food, clothing,
25 supervision and discipline; physical, mental and social well-being;
26 and educational, recreational and spiritual opportunities for those
27 served;

28 (l) The financial ability of an agency to comply with minimum
29 requirements established pursuant to this chapter (~~74.15-RCW~~) and
30 RCW 74.13.031; and

31 (m) The maintenance of records pertaining to the admission,
32 progress, health and discharge of persons served;

33 (3) To investigate any person, including relatives by blood or
34 marriage except for parents, for character, suitability, and
35 competence in the care and treatment of children, expectant mothers,
36 and developmentally disabled persons prior to authorizing that person
37 to care for children, expectant mothers, and developmentally disabled
38 persons. However, if a child is placed with a relative under RCW
39 13.34.065 or 13.34.130, and if such relative appears otherwise
40 suitable and competent to provide care and treatment the criminal

1 history background check required by this section need not be
2 completed before placement, but shall be completed as soon as
3 possible after placement;

4 (4) On reports of alleged child abuse and neglect, to investigate
5 agencies in accordance with chapter 26.44 RCW, including child day-
6 care centers and family day-care homes, to determine whether the
7 alleged abuse or neglect has occurred, and whether child protective
8 services or referral to a law enforcement agency is appropriate;

9 (5) To issue, revoke, or deny licenses to agencies pursuant to
10 this chapter ((74.15-RCW)) and RCW 74.13.031. Licenses shall specify
11 the category of care which an agency is authorized to render and the
12 ages, sex and number of persons to be served;

13 (6) To prescribe the procedures and the form and contents of
14 reports necessary for the administration of this chapter ((74.15
15 RCW)) and RCW 74.13.031 and to require regular reports from each
16 licensee;

17 (7) To inspect agencies periodically to determine whether or not
18 there is compliance with this chapter ((74.15-RCW)) and RCW 74.13.031
19 and the requirements adopted hereunder, including biennial
20 inspections of facilities licensed under this chapter that provide
21 shelter to unaccompanied homeless youth as defined in RCW 43.330.702,
22 with the results of the biennial inspections provided to the office
23 of homeless youth prevention and protection programs and the
24 legislature;

25 (8) To review requirements adopted hereunder at least every two
26 years and to adopt appropriate changes after consultation with
27 affected groups for child day-care requirements and with the
28 children's services advisory committee for requirements for other
29 agencies; and

30 (9) To consult with public and private agencies in order to help
31 them improve their methods and facilities for the care of children,
32 expectant mothers and developmentally disabled persons.

33 NEW SECTION. Sec. 103. A new section is added to chapter 13.32A
34 RCW to read as follows:

35 Subject to the availability of amounts appropriated for this
36 specific purpose, the department must develop a process to locate
37 unaccompanied homeless children, as defined in RCW 43.330.702, with
38 the primary goal of returning the child to his or her parent(s) or
39 legal guardian(s). This process must include locating dependent

1 children, as defined in RCW 13.34.030, missing from care. When a
2 report of a runaway or an unaccompanied homeless child is made to the
3 department pursuant to RCW 26.44.030, the department must locate the
4 child as provided for in this section. The department must, at a
5 minimum:

6 (1) Develop a process to track reports of unaccompanied homeless
7 children on a daily basis;

8 (2) Develop a process for tracking the daily living situation of
9 homeless children. "Living situation" includes, but is not limited
10 to: Living with a parent(s), guardian(s), other relative(s), or next
11 of kin. The tracking process must include whether the department has
12 screened in and accepted the child for services and whether the child
13 is a dependent;

14 (3) Track the length of time it takes from identifying an
15 unaccompanied homeless youth to the time that the child is returned
16 home or placed in safe long-term care through the dependency process;

17 (4) Include information from the child as to why the child ran
18 away from home;

19 (5) Include information from the child's parent(s) or legal
20 guardian(s) as to why he or she believes the child ran away from
21 home;

22 (6) Track whether a parent or legal guardian refuses to maintain
23 custody of the child;

24 (7) Ensure that data collected is sortable by city and county;

25 (8) Make a determination as to why a child ran away from home or
26 how a child became an unaccompanied homeless youth; and

27 (9) Make such data available to the legislature on a monthly
28 basis.

29 **PART II**

30 **Sec. 201.** RCW 43.330.700 and 2015 c 69 s 4 are each amended to
31 read as follows:

32 (1) The legislature finds that every night thousands of homeless
33 youth in Washington go to sleep without the safety, stability, and
34 support of a family or a home. This population is exposed to an
35 increased level of violence, human trafficking, and exploitation
36 resulting in a higher incidence of substance abuse, illness, and
37 death. The prevention and reduction of youth and young adult
38 homelessness and protection of homeless youth is of key concern to

1 the state. Nothing in chapter 69, Laws of 2015 is meant to diminish
2 the work accomplished by the implementation of Becca legislation but
3 rather, the intent of the legislature is to further enhance the
4 state's efforts in working with unaccompanied homeless youth and
5 runaways to encourage family reconciliation or permanent housing and
6 support through dependency when family reconciliation is not a viable
7 alternative.

8 (2) Successfully addressing youth and young adult homelessness
9 ensures that homeless youth and young adults in our state have the
10 support they need to thrive and avoid involvement in the justice
11 system, human trafficking, long-term, avoidable use of public
12 benefits, and extended adult homelessness.

13 (3) Providing appropriate, relevant, and readily accessible
14 services is critical for addressing one-time, episodic, or longer-
15 term homelessness among youth and young adults, and keeping homeless
16 youth and young adults safe, housed, and connected to family.

17 (4) The coordination of statewide programs to combat youth and
18 young adult homelessness should include programs addressing both
19 youth and young adults. However, the legislature acknowledges that
20 current law and best practices mandate that youth programs and young
21 adult programs be segregated in their implementation. The legislature
22 further finds that the differing needs of these populations should be
23 considered when assessing which programs are relevant and
24 appropriate.

25 (5) To successfully reduce and prevent youth and young adult
26 homelessness, it is the goal of the legislature to have the following
27 key components available and accessible:

28 (a) Stable housing: It is the goal of the legislature to provide
29 a safe and healthy place for homeless youth to sleep each night until
30 permanency can be reached. Every homeless young adult in our state
31 deserves access to housing that gives them a safe, healthy, and
32 supported launching pad to adulthood. Every family in crisis should
33 have appropriate support as they work to keep their children housed
34 and safe. It is the goal of the legislature that by July 1, 2018,
35 every homeless youth discharged from a public system of care in our
36 state (~~will~~) must not be discharged into homelessness.

37 (b) Family reconciliation: All homeless youth should have access
38 to services that support reunification with immediate family. When
39 reunification is not possible for homeless youth, youth should be

1 placed in the custody of the department of social and health
2 services.

3 ~~(c) ((Permanent connections: Every homeless young adult should
4 have opportunities to establish positive, healthy relationships with
5 adults, including family members, employers, landlords, teachers, and
6 community members, with whom they can maintain connections and from
7 whom they can receive ongoing, long-term support to help them develop
8 the skills and experiences necessary to achieve a successful
9 transition to adulthood.~~

10 ~~(d) Education and employment: Every homeless young adult in our
11 state deserves the opportunity and support they need to complete
12 their high school education and pursue additional education and
13 training. It is the goal of the legislature that every homeless young
14 adult in our state will have the opportunity to engage in employment
15 training and be able to access employment. With both education and
16 employment support and opportunities, young adults will have the
17 skills they need to become self-sufficient, self-reliant, and
18 independent.~~

19 ~~(e)) Social and emotional well-being: Every homeless youth and
20 young adult in our state should have access to both behavioral health
21 care and physical health care. Every state-funded program for
22 homeless youth and young adults must endeavor to identify, encourage,
23 and nurture each youth's strengths and abilities and demonstrate a
24 commitment to youth-centered programming.~~

25 **Sec. 202.** RCW 43.330.705 and 2015 c 69 s 5 are each amended to
26 read as follows:

27 (1) There is created the office of homeless youth prevention and
28 protection programs within the department.

29 (2) Activities of the office of homeless youth prevention and
30 protection programs must be carried out by a director of the office
31 of homeless youth prevention and protection programs, supervised by
32 the director of the department or his or her designee.

33 (3) The office of homeless youth prevention and protection
34 programs is responsible for leading efforts under this subchapter to
35 coordinate a spectrum of ongoing and future funding, policy, and
36 practice efforts related to homeless youth and improving the safety,
37 health, and welfare of homeless youth in this state.

38 (4) The measurable goals of the office of homeless youth
39 prevention and protection programs are to: (a) Measurably decrease

1 the number of homeless youth and young adults by identifying programs
2 that address the initial causes of homelessness, and (b) measurably
3 increase permanency rates among homeless youth by decreasing the
4 length and occurrences of youth homelessness caused by a youth's
5 separation from family or a legal guardian. By December 1, 2017, and
6 monthly thereafter, the office of homeless youth prevention and
7 protection programs shall report to the legislature the status of
8 these goals.

9 (5) The office of homeless youth prevention and protection
10 programs shall (a) gather data and outcome measures, (b) initiate
11 data-sharing agreements, (c) develop specific recommendations and
12 timelines to address funding, policy, and practice gaps within the
13 state system for addressing the (~~five priority service areas~~) three
14 key components identified in RCW 43.330.700, (d) make reports, (e)
15 increase system integration and coordinate efforts to prevent state
16 systems from discharging youth and young adults into homelessness,
17 (f) develop measures to include by county and statewide the number of
18 homeless youth, dependency status, family reunification status,
19 housing status, program participation, and runaway status, (~~and~~)
20 (g) develop a comprehensive plan to encourage identification of youth
21 experiencing homelessness, promote family stability, and eliminate
22 youth and young adult homelessness, and (h) by July 1, 2018, ensure
23 that all services for minors are provided in a location separate from
24 adults, including young adults.

25 (6)(a) The office of homeless youth prevention and protection
26 programs shall regularly consult with an advisory committee,
27 comprised of (~~advocates, at least two legislators, at least two~~
28 ~~parent advocates, at least one representative from law enforcement,~~
29 ~~service providers, and other stakeholders knowledgeable in the~~
30 ~~provision of services to homeless youth and young adults, including~~
31 ~~the prevention of youth and young adult homelessness, the dependency~~
32 ~~system, and family reunification~~) four legislators and eight
33 additional members as appointed by the legislature, for a total of
34 twelve members. The advisory committee shall provide guidance and
35 recommendations to the office of homeless youth prevention and
36 protection programs and to the legislature regarding funding, policy,
37 and practice gaps within and among state programs.

38 (b) The advisory committee must be staffed by the department.

39 (c) The members of the advisory committee must be appointed by
40 the (~~governor, except for the legislators who must be appointed by~~)

1 legislature. The speaker of the house of representatives and the
2 president of the senate must each appoint one legislator from each
3 caucus to the advisory committee. Each caucus of each chamber of the
4 legislature must appoint two additional advisory committee members.

5 (d) The advisory committee must have its initial meeting no later
6 than March 1, 2016.

7 (7) The office of homeless youth prevention and protection
8 programs must be operational no later than January 1, 2016. Transfer
9 of powers, duties, and functions of the department of social and
10 health services to the department of commerce pertaining to youth
11 homeless services and programs identified in RCW 43.330.710(2) may
12 occur before this date.

13 **Sec. 203.** RCW 43.330.706 and 2015 c 69 s 6 are each amended to
14 read as follows:

15 (1) The office of homeless youth prevention and protection
16 programs shall identify data and outcomes measures from which to
17 evaluate future public investment in homeless youth services.

18 (2) By December 1, 2016, and annually thereafter, and in
19 compliance with RCW 43.01.036, the office of homeless youth
20 prevention and protection programs must submit a report to the
21 governor and the legislature to inform recommendations for funding,
22 policy, and best practices in the ~~((five priority service areas))~~
23 three key components identified in RCW 43.330.700 and present
24 recommendations to address funding, policy, and practice gaps in the
25 state system.

26 (3) Recommendations must include, but are not limited to:
27 Strategies to enhance coordination between providers of youth
28 homelessness programs and the child welfare system, and strategies
29 for communities to identify homeless youth and ensure their
30 protection and referral to appropriate services, including family
31 reconciliation and transition to dependent status for minors.

32 **Sec. 204.** RCW 43.330.710 and 2015 c 69 s 7 are each amended to
33 read as follows:

34 (1)(a) The office of homeless youth prevention and protection
35 programs shall report to the director or the director's designee.

36 (b)(i) The office of homeless youth prevention and protection
37 programs may distribute grants to providers who serve homeless youth
38 and young adults throughout the state.

1 (ii) The grants must fund (~~services in the five priority service~~
2 ~~areas identified in RCW 43.330.700~~) housing, family reconciliation,
3 or street youth services. Effective August 1, 2017, all grant
4 recipients must demonstrate that the services provided either reduces
5 unaccompanied youth homelessness or increases family reunification,
6 or both. Effective August 1, 2017, all grants made by the office must
7 require outcome measures that demonstrate that the services provided
8 either reduces unaccompanied youth homelessness or increases family
9 reunification, or both. After August 1, 2017, a grant recipient that
10 is unable to demonstrate that the services provided either reduces
11 unaccompanied youth homelessness or increases family reunification,
12 or both, is not eligible to receive a grant through the office.

13 (iii) For grants that fund street youth services, on a monthly
14 basis, grant recipients must report the following information to the
15 office of homeless youth prevention and protection programs: The
16 number of youth that received services and whether their identity was
17 confirmed; how many youth received a referral to a crisis residential
18 shelter, HOPE center, or other shelter; how many youth were reunited
19 with their families or referred to the department of social and
20 health services for services, including reports of child abuse or
21 neglect; and other data that documents a successful outcome as
22 defined by the grant recipient. The reported data must be included in
23 the office of homeless youth prevention and protection program's
24 annual report to the governor and appropriate committees of the
25 legislature.

26 (iv) The grants must be expended on a statewide basis and may be
27 used to support direct services as provided for in (b)(ii) of this
28 subsection, as well as technical assistance, evaluation, and capacity
29 building.

30 (2) The office of homeless youth prevention and protection
31 programs shall provide management (~~and~~), oversight guidance, and
32 direction, including recommendations for increasing capacity,
33 funding, and expanding locations across the state by county, to the
34 following programs:

- 35 (a) HOPE centers as described in RCW 43.185C.315;
- 36 (b) Crisis residential centers as described in RCW 43.185C.295;
- 37 (c) Street youth services; and
- 38 (d) Independent youth housing programs as described in RCW
39 43.63A.305.

1 **Sec. 205.** RCW 43.185C.180 and 2011 c 239 s 1 are each amended to
2 read as follows:

3 (1) In order to improve services for the homeless, the
4 department, within amounts appropriated by the legislature for this
5 specific purpose, shall implement the Washington homeless client
6 management information system for the ongoing collection and updates
7 of information about all homeless individuals in the state.

8 (2) Information about homeless individuals for the Washington
9 homeless client management information system shall come from the
10 Washington homeless census and from state agencies and community
11 organizations providing services to homeless individuals and
12 families.

13 (a) ~~((Personally identifying information about homeless~~
14 ~~individuals for the Washington homeless client management information~~
15 ~~system may only be collected after having obtained informed,~~
16 ~~reasonably time limited (i) written consent from the homeless~~
17 ~~individual to whom the information relates, or (ii) telephonic~~
18 ~~consent from the homeless individual, provided that written consent~~
19 ~~is obtained at the first time the individual is physically present at~~
20 ~~an organization with access to the Washington homeless client~~
21 ~~management information system. Safeguards consistent with federal~~
22 ~~requirements on data collection must be in place to protect homeless~~
23 ~~individuals' rights regarding their personally identifying~~
24 ~~information.~~

25 (b) ~~Data collection under this subsection shall be done in a~~
26 ~~manner consistent with federally informed consent guidelines~~
27 ~~regarding human research which, at a minimum, require that~~
28 ~~individuals receive:~~

29 (i) ~~Information about the expected duration of their~~
30 ~~participation in the Washington homeless client management~~
31 ~~information system;~~

32 (ii) ~~An explanation of whom to contact for answers to pertinent~~
33 ~~questions about the data collection and their rights regarding their~~
34 ~~personal identifying information;~~

35 (iii) ~~An explanation regarding whom to contact in the event of~~
36 ~~injury to the individual related to the Washington homeless client~~
37 ~~management information system;~~

38 (iv) ~~A description of any reasonably foreseeable risks to the~~
39 ~~homeless individual; and~~

1 ~~(v) A statement describing the extent to which confidentiality of~~
2 ~~records identifying the individual will be maintained.~~

3 ~~(e))~~ Any person, including a minor, seeking services from a
4 service provider that utilizes the Washington homeless client
5 management information system must provide his or her personally
6 identifying information to the service provider. For a service
7 provider that receives public funds including, but not limited to,
8 federal, state, and local funding, a person seeking services must
9 provide his or her personally identifying information to receive any
10 services from the service provider. The department must develop a
11 system to share such information with the department of social and
12 health services and local law enforcement.

13 (b) The department must adopt policies governing the appropriate
14 process for destroying Washington homeless client management
15 information system paper documents containing personally identifying
16 information when the paper documents are no longer needed. The
17 policies must not conflict with any federal data requirements.

18 (3) The Washington homeless client management information system
19 shall serve as an online information and referral system to enable
20 local governments and providers to connect homeless persons in the
21 database with available housing and other support services. Local
22 governments shall develop a capacity for continuous case management,
23 including independent living plans, when appropriate, to assist
24 homeless persons.

25 (4) The information in the Washington homeless client management
26 information system will also provide the department with the
27 information to consolidate and analyze data about the extent and
28 nature of homelessness in Washington state, giving emphasis to
29 information about the extent and nature of homelessness in Washington
30 state among families with children.

31 (5) The system may be merged with other data gathering and
32 reporting systems and shall:

33 (a) Protect the right of privacy of individuals;

34 (b) Provide for consultation and collaboration with all relevant
35 state agencies including the department of social and health
36 services, experts, and community organizations involved in the
37 delivery of services to homeless persons; and

38 (c) Include related information held or gathered by other state
39 agencies.

1 (6) Within amounts appropriated by the legislature, for this
2 specific purpose, the department shall evaluate the information
3 gathered and disseminate the analysis and the evaluation broadly,
4 using appropriate computer networks as well as written reports.

5 (7) The Washington homeless client management information system
6 shall be implemented by December 31, 2009, and updated with new
7 homeless client information at least annually.

8 (8) By December 1, 2018, the department must develop and update
9 daily a web-based system for the Washington homeless client
10 management information system.

11 **PART III**

12 NEW SECTION. **Sec. 301.** The legislature finds that:
13 Homelessness, among both youth and adults, is a pervasive problem;
14 homeless shelter space must be made available for homeless
15 individuals; and information must be gathered regarding the number of
16 homeless shelter spaces available on any given night.

17 NEW SECTION. **Sec. 302.** A new section is added to chapter
18 43.185C RCW to read as follows:

19 Any public and privately owned homeless shelter housing homeless
20 individuals must provide a daily report on the number of beds
21 available that must be inputted into a central information system to
22 be created by the department and that may be used by law enforcement
23 officials and local governments searching for homeless shelter space
24 or homeless encampments. The department must maintain the central
25 information system and provide annual reports beginning December 1,
26 2017, and annually thereafter, to the legislature providing
27 recommendations for improvement to the central information system.

28 NEW SECTION. **Sec. 303.** A new section is added to chapter
29 43.185C RCW to read as follows:

30 (1) The state of Washington hereby fully occupies and preempts
31 the entire field of homeless encampment guidelines and regulations,
32 within the boundaries of the state, from setting guidelines for
33 homeless encampments below new state standards of health and safety
34 set by the department for authorized homeless encampments. Any city,
35 town, county, park district, or other local jurisdiction may enact
36 only those laws and ordinances relating to homeless encampments that

1 are specifically authorized by state law and are consistent with this
2 section. Such local ordinances must have the same penalty as provided
3 for by state law. Local laws and ordinances that are inconsistent
4 with, more restrictive than, or exceed the requirements of state law
5 must not be enacted and are preempted and repealed, regardless of the
6 nature of the code, charter, or home rule status of such city, town,
7 county, park district, or local jurisdiction.

8 (2) An encampment of any kind, not specially authorized by the
9 department, is prohibited. Before authorizing an encampment, the
10 department must provide neighborhood notification and local public
11 hearings must be completed in conjunction with at least one
12 representative from a local neighborhood group, the local city
13 council, and the local county council. Encampments in public parks
14 and other critical areas may be allowed only after a countywide
15 public vote.

16 (3) By January 1, 2018, the ten largest cities in the state, as
17 determined by the department, must identify on a map all unauthorized
18 campsites in that jurisdiction. That map must be posted on that
19 jurisdiction's web site and the department's web site, to be updated
20 daily.

21 (4) By July 1, 2018, the largest cities in each of the state's
22 two most populous counties must authorize as many encampment spaces
23 as necessary to house all of that city's homeless population and
24 enforce unauthorized camping statutes.

25 (5) By January 1, 2019, all unauthorized encampments must be
26 closed down or that jurisdiction must not receive any state funding
27 for homeless programs.

28 (6) By July 1, 2019, all cities in the state's most populous
29 county must authorize as many encampment spaces as necessary to house
30 all of the city's homeless population.

31 (7) By July 1, 2020, the largest city in the state's third most
32 populous county must authorize as many encampment spaces as necessary
33 to house all of that city's homeless population.

34 (8) By July 1, 2021, any local government that duly enacts laws
35 or ordinances permitting homeless encampments must authorize as many
36 encampment spaces as necessary to house all of that local
37 government's homeless population.

38 (9) All available encampment spaces must be listed on that local
39 government's web site and be reported daily to the department. A

1 local government that fails to provide adequate homeless encampment
2 spaces must not receive any state funding for homeless programs.

3 (10) On a daily basis, a local government must report the
4 following information to the department, as well as list the
5 information on that local government's web site:

6 (a) The number of unauthorized encampments;

7 (b) The number of unauthorized encampments that are closed;

8 (c) The total number of people in unauthorized encampments,
9 emergency shelters, and transitional housing, as well as the number
10 of entry and exits into such housing; and

11 (d) The number of deaths in both authorized and unauthorized
12 encampments.

13 (11) The state auditor must provide an annual certification to
14 the state legislature and state board of health that the department
15 is compliant with the requirements set forth in this section.

16 PART IV

17 NEW SECTION. **Sec. 401.** In 2005, the state created the goal of
18 reducing homelessness in Washington state by fifty percent within ten
19 years. The legislature also recognized that the provision of housing
20 and housing-related services to the homeless should be administered
21 at the local level to meet the diverse needs across the state. The
22 state's responsibility was to coordinate, support, finance, and
23 monitor efforts to address homelessness issues.

24 During the past decade, the state has experienced an overall
25 decline in homelessness with some counties meeting or exceeding its
26 reduction goal. However, some counties have not only failed to
27 achieve reductions, but have experienced an increase in the number of
28 homeless families and individuals. Additionally, the number of
29 unsheltered and chronic homeless has increased in areas of the state
30 despite significant federal, state, and local financial resources
31 that have been invested in homelessness assistance. The dichotomy
32 between the resources expended and the results achieved warrants a
33 more frequent review of state and local homelessness strategies and
34 more transparent reporting of expenditures, performance, and outcomes
35 at the local level. Therefore, the legislature intends to review
36 state and local homelessness prevention, assistance, and housing
37 efforts on a more frequent basis to improve the development of cost-

1 effective programs and identification of best practices to expand
2 housing security across the state.

3 **Sec. 402.** RCW 43.185C.030 and 2013 c 200 s 25 are each amended
4 to read as follows:

5 (1) The department shall annually conduct a Washington homeless
6 census or count consistent with the requirements of RCW 43.185C.180.
7 The census shall make every effort to count all homeless individuals
8 living outdoors, in shelters, and in transitional housing,
9 coordinated, when reasonably feasible, with already existing homeless
10 census projects including those funded in part by the United States
11 department of housing and urban development under the McKinney-Vento
12 homeless assistance program. The department shall determine, in
13 consultation with local governments, the data to be collected. Data
14 on subpopulations and other characteristics of the homeless must, at
15 a minimum, be consistent with United States department of housing and
16 urban development requirements and include the following:

- 17 (a) Chronically homeless individuals;
- 18 (b) Chronically homeless families;
- 19 (c) Unaccompanied homeless youth;
- 20 (d) Male veterans;
- 21 (e) Female veterans;
- 22 (f) Adults with severe mental illness;
- 23 (g) Adults with chronic substance abuse issues;
- 24 (h) Adults with HIV/AIDS;
- 25 (i) Senior citizens;
- 26 (j) Victims of domestic violence; and
- 27 (k) An estimate of the number of homeless individuals that are
28 not included in the census.

29 (2) All personal information collected in the census is
30 confidential, and the department and each local government shall take
31 all necessary steps to protect the identity and confidentiality of
32 each person counted.

33 (3) The department and each local government are prohibited from
34 disclosing any personally identifying information about any homeless
35 individual when there is reason to believe or evidence indicating
36 that the homeless individual is an adult or minor victim of domestic
37 violence, dating violence, sexual assault, or stalking or is the
38 parent or guardian of a child victim of domestic violence, dating
39 violence, sexual assault, or stalking; or revealing other

1 confidential information regarding HIV/AIDS status, as found in RCW
2 70.02.220. The department and each local government shall not ask any
3 homeless housing provider to disclose personally identifying
4 information about any homeless individuals when the providers
5 implementing those programs have reason to believe or evidence
6 indicating that those clients are adult or minor victims of domestic
7 violence, dating violence, sexual assault, or stalking or are the
8 parents or guardians of child victims of domestic violence, dating
9 violence, sexual assault, or stalking. Summary data for the
10 provider's facility or program may be substituted.

11 (4) The Washington homeless census shall be conducted annually on
12 a schedule created by the department. The department shall make
13 summary data by county available to the public each year. This data,
14 and its analysis, shall be included in the department's annual
15 updated homeless housing program strategic plan.

16 (5) Based on the annual census and provider information from the
17 local government plans, the department shall, by the end of year
18 four, implement an online information and referral system to enable
19 local governments and providers to identify available housing for a
20 homeless person. The department shall work with local governments and
21 their providers to develop a capacity for continuous case management
22 to assist homeless persons.

23 (6) By the end of year four, the department shall implement an
24 organizational quality management system.

25 **Sec. 403.** RCW 43.185C.040 and 2015 c 69 s 25 are each amended to
26 read as follows:

27 (1) (~~Six months after the first Washington homeless census,~~)
28 The department shall, in consultation with the interagency council on
29 homelessness and the affordable housing advisory board, prepare and
30 publish a (~~ten-year~~) five-year homeless housing strategic plan
31 which (~~shall~~) must outline statewide goals and performance measures
32 and (~~shall~~) must be coordinated with the plan for homeless families
33 with children required under RCW 43.63A.650. The state homeless
34 housing strategic plan must be submitted to the legislature by July
35 1, 2018, and updated every five years thereafter. The plan must
36 include at least the following information:

37 (a) Performance measures and goals, including efficiency and
38 effectiveness measures, to reduce homelessness, including long-term
39 and short-term goals;

1 (b) An analysis of the services and programs being offered at the
2 state and county level and an identification of those representing
3 best practices and outcomes;

4 (c) Recognition of services and programs targeted to certain
5 homeless populations or geographic areas in recognition of the
6 diverse needs across the state;

7 (d) New or innovative funding, program, or service strategies to
8 pursue;

9 (e) An analysis of current drivers of homelessness and/or
10 improvements to housing security such as increases and reductions to
11 employment opportunities, housing scarcity and affordability, health
12 and behavior health services, chemical dependency treatment, and
13 incarceration rates; and

14 (f) An implementation strategy outlining the roles and
15 responsibilities at the state and local level and timelines to
16 achieve a reduction in homelessness at the statewide level during
17 periods of the five-year homeless housing strategic plan.

18 (2) The department must coordinate its efforts on the state
19 homeless housing strategic plan with the office of homeless youth
20 prevention and protection programs advisory committee under RCW
21 43.330.705. The state homeless housing strategic plan must not
22 conflict with the strategies, planning, data collection, and
23 performance and outcome measures developed under RCW 43.330.705 and
24 43.330.706 to reduce the state's homeless youth population.

25 (3) To guide local governments in preparation of ((their first))
26 local homeless housing plans due December ((31, 2005)) 1, 2018, and
27 updated every five years thereafter, the department shall issue by
28 ((October 15, 2005)) December 1, 2017, ((temporary)) guidelines
29 consistent with this chapter and including the best available data on
30 each community's homeless population. ((Local governments' ten-year
31 homeless housing plans shall not be substantially inconsistent with
32 the goals and program recommendations of the temporary guidelines
33 and, when amended after 2005, the state strategic plan.

34 (2)) Program outcomes ((and)), performance measures, efficiency
35 and effectiveness measures, and goals ((shall)) must be created by
36 the department ((and reflected in the department's homeless housing
37 strategic plan as well as interim goals)) in collaboration with local
38 governments against which ((state and)) local governments'
39 performance ((may)) will be measured((, including:

1 ~~(a) By the end of year one, completion of the first census as~~
2 ~~described in RCW 43.185C.030;~~

3 ~~(b) By the end of each subsequent year, goals common to all local~~
4 ~~programs which are measurable and the achievement of which would move~~
5 ~~that community toward housing its homeless population; and~~

6 ~~(c) By July 1, 2015, reduction of the homeless population~~
7 ~~statewide and in each county by fifty percent)).~~

8 ~~((3))~~ (4) The department shall develop a consistent statewide
9 data gathering instrument to monitor the performance of cities and
10 counties receiving grants in order to determine compliance with the
11 terms and conditions set forth in the grant application or required
12 by the department.

13 ~~((The department shall, in consultation with the interagency~~
14 ~~council on homelessness and the affordable housing advisory board,~~
15 ~~report biennially to the governor and the appropriate committees of~~
16 ~~the legislature an assessment of the state's performance in~~
17 ~~furthering the goals of the state ten-year homeless housing strategic~~
18 ~~plan and the performance of each participating local government in~~
19 ~~creating and executing a local homeless housing plan which meets the~~
20 ~~requirements of this chapter. The annual report may include~~
21 ~~performance measures such as:~~

22 ~~(a) The reduction in the number of homeless individuals and~~
23 ~~families from the initial count of homeless persons;~~

24 ~~(b) The reduction in the number of unaccompanied homeless youth.~~
25 ~~"Unaccompanied homeless youth" has the same meaning as in RCW~~
26 ~~43.330.702;~~

27 ~~(c) The number of new units available and affordable for homeless~~
28 ~~families by housing type;~~

29 ~~(d) The number of homeless individuals identified who are not~~
30 ~~offered suitable housing within thirty days of their request or~~
31 ~~identification as homeless;~~

32 ~~(e) The number of households at risk of losing housing who~~
33 ~~maintain it due to a preventive intervention;~~

34 ~~(f) The transition time from homelessness to permanent housing;~~

35 ~~(g) The cost per person housed at each level of the housing~~
36 ~~continuum;~~

37 ~~(h) The ability to successfully collect data and report~~
38 ~~performance;~~

1 ~~(i) The extent of collaboration and coordination among public~~
2 ~~bodies, as well as community stakeholders, and the level of community~~
3 ~~support and participation;~~

4 ~~(j) The quality and safety of housing provided; and~~

5 ~~(k) The effectiveness of outreach to homeless persons, and their~~
6 ~~satisfaction with the program.~~

7 ~~(4))~~ (5) Based on the performance of local homeless housing
8 programs in meeting their ((interim)) goals, on general population
9 changes and on changes in the homeless population recorded in the
10 annual census, the department may ((~~revise the performance measures~~
11 ~~and goals of the state homeless housing strategic plan, set goals for~~
12 ~~years following the initial ten-year period, and recommend~~)) require
13 changes in local governments' plans to be eligible for state funding
14 appropriated to the department for homeless programs.

15 **Sec. 404.** RCW 43.185C.070 and 2005 c 484 s 11 are each amended
16 to read as follows:

17 (1) During each calendar year in which moneys from the ((~~homeless~~
18 ~~housing~~)) home security fund account are available for use by the
19 department for the homeless housing grant program, the department
20 shall announce to all Washington counties, participating cities, and
21 through major media throughout the state, a grant application period
22 of at least ninety days' duration. Grants may only be awarded for
23 programs directly related to addressing the root causes of
24 homelessness, preventing homelessness, and collecting data and
25 information on homeless individuals. This announcement will be made
26 as often as the director deems appropriate for proper utilization of
27 resources. The department shall then promptly grant as many
28 applications as will utilize available funds, less appropriate
29 administrative costs of the department as described in RCW 36.22.179.

30 (2) The department will develop, with advice and input from the
31 affordable housing advisory board established in RCW 43.185B.020,
32 criteria to evaluate grant applications.

33 (3) The department may approve applications only if they are
34 consistent with the local and state homeless housing program
35 strategic plans. The department may give preference to applications
36 based on some or all of the following criteria:

37 (a) The total homeless population in the applicant local
38 government service area, as reported by the most recent annual
39 Washington homeless census;

1 (b) Current local expenditures to provide housing for the
2 homeless and to address the underlying causes of homelessness as
3 described in RCW 43.185C.005;

4 (c) Local government and private contributions pledged to the
5 program in the form of matching funds, property, infrastructure
6 improvements, and other contributions; and the degree of leveraging
7 of other funds from local government or private sources for the
8 program for which funds are being requested, to include recipient
9 contributions to total project costs, including allied contributions
10 from other sources such as professional, craft and trade services,
11 and lender interest rate subsidies;

12 (d) Construction projects or rehabilitation that will serve
13 homeless individuals or families for a period of at least twenty-five
14 years;

15 (e) Projects which demonstrate serving homeless populations with
16 the greatest needs, including projects that serve special needs
17 populations;

18 (f) The degree to which the applicant project represents a
19 collaboration between local governments, nonprofit community-based
20 organizations, local and state agencies, and the private sector,
21 especially through its integration with the coordinated and
22 comprehensive plan for homeless families with children required under
23 RCW 43.63A.650;

24 (g) The cooperation of the local government in the annual
25 Washington homeless census project;

26 (h) The commitment of the local government and any subcontracting
27 local governments, nonprofit organizations, and for-profit entities
28 to employ a diverse workforce;

29 (i) The extent, if any, that the local homeless population is
30 disproportionate to the revenues collected under this chapter and RCW
31 36.22.178 and 36.22.179; and

32 (j) Other elements shown by the applicant to be directly related
33 to the goal and the department's state strategic plan.

34 **Sec. 405.** RCW 43.185C.160 and 2005 c 485 s 1 are each amended to
35 read as follows:

36 (1) Each county shall create a homeless housing task force to
37 develop a ~~((ten-year))~~ five-year homeless housing plan addressing
38 short-term and long-term housing for homeless persons. The plan is
39 due to the department on December 1, 2018, and must be updated every

1 five years thereafter. The plan must include a local homelessness
2 reduction goal for the county and an implementation plan to achieve
3 the goal over the five-year plan period. The plan must also have a
4 specific and more aggressive goal and implementation plan to reduce
5 youth homelessness in the county that is consistent with state
6 reduction strategies developed by the office of homeless youth
7 prevention and protection programs.

8 Membership on the task force may include representatives of the
9 counties, cities, towns, housing authorities, civic and faith
10 organizations, schools, community networks, human services providers,
11 law enforcement personnel, criminal justice personnel, including
12 prosecutors, probation officers, and jail administrators, substance
13 abuse treatment providers, mental health care providers, emergency
14 health care providers, businesses, at large representatives of the
15 community, and a homeless or formerly homeless individual.

16 In lieu of creating a new task force, a local government may
17 designate an existing governmental or nonprofit body which
18 substantially conforms to this section and which includes at least
19 one homeless or formerly homeless individual to serve as its homeless
20 representative. As an alternative to a separate plan, two or more
21 local governments may work in concert to develop and execute a joint
22 homeless housing plan, or to contract with another entity to do so
23 according to the requirements of this chapter. While a local
24 government has the authority to subcontract with other entities, the
25 local government continues to maintain the ultimate responsibility
26 for the homeless housing program within its borders.

27 A county may decline to participate in the program authorized in
28 this chapter by forwarding to the department a resolution adopted by
29 the county legislative authority stating the intention not to
30 participate. A copy of the resolution shall also be transmitted to
31 the county auditor and treasurer. If a county declines to
32 participate, the department shall create and execute a local homeless
33 housing plan for the county meeting the requirements of this chapter.

34 (2) In addition to developing a (~~ten-year~~) five-year homeless
35 housing plan, each task force shall establish guidelines consistent
36 with the statewide homeless housing strategic plan, as needed, for
37 the following:

- 38 (a) Emergency shelters;
- 39 (b) Short-term housing needs;
- 40 (c) Temporary encampments;

1 (d) Supportive housing for chronically homeless persons; and

2 (e) Long-term housing.

3 Guidelines must include, when appropriate, standards for health
4 and safety and notifying the public of proposed facilities to house
5 the homeless.

6 (3) Each county, including counties exempted from creating a new
7 task force under subsection (1) of this section, shall report to the
8 department (~~(of community, trade, and economic development)~~) such
9 information as may be needed to ensure compliance with this chapter,
10 including the annual report required in section 407 of this act.

11 **Sec. 406.** RCW 43.185C.170 and 2006 c 349 s 7 are each amended to
12 read as follows:

13 (1) The interagency council on homelessness, as defined in RCW
14 43.185C.010, shall be convened not later than August 31, 2006, and
15 shall meet at least two times each year and report to the appropriate
16 committees of the legislature annually by December 31st on its
17 activities.

18 (2) The interagency council on homelessness shall work to create
19 greater levels of interagency coordination and to coordinate state
20 agency efforts with the efforts of state and local entities
21 addressing homelessness.

22 (3) The interagency council on homelessness must respond to all
23 state and local legislative and policy recommendations included in
24 the state and local ending homeless plans. The interagency council
25 must annually present its strategy for addressing the issue raised to
26 the appropriate committees of the legislature and must also include a
27 report on the actions taken to date that address these issues.

28 (4) The interagency council shall seek to:

29 (a) Align homeless-related housing and supportive service
30 policies among state agencies;

31 (b) Identify ways in which providing housing with appropriate
32 services can contribute to cost savings for state agencies;

33 (c) Identify policies and actions that may contribute to
34 homelessness or interfere with its reduction;

35 (d) Review and improve strategies for discharge from state
36 institutions that contribute to homelessness;

37 (e) Recommend policies to either improve practices or align
38 resources, or both, including those policies requested by the

1 affordable housing advisory board or through state and local housing
2 plans; and

3 (f) Ensure that the housing status of people served by state
4 programs is collected in consistent formats available for analysis.

5 NEW SECTION. **Sec. 407.** A new section is added to chapter
6 43.185C RCW to read as follows:

7 (1) By February 1st of each year, the department must provide an
8 update on the state's homeless housing strategic plan and its
9 activities for the prior fiscal year. The report must include, but
10 not be limited to, the following information:

11 (a) An assessment of the current condition of homelessness in
12 Washington state and the state's performance in meeting the goals in
13 the state homeless housing strategic plan;

14 (b) A report on the results of the annual homeless point-in-time
15 census conducted statewide under RCW 43.185C.030;

16 (c) The amount of federal, state, local, and private funds spent
17 on homelessness assistance, categorized by funding source and the
18 following major assistance types:

19 (i) Emergency shelter;

20 (ii) Homelessness prevention and rapid rehousing;

21 (iii) Permanent housing;

22 (iv) Permanent supportive housing;

23 (v) Transitional housing;

24 (vi) Services only; and

25 (vii) Any other activity in which more than five hundred thousand
26 dollars of category funds were expended;

27 (d) A report on the expenditures, performance, and outcomes of
28 state funds distributed through the consolidated homeless grant
29 program, including the grant recipient, award amount expended, use of
30 the funds, counties served, and households served;

31 (e) A report on state and local homelessness document recording
32 fee expenditure by county, including the total amount of fee
33 spending, percentage of total spending from fees, number of people
34 served by major assistance type, and amount of expenditures for
35 private rental payments required in RCW 36.22.179;

36 (f) A report on the expenditures, performance, and outcomes of
37 the essential needs and housing support program meeting the
38 requirements of RCW 43.185C.220; and

1 (g) A report on the expenditures, performance, and outcomes of
2 the independent youth housing program meeting the requirements of RCW
3 43.63A.311.

4 (2) The report required in subsection (1) of this section must be
5 posted to the department's web site and may include links to updated
6 or revised information contained in the report.

7 (3) By February 1st of each year, any local government receiving
8 state funds for homelessness assistance or state or local
9 homelessness document recording fees under RCW 36.22.178, 36.22.179,
10 or 36.22.1791 must provide an annual report on the current condition
11 of homelessness in its jurisdiction, its performance in meeting the
12 goals in its local homeless housing plan, and any significant changes
13 made to the plan. The annual report must be posted on the
14 department's web site. Along with each local government annual
15 report, the department must produce and post information on the local
16 government's homelessness spending from all sources by project during
17 the prior state fiscal year in a format similar to the department's
18 report under subsection (1)(c) of this section. If a local government
19 fails to report or provides an inadequate or incomplete report, the
20 department must take corrective action, which may include withholding
21 state funding for homelessness assistance to the local government to
22 enable the department to use such funds to contract with other public
23 or nonprofit entities to provide homelessness assistance within the
24 jurisdiction.

25 **Sec. 408.** RCW 36.22.178 and 2011 c 110 s 1 are each amended to
26 read as follows:

27 The surcharge provided for in this section shall be named the
28 affordable housing for all surcharge.

29 (1) Except as provided in subsection (3) of this section, a
30 surcharge of ten dollars per instrument shall be charged by the
31 county auditor for each document recorded, which will be in addition
32 to any other charge authorized by law. (~~The county may retain up to~~
33 ~~five percent of these funds collected solely for the collection,~~
34 ~~administration, and local distribution of these funds. Of the~~
35 ~~remaining funds,)) Forty percent of the revenue generated through
36 this surcharge will be transmitted monthly to the state treasurer who
37 will deposit the funds into the affordable housing for all account
38 created in RCW 43.185C.190. The department of commerce must use these
39 funds to provide housing and shelter for extremely low-income~~

1 households, including but not limited to housing for victims of human
2 trafficking and their families and grants for building operation and
3 maintenance costs of housing projects or units within housing
4 projects that are affordable to extremely low-income households with
5 incomes at or below thirty percent of the area median income, and
6 that require a supplement to rent income to cover ongoing operating
7 expenses.

8 (2) All of the remaining funds generated by this surcharge will
9 be retained by the county and be deposited into a fund that must be
10 used by the county and its cities and towns for eligible housing
11 activities as described in this subsection that serve very low-income
12 households with incomes at or below fifty percent of the area median
13 income. Up to six percent of the funds may be used by the county for
14 the collection and local distribution of these funds and
15 administrative costs related to its homeless housing plan. The
16 portion of the surcharge retained by a county shall be allocated to
17 eligible housing activities that serve extremely low and very low-
18 income households in the county and the cities within a county
19 according to an interlocal agreement between the county and the
20 cities within the county consistent with countywide and local housing
21 needs and policies. A priority must be given to eligible housing
22 activities that serve extremely low-income households with incomes at
23 or below thirty percent of the area median income. Eligible housing
24 activities to be funded by these county funds are limited to:

25 (a) Acquisition, construction, or rehabilitation of housing
26 projects or units within housing projects that are affordable to very
27 low-income households with incomes at or below fifty percent of the
28 area median income, including units for homeownership, rental units,
29 seasonal and permanent farmworker housing units, units reserved for
30 victims of human trafficking and their families, and single room
31 occupancy units;

32 (b) Supporting building operation and maintenance costs of
33 housing projects or units within housing projects eligible to receive
34 housing trust funds, that are affordable to very low-income
35 households with incomes at or below fifty percent of the area median
36 income, and that require a supplement to rent income to cover ongoing
37 operating expenses;

38 (c) Rental assistance vouchers for housing units that are
39 affordable to very low-income households with incomes at or below
40 fifty percent of the area median income, including rental housing

1 vouchers for victims of human trafficking and their families, to be
2 administered by a local public housing authority or other local
3 organization that has an existing rental assistance voucher program,
4 consistent with or similar to the United States department of housing
5 and urban development's section 8 rental assistance voucher program
6 standards; and

7 (d) Operating costs for emergency shelters and licensed overnight
8 youth shelters.

9 (3) The surcharge imposed in this section does not apply to
10 assignments or substitutions of previously recorded deeds of trust.

11 **Sec. 409.** 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))
18 2022, the surcharge shall be forty dollars. The funds collected
19 pursuant to this section are to be distributed and used as follows:

20 (a) The auditor shall (~~retain two percent for collection of the~~
21 ~~fee, and of the remainder shall~~) remit sixty percent to the county
22 to be deposited into a fund that must be used by the county and its
23 cities and towns to accomplish the purposes of chapter 484, Laws of
24 2005, six percent of which may be used by the county for the
25 collection and local distribution of these funds and administrative
26 costs related to its homeless housing plan, and the remainder for
27 programs which directly accomplish the goals of the county's local
28 homeless housing plan, except that for each city in the county which
29 elects as authorized in RCW 43.185C.080 to operate its own local
30 homeless housing program, a percentage of the surcharge assessed
31 under this section equal to the percentage of the city's local
32 portion of the real estate excise tax collected by the county shall
33 be transmitted at least quarterly to the city treasurer, without any
34 deduction for county administrative costs, for use by the city for
35 program costs which directly contribute to the goals of the city's
36 local homeless housing plan; of the funds received by the city, it
37 may use six percent for administrative costs for its homeless housing
38 program.

1 (b) The auditor shall remit the remaining funds to the state
2 treasurer for deposit in the home security fund account. The
3 department may use twelve and one-half percent of this amount for
4 administration of the program established in RCW 43.185C.020,
5 including the costs of creating the statewide homeless housing
6 strategic plan, measuring performance, providing technical assistance
7 to local governments, and managing the homeless housing grant
8 program. Of the remaining eighty-seven and one-half percent, at least
9 forty-five percent must be set aside for the use of private rental
10 housing payments, and the remainder is to be used by the department
11 to:

12 (i) Provide housing and shelter for homeless people including,
13 but not limited to: Grants to operate, repair, and staff shelters;
14 grants to operate transitional housing; partial payments for rental
15 assistance; consolidated emergency assistance; overnight youth
16 shelters; grants and vouchers designated for victims of human
17 trafficking and their families; and emergency shelter assistance; and

18 (ii) Fund the homeless housing grant program.

19 (2) The surcharge imposed in this section does not apply to (a)
20 assignments or substitutions of previously recorded deeds of trust,
21 (b) documents recording a birth, marriage, divorce, or death, (c) any
22 recorded documents otherwise exempted from a recording fee or
23 additional surcharges under state law, (d) marriage licenses issued
24 by the county auditor, ~~((e))~~ (e) documents recording a state,
25 county, or city lien or satisfaction of lien, or (f) documents
26 recording a water-sewer district lien or satisfaction of a lien for
27 delinquent utility payments.

28 **Sec. 410.** RCW 36.22.1791 and 2011 c 110 s 3 are each amended to
29 read as follows:

30 (1) In addition to the surcharges authorized in RCW 36.22.178 and
31 36.22.179, and except as provided in subsection (2) of this section,
32 the county auditor shall charge an additional surcharge of eight
33 dollars for each document recorded, which is in addition to any other
34 charge allowed by law. The funds collected under this section are to
35 be distributed and used as follows:

36 (a) The auditor shall remit ninety percent to the county to be
37 deposited into a fund six percent of which may be used by the county
38 for the collection and local distribution of these funds and
39 administrative costs related to its homeless housing plan, and the

1 remainder for programs that directly accomplish the goals of the
2 county's local homeless housing plan, except that for each city in
3 the county that elects, as authorized in RCW 43.185C.080, to operate
4 its own local homeless housing program, a percentage of the surcharge
5 assessed under this section equal to the percentage of the city's
6 local portion of the real estate excise tax collected by the county
7 must be transmitted at least quarterly to the city treasurer for use
8 by the city for program costs that directly contribute to the goals
9 of the city's local homeless housing plan.

10 (b) The auditor shall remit the remaining funds to the state
11 treasurer for deposit in the home security fund account. The
12 department may use the funds for administering the program
13 established in RCW 43.185C.020, including the costs of creating and
14 updating the statewide homeless housing strategic plan, measuring
15 performance, providing technical assistance to local governments, and
16 managing the homeless housing grant program. Remaining funds may also
17 be used to:

18 (i) Provide housing and shelter for homeless people including,
19 but not limited to: Grants to operate, repair, and staff shelters;
20 grants to operate transitional housing; partial payments for rental
21 assistance; consolidated emergency assistance; overnight youth
22 shelters; grants and vouchers designated for victims of human
23 trafficking and their families; and emergency shelter assistance; and

24 (ii) Fund the homeless housing grant program.

25 (2) The surcharge imposed in this section does not apply to
26 assignments or substitutions of previously recorded deeds of trust.

27 **Sec. 411.** RCW 43.185C.240 and 2015 c 69 s 26 are each amended to
28 read as follows:

29 (1) As a means of efficiently and cost-effectively providing
30 housing assistance to very-low income and homeless households:

31 (a) Any local government that has the authority to issue housing
32 vouchers, directly or through a contractor, using document recording
33 surcharge funds collected pursuant to RCW 36.22.178, 36.22.179, or
34 36.22.1791 must:

35 (i)(A) Maintain an interested landlord list, which at a minimum,
36 includes information on rental properties in buildings with fewer
37 than fifty units;

38 (B) Update the list at least once per quarter;

1 (C) Distribute the list to agencies providing services to
2 individuals and households receiving housing vouchers;

3 (D) Ensure that a copy of the list or information for accessing
4 the list online is provided with voucher paperwork; and

5 (E) Communicate and interact with landlord and tenant
6 associations located within its jurisdiction to facilitate
7 development, maintenance, and distribution of the list to private
8 rental housing landlords. The department must make reasonable efforts
9 to ensure that local providers conduct outreach to private rental
10 housing landlords each calendar quarter regarding opportunities to
11 provide rental housing to the homeless and the availability of funds;

12 (ii) Using cost-effective methods of communication, convene, on a
13 semiannual or more frequent basis, landlords represented on the
14 interested landlord list and agencies providing services to
15 individuals and households receiving housing vouchers to identify
16 successes, barriers, and process improvements. The local government
17 is not required to reimburse any participants for expenses related to
18 attendance;

19 (iii) Produce data, limited to document recording fee uses and
20 expenditures, on a ~~((calendar))~~ fiscal year basis in consultation
21 with landlords represented on the interested landlord list and
22 agencies providing services to individuals and households receiving
23 housing vouchers, that include the following: Total amount expended
24 from document recording fees; amount expended on, number of
25 households that received, and number of housing vouchers issued in
26 each of the private, public, and nonprofit markets; amount expended
27 on, number of households that received, and number of housing
28 placement payments provided in each of the private, public, and
29 nonprofit markets; amount expended on and number of eviction
30 prevention services provided in the private market; amount expended
31 on and number of other tenant-based rent assistance services provided
32 in the private market; and amount expended on and number of services
33 provided to unaccompanied homeless youth. If these data elements are
34 not readily available, the reporting government may request the
35 department to use the sampling methodology established pursuant to
36 (c)(iii) of this subsection to obtain the data; and

37 (iv) Annually submit the ~~((calendar))~~ fiscal year data to the
38 department ~~((by October 1st, with preliminary data submitted by
39 October 1, 2012, and full calendar year data submitted beginning
40 October 1, 2013))~~.

1 (b) Any local governments in the five most populous counties as
2 determined by the department receiving (~~more than three million five~~
3 ~~hundred thousand dollars~~) any funds during the previous (~~calendar~~)
4 fiscal year from document recording surcharge funds collected
5 pursuant to RCW 36.22.178, 36.22.179, and 36.22.1791, must apply to
6 the Washington state quality award program, or similar Baldrige
7 assessment organization, for an independent assessment of its quality
8 management, accountability, and performance system. The first
9 assessment may be a lite assessment. After submitting an application,
10 a local government is required to reapply at least every two years.

11 (c) The department must:

12 (i) Require contractors that provide housing vouchers to
13 distribute the interested landlord list created by the appropriate
14 local government to individuals and households receiving the housing
15 vouchers;

16 (ii) Convene a stakeholder group by March 1, 2017, consisting of
17 landlords, homeless housing advocates, real estate industry
18 representatives, cities, counties, and the department to meet to
19 discuss long-term funding strategies for homeless housing programs
20 that do not include a surcharge on document recording fees. The
21 stakeholder group must provide a report of its findings to the
22 legislature by December 1, 2017;

23 (iii) Develop a sampling methodology to obtain data required
24 under this section when a local government or contractor does not
25 have such information readily available. The process for developing
26 the sampling methodology must include providing notification to and
27 the opportunity for public comment by local governments issuing
28 housing vouchers, landlord association representatives, and agencies
29 providing services to individuals and households receiving housing
30 vouchers;

31 (iv) Develop a report, limited to document recording fee uses and
32 expenditures, on a (~~calendar~~) fiscal year basis that may include
33 consultation with local governments, landlord association
34 representatives, and agencies providing services to individuals and
35 households receiving housing vouchers, that includes the following:
36 Total amount expended from document recording fees; amount expended
37 on, number of households that received, and number of housing
38 vouchers issued in each of the private, public, and nonprofit
39 markets; amount expended on, number of households that received, and
40 number of housing placement payments provided in each of the private,

1 public, and nonprofit markets; amount expended on and number of
2 eviction prevention services provided in the private market; the
3 total amount of funds set aside for private rental housing payments
4 as required in RCW 36.22.179(1)(b); and amount expended on and number
5 of other tenant-based rent assistance services provided in the
6 private market. The information in the report must include data
7 submitted by local governments and data on all additional document
8 recording fee activities for which the department contracted that
9 were not otherwise reported. The data, samples, and sampling
10 methodology used to develop the report must be made available upon
11 request and for the audits required in this section;

12 (v) Annually submit the (~~calendar~~) fiscal year report to the
13 legislature by (~~December 15th, with a preliminary report submitted~~
14 ~~by December 15, 2012, and full calendar year reports submitted~~
15 ~~beginning December 15, 2013~~) February 1st of each year; and

16 (vi) Work with the Washington state quality award program, local
17 governments, and any other organizations to ensure the appropriate
18 scheduling of assessments for all local governments meeting the
19 criteria described in subsection (1)(b) of this section.

20 (d) The office of financial management must secure an independent
21 audit of the department's data and expenditures of state funds
22 received under RCW 36.22.179(1)(b) on an annual basis. The
23 independent audit must review a random sample of local governments,
24 contractors, and housing providers that is geographically and
25 demographically diverse. The independent auditor must meet with the
26 department and a landlord representative to review the preliminary
27 audit and provide the department and the landlord representative with
28 the opportunity to include written comments regarding the findings
29 that must be included with the audit. The first audit of the
30 department's data and expenditures will be for calendar year 2014 and
31 is due July 1, 2015. Each audit thereafter will be due July 1st
32 following the department's submission of the report to the
33 legislature. If the independent audit finds that the department has
34 failed to set aside at least forty-five percent of the funds received
35 under RCW 36.22.179(1)(b) after June 12, 2014, for private rental
36 housing payments, the independent auditor must notify the department
37 and the office of financial management of its finding. In addition,
38 the independent auditor must make recommendations to the office of
39 financial management and the legislature on alternative means of

1 distributing the funds to meet the requirements of RCW
2 36.22.179(1)(b).

3 (e) The office of financial management must contract with an
4 independent auditor to conduct a performance audit of the programs
5 funded by document recording surcharge funds collected pursuant to
6 RCW 36.22.178, 36.22.179, and 36.22.1791. The audit must provide
7 findings to determine if the funds are being used effectively,
8 efficiently, and for their intended purpose. The audit must review
9 the department's performance in meeting all statutory requirements
10 related to document recording surcharge funds including, but not
11 limited to, the data the department collects, the timeliness and
12 quality of required reports, and whether the data and required
13 reports provide adequate information and accountability for the use
14 of the document recording surcharge funds. The audit must include
15 recommendations for policy and operational improvements to the use of
16 document recording surcharges by counties and the department. The
17 performance audit must be submitted to the legislature by December 1,
18 2016.

19 (2) For purposes of this section:

20 (a) "Housing placement payments" means one-time payments, such as
21 first and last month's rent and move-in costs, funded by document
22 recording surcharges collected pursuant to RCW 36.22.178, 36.22.179,
23 or 36.22.1791 that are made to secure a unit on behalf of a tenant.

24 (b) "Housing vouchers" means payments, including private rental
25 housing payments, funded by document recording surcharges collected
26 pursuant to RCW 36.22.178, 36.22.179, or 36.22.1791 that are made by
27 a local government or contractor to secure: (i) A rental unit on
28 behalf of an individual tenant; or (ii) a block of units on behalf of
29 multiple tenants.

30 (c) "Interested landlord list" means a list of landlords who have
31 indicated to a local government or contractor interest in renting to
32 individuals or households receiving a housing voucher funded by
33 document recording surcharges.

34 (d) "Private rental housing" means housing owned by a private
35 landlord and does not include housing owned by a nonprofit housing
36 entity or government entity.

37 (3) This section expires June 30, 2019.

38

PART V

1 NEW SECTION. **Sec. 501.** The sum of fifty thousand dollars, or as
2 much thereof as may be necessary, is appropriated for the fiscal year
3 ending June 30, 2018, from the general fund to the department of
4 commerce to be distributed to five housing authorities, using a
5 selection method and distribution formula to be determined by the
6 department, to implement a quality management system and prepare and
7 submit an application to the Washington quality awards program by
8 December 31, 2019.

9 NEW SECTION. **Sec. 502.** The sum of fifty thousand dollars, or as
10 much thereof as may be necessary, is appropriated for the fiscal year
11 ending June 30, 2018, from the general fund to the department of
12 commerce to be distributed to five community action agencies, using a
13 selection method and distribution formula to be determined by the
14 department, to implement a quality management system and prepare and
15 submit an application to the Washington quality awards program by
16 December 31, 2019.

17 NEW SECTION. **Sec. 503.** The sum of two hundred thousand dollars,
18 or as much thereof may be necessary, is appropriated for the fiscal
19 biennium ending June 30, 2019, and every two years thereafter, from
20 the performance audits of government account to the state auditor's
21 office for the purpose of an audit to determine the effectiveness and
22 efficiency of state homeless programs.

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