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**SENATE BILL 6364**

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**State of Washington**

**65th Legislature**

**2018 Regular Session**

**By Senator Miloscia**

1 AN ACT Relating to ending homelessness; amending RCW 74.15.030,  
2 74.15.030, 43.330.700, 43.330.705, 43.330.706, 43.330.710,  
3 43.185C.180, 43.185C.030, 43.185C.040, 43.185C.070, 43.185C.160,  
4 43.185C.170, 36.22.178, 36.22.179, 36.22.1791, and 43.185C.240;  
5 adding a new section to chapter 13.32A RCW; adding new sections to  
6 chapter 43.185C RCW; creating new sections; making appropriations;  
7 providing an effective date; and providing an expiration date.

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

9 **PART I**

10 NEW SECTION. **Sec. 101.** The legislature finds and declares that  
11 homelessness is a crisis in Washington state. Of particular concern  
12 is the alarming number of runaway and unaccompanied homeless  
13 children. To address the concern, the legislature finds and declares  
14 that there must be no runaway and unaccompanied homeless children in  
15 our state by July 1, 2019. To achieve this goal and address this  
16 crisis, a runaway and unaccompanied homeless child is to be  
17 considered neglected and every effort must be made to reunify the  
18 child with his or her family or guardian. If family reunification is  
19 not possible, the child must be screened in for services by the  
20 department of social and health services. Additionally, to ensure

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 **Sec. 103.** RCW 74.15.030 and 2017 3rd sp.s. c 6 s 409 are each  
34 amended to read as follows:

35 The secretary shall have the power and it shall be the  
36 secretary's duty:

37 (1) In consultation with the children's services advisory  
38 committee, and with the advice and assistance of persons  
39 representative of the various type agencies to be licensed, to

1 designate categories of facilities for which separate or different  
2 requirements shall be developed as may be appropriate whether because  
3 of variations in the ages, sex and other characteristics of persons  
4 served, variations in the purposes and services offered or size or  
5 structure of the agencies to be licensed hereunder, or because of any  
6 other factor relevant thereto;

7 (2) 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 adopt  
10 and publish minimum requirements for licensing applicable to each of  
11 the various categories of agencies to be licensed.

12 The minimum requirements shall be limited to:

13 (a) The size and suitability of a facility and the plan of  
14 operation for carrying out the purpose for which an applicant seeks a  
15 license;

16 (b) Obtaining background information and any out-of-state  
17 equivalent, to determine whether the applicant or service provider is  
18 disqualified and to determine the character, competence, and  
19 suitability of an agency, the agency's employees, volunteers, and  
20 other persons associated with an agency;

21 (c) Conducting background checks for those who will or may have  
22 unsupervised access to children or expectant mothers; however, a  
23 background check is not required if a caregiver approves an activity  
24 pursuant to the prudent parent standard contained in RCW 74.13.710;

25 (d) Obtaining child protective services information or records  
26 maintained in the department case management information system. No  
27 unfounded allegation of child abuse or neglect as defined in RCW  
28 26.44.020 may be disclosed to a child-placing agency, private  
29 adoption agency, or any other provider licensed under this chapter;

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

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

35 (ii) Foster care and adoption placements; and

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

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

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

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

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

10 (j) The safety, cleanliness, and general adequacy of the premises  
11 to provide for the comfort, care and well-being of children or  
12 expectant mothers;

13 (k) The provision of necessary care, including food, clothing,  
14 supervision and discipline; physical, mental and social well-being;  
15 and educational, recreational and spiritual opportunities for those  
16 served;

17 (l) The financial ability of an agency to comply with minimum  
18 requirements established pursuant to this chapter and RCW 74.13.031;  
19 and

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

22 (3) To investigate any person, including relatives by blood or  
23 marriage except for parents, for character, suitability, and  
24 competence in the care and treatment of children or expectant mothers  
25 prior to authorizing that person to care for children or expectant  
26 mothers. However, if a child is placed with a relative under RCW  
27 13.34.065 or 13.34.130, and if such relative appears otherwise  
28 suitable and competent to provide care and treatment the criminal  
29 history background check required by this section need not be  
30 completed before placement, but shall be completed as soon as  
31 possible after placement;

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

37 (5) To issue, revoke, or deny licenses to agencies pursuant to  
38 this chapter and RCW 74.13.031. Licenses shall specify the category  
39 of care which an agency is authorized to render and the ages, sex and  
40 number of persons to be served;

1 (6) To prescribe the procedures and the form and contents of  
2 reports necessary for the administration of this chapter and RCW  
3 74.13.031 and to require regular reports from each licensee;

4 (7) To inspect agencies periodically to determine whether or not  
5 there is compliance with this chapter and RCW 74.13.031 and the  
6 requirements adopted hereunder, including biennial inspections of  
7 facilities licensed under this chapter that provide shelter to  
8 unaccompanied homeless youth as defined in RCW 43.330.702, with the  
9 results of the biennial inspections provided to the office of  
10 homeless youth prevention and protection programs and the  
11 legislature;

12 (8) To review requirements adopted hereunder at least every two  
13 years and to adopt appropriate changes after consultation with  
14 affected groups for child day-care requirements and with the  
15 children's services advisory committee for requirements for other  
16 agencies; and

17 (9) To consult with public and private agencies in order to help  
18 them improve their methods and facilities for the care of children or  
19 expectant mothers.

20 NEW SECTION. Sec. 104. A new section is added to chapter 13.32A  
21 RCW to read as follows:

22 Subject to the availability of amounts appropriated for this  
23 specific purpose, the department must develop a process to locate  
24 unaccompanied homeless children, as defined in RCW 43.330.702, with  
25 the primary goal of returning the child to his or her parent(s) or  
26 legal guardian(s). This process must include locating dependent  
27 children, as defined in RCW 13.34.030, missing from care. When a  
28 report of a runaway or an unaccompanied homeless child is made to the  
29 department pursuant to RCW 26.44.030, the department must locate the  
30 child as provided for in this section. The department must, at a  
31 minimum:

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

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

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

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

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

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

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

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

14 (9) Make such data available to the legislature on a monthly  
15 basis.

16 **PART II**

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

19 (1) The legislature finds that every night thousands of homeless  
20 youth in Washington go to sleep without the safety, stability, and  
21 support of a family or a home. This population is exposed to an  
22 increased level of violence, human trafficking, and exploitation  
23 resulting in a higher incidence of substance abuse, illness, and  
24 death. The prevention and reduction of youth and young adult  
25 homelessness and protection of homeless youth is of key concern to  
26 the state. Nothing in chapter 69, Laws of 2015 is meant to diminish  
27 the work accomplished by the implementation of Becca legislation but  
28 rather, the intent of the legislature is to further enhance the  
29 state's efforts in working with unaccompanied homeless youth and  
30 runaways to encourage family reconciliation or permanent housing and  
31 support through dependency when family reconciliation is not a viable  
32 alternative.

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



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

5 (4) The coordination of statewide programs to combat youth and  
6 young adult homelessness should include programs addressing both  
7 youth and young adults. However, the legislature acknowledges that  
8 current law and best practices mandate that youth programs and young  
9 adult programs be segregated in their implementation. The legislature  
10 further finds that the differing needs of these populations should be  
11 considered when assessing which programs are relevant and  
12 appropriate.

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

16 (a) Stable housing: It is the goal of the legislature to provide  
17 a safe and healthy place for homeless youth to sleep each night until  
18 permanency can be reached. Every homeless young adult in our state  
19 deserves access to housing that gives them a safe, healthy, and  
20 supported launching pad to adulthood. Every family in crisis should  
21 have appropriate support as they work to keep their children housed  
22 and safe. It is the goal of the legislature that by July 1, 2019,  
23 every homeless youth discharged from a public system of care in our  
24 state (~~(will)~~) must not be discharged into homelessness.

25 (b) Family reconciliation: All homeless youth should have access  
26 to services that support reunification with immediate family. When  
27 reunification is not possible for homeless youth, youth should be  
28 placed in the custody of the department of social and health  
29 services.

30 ~~(c) ((Permanent connections: Every homeless young adult should  
31 have opportunities to establish positive, healthy relationships with  
32 adults, including family members, employers, landlords, teachers, and  
33 community members, with whom they can maintain connections and from  
34 whom they can receive ongoing, long-term support to help them develop  
35 the skills and experiences necessary to achieve a successful  
36 transition to adulthood.~~

37 ~~(d) Education and employment: Every homeless young adult in our  
38 state deserves the opportunity and support they need to complete  
39 their high school education and pursue additional education and  
40 training. It is the goal of the legislature that every homeless young~~

1 ~~adult in our state will have the opportunity to engage in employment~~  
2 ~~training and be able to access employment. With both education and~~  
3 ~~employment support and opportunities, young adults will have the~~  
4 ~~skills they need to become self-sufficient, self-reliant, and~~  
5 ~~independent.~~

6 (e)) Social and emotional well-being: Every homeless youth and  
7 young adult in our state should have access to both behavioral health  
8 care and physical health care. Every state-funded program for  
9 homeless youth and young adults must endeavor to identify, encourage,  
10 and nurture each youth's strengths and abilities and demonstrate a  
11 commitment to youth-centered programming.

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

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

16 (2) Activities of the office of homeless youth prevention and  
17 protection programs must be carried out by a director of the office  
18 of homeless youth prevention and protection programs, supervised by  
19 the director of the department or his or her designee.

20 (3) The office of homeless youth prevention and protection  
21 programs is responsible for leading efforts under this subchapter to  
22 coordinate a spectrum of ongoing and future funding, policy, and  
23 practice efforts related to homeless youth and improving the safety,  
24 health, and welfare of homeless youth in this state.

25 (4) The measurable goals of the office of homeless youth  
26 prevention and protection programs are to: (a) Measurably decrease  
27 the number of homeless youth and young adults by identifying programs  
28 that address the initial causes of homelessness, and (b) measurably  
29 increase permanency rates among homeless youth by decreasing the  
30 length and occurrences of youth homelessness caused by a youth's  
31 separation from family or a legal guardian. By December 1, 2018, and  
32 monthly thereafter, the office of homeless youth prevention and  
33 protection programs shall report to the legislature the status of  
34 these goals.

35 (5) The office of homeless youth prevention and protection  
36 programs shall (a) gather data and outcome measures, (b) initiate  
37 data-sharing agreements, (c) develop specific recommendations and  
38 timelines to address funding, policy, and practice gaps within the  
39 state system for addressing the (~~five priority service areas~~) three

1 key components identified in RCW 43.330.700, (d) make reports, (e)  
2 increase system integration and coordinate efforts to prevent state  
3 systems from discharging youth and young adults into homelessness,  
4 (f) develop measures to include by county and statewide the number of  
5 homeless youth, dependency status, family reunification status,  
6 housing status, program participation, and runaway status, (~~and~~)  
7 (g) develop a comprehensive plan to encourage identification of youth  
8 experiencing homelessness, promote family stability, and eliminate  
9 youth and young adult homelessness, and (h) by July 1, 2019, ensure  
10 that all services for minors are provided in a location separate from  
11 adults, including young adults.

12 (6)(a) The office of homeless youth prevention and protection  
13 programs shall regularly consult with an advisory committee,  
14 comprised of (~~advocates, at least two legislators, at least two~~  
15 ~~parent advocates, at least one representative from law enforcement,~~  
16 ~~service providers, and other stakeholders knowledgeable in the~~  
17 ~~provision of services to homeless youth and young adults, including~~  
18 ~~the prevention of youth and young adult homelessness, the dependency~~  
19 ~~system, and family reunification)) four legislators and eight  
20 additional members as appointed by the legislature, for a total of  
21 twelve members. The advisory committee shall provide guidance and  
22 recommendations to the office of homeless youth prevention and  
23 protection programs and to the legislature regarding funding, policy,  
24 and practice gaps within and among state programs.~~

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

26 (c) The members of the advisory committee must be appointed by  
27 the (~~governor, except for the legislators who must be appointed by~~)  
28 legislature. The speaker of the house of representatives and the  
29 president of the senate must each appoint one legislator from each  
30 caucus to the advisory committee. Each caucus of each chamber of the  
31 legislature must appoint two additional advisory committee members.

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

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

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

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

6       (2) By December 1, 2016, and annually thereafter, and in  
7 compliance with RCW 43.01.036, the office of homeless youth  
8 prevention and protection programs must submit a report to the  
9 governor and the legislature to inform recommendations for funding,  
10 policy, and best practices in the ~~((five priority service areas))~~  
11 three key components identified in RCW 43.330.700 and present  
12 recommendations to address funding, policy, and practice gaps in the  
13 state system.

14       (3) Recommendations must include, but are not limited to:  
15 Strategies to enhance coordination between providers of youth  
16 homelessness programs and the child welfare system, and strategies  
17 for communities to identify homeless youth and ensure their  
18 protection and referral to appropriate services, including family  
19 reconciliation and transition to dependent status for minors.

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

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

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

27       (ii) The grants must fund ~~((services in the five priority service  
28 areas identified in RCW 43.330.700))~~ housing, family reconciliation,  
29 or street youth services. Effective August 1, 2018, all grant  
30 recipients must demonstrate that the services provided either reduces  
31 unaccompanied youth homelessness or increases family reunification,  
32 or both. Effective August 1, 2018, all grants made by the office must  
33 require outcome measures that demonstrate that the services provided  
34 either reduces unaccompanied youth homelessness or increases family  
35 reunification, or both. After August 1, 2018, a grant recipient that  
36 is unable to demonstrate that the services provided either reduces  
37 unaccompanied youth homelessness or increases family reunification,  
38 or both, is not eligible to receive a grant through the office.

1        (iii) For grants that fund street youth services, on a monthly  
2 basis, grant recipients must report the following information to the  
3 office of homeless youth prevention and protection programs: The  
4 number of youth that received services and whether their identity was  
5 confirmed; how many youth received a referral to a crisis residential  
6 shelter, HOPE center, or other shelter; how many youth were reunited  
7 with their families or referred to the department of social and  
8 health services for services, including reports of child abuse or  
9 neglect; and other data that documents a successful outcome as  
10 defined by the grant recipient. The reported data must be included in  
11 the office of homeless youth prevention and protection program's  
12 annual report to the governor and appropriate committees of the  
13 legislature.

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

18        (2) The office of homeless youth prevention and protection  
19 programs shall provide management (~~and~~), oversight guidance, and  
20 direction, including recommendations for increasing capacity,  
21 funding, and expanding locations across the state by county, to the  
22 following programs:

23        (a) HOPE centers as described in RCW 43.185C.315;

24        (b) Crisis residential centers as described in RCW 43.185C.295;

25        (c) Street youth services; and

26        (d) Independent youth housing programs as described in RCW  
27 43.63A.305.

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

30        (1) In order to improve services for the homeless, the  
31 department, within amounts appropriated by the legislature for this  
32 specific purpose, shall implement the Washington homeless client  
33 management information system for the ongoing collection and updates  
34 of information about all homeless individuals in the state.

35        (2) Information about homeless individuals for the Washington  
36 homeless client management information system shall come from the  
37 Washington homeless census and from state agencies and community  
38 organizations providing services to homeless individuals and  
39 families.

1           (a)    (~~Personally identifying information about homeless~~  
2 ~~individuals for the Washington homeless client management information~~  
3 ~~system may only be collected after having obtained informed,~~  
4 ~~reasonably time limited (i) written consent from the homeless~~  
5 ~~individual to whom the information relates, or (ii) telephonic~~  
6 ~~consent from the homeless individual, provided that written consent~~  
7 ~~is obtained at the first time the individual is physically present at~~  
8 ~~an organization with access to the Washington homeless client~~  
9 ~~management information system. Safeguards consistent with federal~~  
10 ~~requirements on data collection must be in place to protect homeless~~  
11 ~~individuals' rights regarding their personally identifying~~  
12 ~~information.~~

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

17           (i) ~~Information about the expected duration of their~~  
18 ~~participation in the Washington homeless client management~~  
19 ~~information system;~~

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

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

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

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

30           (e)) Any person, including a minor, seeking services from a  
31 service provider that utilizes the Washington homeless client  
32 management information system must provide his or her personally  
33 identifying information to the service provider. For a service  
34 provider that receives public funds including, but not limited to,  
35 federal, state, and local funding, a person seeking services must  
36 provide his or her personally identifying information to receive any  
37 services from the service provider. The department must develop a  
38 system to share such information with the department of social and  
39 health services and local law enforcement.

1       (b) The department must adopt policies governing the appropriate  
2 process for destroying Washington homeless client management  
3 information system paper documents containing personally identifying  
4 information when the paper documents are no longer needed. The  
5 policies must not conflict with any federal data requirements.

6       (3) The Washington homeless client management information system  
7 shall serve as an online information and referral system to enable  
8 local governments and providers to connect homeless persons in the  
9 database with available housing and other support services. Local  
10 governments shall develop a capacity for continuous case management,  
11 including independent living plans, when appropriate, to assist  
12 homeless persons.

13       (4) The information in the Washington homeless client management  
14 information system will also provide the department with the  
15 information to consolidate and analyze data about the extent and  
16 nature of homelessness in Washington state, giving emphasis to  
17 information about the extent and nature of homelessness in Washington  
18 state among families with children.

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

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

22       (b) Provide for consultation and collaboration with all relevant  
23 state agencies including the department of social and health  
24 services, experts, and community organizations involved in the  
25 delivery of services to homeless persons; and

26       (c) Include related information held or gathered by other state  
27 agencies.

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

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

35       (8) By December 1, 2019, the department must develop and update  
36 daily a web-based system for the Washington homeless client  
37 management information system.

38                               **PART III**

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

6        NEW SECTION.        **Sec. 302.**        A new section is added to chapter  
7 43.185C RCW to read as follows:

8        Any public and privately owned homeless shelter housing homeless  
9 individuals must provide a daily report on the number of beds  
10 available that must be inputted into a central information system to  
11 be created by the department and that may be used by law enforcement  
12 officials and local governments searching for homeless shelter space  
13 or homeless encampments. The department must maintain the central  
14 information system and provide annual reports beginning December 1,  
15 2018, and annually thereafter, to the legislature providing  
16 recommendations for improvement to the central information system.

17        NEW SECTION.        **Sec. 303.**        A new section is added to chapter  
18 43.185C RCW to read as follows:

19        (1) The state of Washington hereby fully occupies and preempts  
20 the entire field of homeless encampment guidelines and regulations,  
21 within the boundaries of the state, from setting guidelines for  
22 homeless encampments below new state standards of health and safety  
23 set by the department for authorized homeless encampments. Any city,  
24 town, county, park district, or other local jurisdiction may enact  
25 only those laws and ordinances relating to homeless encampments that  
26 are specifically authorized by state law and are consistent with this  
27 section. Such local ordinances must have the same penalty as provided  
28 for by state law. Local laws and ordinances that are inconsistent  
29 with, more restrictive than, or exceed the requirements of state law  
30 must not be enacted and are preempted and repealed, regardless of the  
31 nature of the code, charter, or home rule status of such city, town,  
32 county, park district, or local jurisdiction.

33        (2) An encampment of any kind, not specially authorized by the  
34 department, is prohibited. Before authorizing an encampment, the  
35 department must provide neighborhood notification and local public  
36 hearings must be completed in conjunction with at least one  
37 representative from a local neighborhood group, the local city  
38 council, and the local county council. Encampments in public parks



1 and other critical areas may be allowed only after a countywide  
2 public vote.

3 (3) By January 1, 2019, the ten largest cities in the state, as  
4 determined by the department, must identify on a map all unauthorized  
5 campsites in that jurisdiction. That map must be posted on that  
6 jurisdiction's web site and the department's web site, to be updated  
7 daily.

8 (4) By July 1, 2019, the largest cities in each of the state's  
9 two most populous counties must authorize as many encampment spaces  
10 as necessary to house all of that city's homeless population and  
11 enforce unauthorized camping statutes.

12 (5) By January 1, 2020, all unauthorized encampments must be  
13 closed down or that jurisdiction must not receive any state funding  
14 for homeless programs.

15 (6) By July 1, 2020, all cities in the state's most populous  
16 county must authorize as many encampment spaces as necessary to house  
17 all of the city's homeless population.

18 (7) By July 1, 2021, the largest city in the state's third most  
19 populous county must authorize as many encampment spaces as necessary  
20 to house all of that city's homeless population.

21 (8) By July 1, 2022, any local government that duly enacts laws  
22 or ordinances permitting homeless encampments must authorize as many  
23 encampment spaces as necessary to house all of that local  
24 government's homeless population.

25 (9) All available encampment spaces must be listed on that local  
26 government's web site and be reported daily to the department. A  
27 local government that fails to provide adequate homeless encampment  
28 spaces must not receive any state funding for homeless programs.

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

32 (a) The number of unauthorized encampments;

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

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

37 (d) The number of deaths in both authorized and unauthorized  
38 encampments.

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

4 **PART IV**

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

12 During the past decade, the state has experienced an overall  
13 decline in homelessness with some counties meeting or exceeding its  
14 reduction goal. However, some counties have not only failed to  
15 achieve reductions, but have experienced an increase in the number of  
16 homeless families and individuals. Additionally, the number of  
17 unsheltered and chronic homeless has increased in areas of the state  
18 despite significant federal, state, and local financial resources  
19 that have been invested in homelessness assistance. The dichotomy  
20 between the resources expended and the results achieved warrants a  
21 more frequent review of state and local homelessness strategies and  
22 more transparent reporting of expenditures, performance, and outcomes  
23 at the local level. Therefore, the legislature intends to review  
24 state and local homelessness prevention, assistance, and housing  
25 efforts on a more frequent basis to improve the development of cost-  
26 effective programs and identification of best practices to expand  
27 housing security across the state.

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

30 (1) The department shall annually conduct a Washington homeless  
31 census or count consistent with the requirements of RCW 43.185C.180.  
32 The census shall make every effort to count all homeless individuals  
33 living outdoors, in shelters, and in transitional housing,  
34 coordinated, when reasonably feasible, with already existing homeless  
35 census projects including those funded in part by the United States  
36 department of housing and urban development under the McKinney-Vento  
37 homeless assistance program. The department shall determine, in

1 consultation with local governments, the data to be collected. Data  
2 on subpopulations and other characteristics of the homeless must, at  
3 a minimum, be consistent with United States department of housing and  
4 urban development requirements and include the following:

- 5 (a) Chronically homeless individuals;
- 6 (b) Chronically homeless families;
- 7 (c) Unaccompanied homeless youth;
- 8 (d) Male veterans;
- 9 (e) Female veterans;
- 10 (f) Adults with severe mental illness;
- 11 (g) Adults with chronic substance abuse issues;
- 12 (h) Adults with HIV/AIDS;
- 13 (i) Senior citizens;
- 14 (j) Victims of domestic violence; and
- 15 (k) An estimate of the number of homeless individuals that are  
16 not included in the census.

17 (2) All personal information collected in the census is  
18 confidential, and the department and each local government shall take  
19 all necessary steps to protect the identity and confidentiality of  
20 each person counted.

21 (3) The department and each local government are prohibited from  
22 disclosing any personally identifying information about any homeless  
23 individual when there is reason to believe or evidence indicating  
24 that the homeless individual is an adult or minor victim of domestic  
25 violence, dating violence, sexual assault, or stalking or is the  
26 parent or guardian of a child victim of domestic violence, dating  
27 violence, sexual assault, or stalking; or revealing other  
28 confidential information regarding HIV/AIDS status, as found in RCW  
29 70.02.220. The department and each local government shall not ask any  
30 homeless housing provider to disclose personally identifying  
31 information about any homeless individuals when the providers  
32 implementing those programs have reason to believe or evidence  
33 indicating that those clients are adult or minor victims of domestic  
34 violence, dating violence, sexual assault, or stalking or are the  
35 parents or guardians of child victims of domestic violence, dating  
36 violence, sexual assault, or stalking. Summary data for the  
37 provider's facility or program may be substituted.

38 (4) The Washington homeless census shall be conducted annually on  
39 a schedule created by the department. The department shall make  
40 summary data by county available to the public each year. This data,

1 and its analysis, shall be included in the department's annual  
2 updated homeless housing program strategic plan.

3 (5) Based on the annual census and provider information from the  
4 local government plans, the department shall, by the end of year  
5 four, implement an online information and referral system to enable  
6 local governments and providers to identify available housing for a  
7 homeless person. The department shall work with local governments and  
8 their providers to develop a capacity for continuous case management  
9 to assist homeless persons.

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

12 **Sec. 403.** RCW 43.185C.040 and 2017 3rd sp.s. c 15 s 2 are each  
13 amended to read as follows:

14 (1) (~~Six months after the first Washington homeless census,~~)  
15 The department shall, in consultation with the interagency council on  
16 homelessness and the affordable housing advisory board, prepare and  
17 publish a (~~ten-year~~) five-year homeless housing strategic plan,  
18 which (~~shall~~) must outline statewide goals and performance measures  
19 and (~~shall~~) must be coordinated with the plan for homeless families  
20 with children required under RCW 43.63A.650. The state homeless  
21 housing strategic plan must be submitted to the legislature by July  
22 1, 2019, and updated every five years thereafter. The plan must  
23 include at least the following information:

24 (a) Performance measures and goals, including efficiency and  
25 effectiveness measures, to reduce homelessness, including long-term  
26 and short-term goals;

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

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

33 (d) New or innovative funding, program, or service strategies to  
34 pursue;

35 (e) An analysis of current drivers of homelessness and/or  
36 improvements to housing security such as increases and reductions to  
37 employment opportunities, housing scarcity and affordability, health  
38 and behavior health services, chemical dependency treatment, and  
39 incarceration rates; and

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

5 (2) The department must coordinate its efforts on the state  
6 homeless housing strategic plan with the office of homeless youth  
7 prevention and protection programs advisory committee under RCW  
8 43.330.705. The state homeless housing strategic plan must not  
9 conflict with the strategies, planning, data collection, and  
10 performance and outcome measures developed under RCW 43.330.705 and  
11 43.330.706 to reduce the state's homeless youth population.

12 (3) To guide local governments in preparation of ((their first))  
13 local homeless housing plans due December ((31, 2005)) 1, 2019, and  
14 updated every five years thereafter, the department shall issue by  
15 ((October 15, 2005)) December 1, 2018, temporary guidelines  
16 consistent with this chapter and including the best available data on  
17 each community's homeless population. ((Local governments' ten-year  
18 homeless housing plans shall not be substantially inconsistent with  
19 the goals and program recommendations of the temporary guidelines  
20 and, when amended after 2005, the state strategic plan.

21 ((2)) Program outcomes ((and)), performance measures, efficiency  
22 and effectiveness measures, and goals ((shall)) must be created by  
23 the department ((and reflected in the department's homeless housing  
24 strategic plan as well as interim goals)) in collaboration with local  
25 governments against which ((state and)) local governments'  
26 performance ((may)) will be measured((, including:

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

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

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

34 ((3)) (4)(a) The department shall work in consultation with the  
35 interagency council on homelessness, the affordable housing advisory  
36 board, and the state advisory council on homelessness to develop  
37 performance measures that address the limitations of the annual  
38 point-in-time count on measuring the effectiveness of the document  
39 recording fee surcharge funds in supporting homeless programs. The  
40 department must report its findings and recommendations regarding the

1 new performance measures to the appropriate committees of the  
2 legislature by December 1, 2017.

3 (b) The department must implement at least three performance  
4 metrics, in addition to the point-in-time measurement, that measure  
5 the impact of surcharge funding on reducing homelessness by July 1,  
6 2018.

7 (c) The joint legislative audit and review committee must review  
8 how the surcharge fees are expended to address homelessness,  
9 including a review of the related program performance measures and  
10 targets. The joint legislative audit and review committee must report  
11 its review findings by December 1, 2022, and update the review every  
12 five years thereafter.

13 ~~((4))~~ (5) The department shall develop a consistent statewide  
14 data gathering instrument to monitor the performance of cities and  
15 counties receiving grants in order to determine compliance with the  
16 terms and conditions set forth in the grant application or required  
17 by the department.

18 ~~((The department shall, in consultation with the interagency  
19 council on homelessness and the affordable housing advisory board,  
20 report biennially to the governor and the appropriate committees of  
21 the legislature an assessment of the state's performance in  
22 furthering the goals of the state ten-year homeless housing strategic  
23 plan and the performance of each participating local government in  
24 creating and executing a local homeless housing plan which meets the  
25 requirements of this chapter. To increase the effectiveness of the  
26 report, the department must develop a process to ensure consistent  
27 presentation, analysis, and explanation in the report, including  
28 year-to-year comparisons, highlights of program successes and  
29 challenges, and information that supports recommended strategy or  
30 operational changes. The annual report may include performance  
31 measures such as:~~

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

34 ~~(b) The reduction in the number of unaccompanied homeless youth.  
35 "Unaccompanied homeless youth" has the same meaning as in RCW  
36 43.330.702;~~

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

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

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

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

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

9 ~~(h) The ability to successfully collect data and report~~  
10 ~~performance;~~

11 ~~(i) The extent of collaboration and coordination among public~~  
12 ~~bodies, as well as community stakeholders, and the level of community~~  
13 ~~support and participation;~~

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

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

17 ~~(5))~~ (6) Based on the performance of local homeless housing  
18 programs in meeting their ~~((interim))~~ goals, on general population  
19 changes and on changes in the homeless population recorded in the  
20 annual census, the department may ~~((revise the performance measures~~  
21 ~~and goals of the state homeless housing strategic plan, set goals for~~  
22 ~~years following the initial ten-year period, and recommend))~~ require  
23 changes in local governments' plans to be eligible for state funding  
24 appropriated to the department for homeless programs.

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

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

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

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

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

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

14 (c) Local government and private contributions pledged to the  
15 program in the form of matching funds, property, infrastructure  
16 improvements, and other contributions; and the degree of leveraging  
17 of other funds from local government or private sources for the  
18 program for which funds are being requested, to include recipient  
19 contributions to total project costs, including allied contributions  
20 from other sources such as professional, craft and trade services,  
21 and lender interest rate subsidies;

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

25 (e) Projects which demonstrate serving homeless populations with  
26 the greatest needs, including projects that serve special needs  
27 populations;

28 (f) The degree to which the applicant project represents a  
29 collaboration between local governments, nonprofit community-based  
30 organizations, local and state agencies, and the private sector,  
31 especially through its integration with the coordinated and  
32 comprehensive plan for homeless families with children required under  
33 RCW 43.63A.650;

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

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



1 (i) The extent, if any, that the local homeless population is  
2 disproportionate to the revenues collected under this chapter and RCW  
3 36.22.178 and 36.22.179; and

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

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

8 (1) Each county shall create a homeless housing task force to  
9 develop a (~~ten-year~~) five-year homeless housing plan addressing  
10 short-term and long-term housing for homeless persons. The plan is  
11 due to the department on December 1, 2019, and must be updated every  
12 five years thereafter. The plan must include a local homelessness  
13 reduction goal for the county and an implementation plan to achieve  
14 the goal over the five-year plan period. The plan must also have a  
15 specific and more aggressive goal and implementation plan to reduce  
16 youth homelessness in the county that is consistent with state  
17 reduction strategies developed by the office of homeless youth  
18 prevention and protection programs.

19 Membership on the task force may include representatives of the  
20 counties, cities, towns, housing authorities, civic and faith  
21 organizations, schools, community networks, human services providers,  
22 law enforcement personnel, criminal justice personnel, including  
23 prosecutors, probation officers, and jail administrators, substance  
24 abuse treatment providers, mental health care providers, emergency  
25 health care providers, businesses, at large representatives of the  
26 community, and a homeless or formerly homeless individual.

27 In lieu of creating a new task force, a local government may  
28 designate an existing governmental or nonprofit body which  
29 substantially conforms to this section and which includes at least  
30 one homeless or formerly homeless individual to serve as its homeless  
31 representative. As an alternative to a separate plan, two or more  
32 local governments may work in concert to develop and execute a joint  
33 homeless housing plan, or to contract with another entity to do so  
34 according to the requirements of this chapter. While a local  
35 government has the authority to subcontract with other entities, the  
36 local government continues to maintain the ultimate responsibility  
37 for the homeless housing program within its borders.

38 A county may decline to participate in the program authorized in  
39 this chapter by forwarding to the department a resolution adopted by

1 the county legislative authority stating the intention not to  
2 participate. A copy of the resolution shall also be transmitted to  
3 the county auditor and treasurer. If a county declines to  
4 participate, the department shall create and execute a local homeless  
5 housing plan for the county meeting the requirements of this chapter.

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

- 10 (a) Emergency shelters;
- 11 (b) Short-term housing needs;
- 12 (c) Temporary encampments;
- 13 (d) Supportive housing for chronically homeless persons; and
- 14 (e) Long-term housing.

15 Guidelines must include, when appropriate, standards for health  
16 and safety and notifying the public of proposed facilities to house  
17 the homeless.

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

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

25 (1) The interagency council on homelessness, as defined in RCW  
26 43.185C.010, shall be convened not later than August 31, 2006, and  
27 shall meet at least two times each year and report to the appropriate  
28 committees of the legislature annually by December 31st on its  
29 activities.

30 (2) The interagency council on homelessness shall work to create  
31 greater levels of interagency coordination and to coordinate state  
32 agency efforts with the efforts of state and local entities  
33 addressing homelessness.

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

1       (4) The interagency council shall seek to:

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

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

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

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

10       (e) Recommend policies to either improve practices or align  
11 resources, or both, including those policies requested by the  
12 affordable housing advisory board or through state and local housing  
13 plans; and

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

16       NEW SECTION.     **Sec. 407.**     A new section is added to chapter  
17 43.185C RCW to read as follows:

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

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

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

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

30       (i) Emergency shelter;

31       (ii) Homelessness prevention and rapid rehousing;

32       (iii) Permanent housing;

33       (iv) Permanent supportive housing;

34       (v) Transitional housing;

35       (vi) Services only; and

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

38       (d) A report on the expenditures, performance, and outcomes of  
39 state funds distributed through the consolidated homeless grant

1 program, including the grant recipient, award amount expended, use of  
2 the funds, counties served, and households served;

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

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

11 (g) A report on the expenditures, performance, and outcomes of  
12 the independent youth housing program meeting the requirements of RCW  
13 43.63A.311.

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

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

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

37 The surcharge provided for in this section shall be named the  
38 affordable housing for all surcharge.

1 (1) Except as provided in subsection (3) of this section, a  
2 surcharge of ten dollars per instrument shall be charged by the  
3 county auditor for each document recorded, which will be in addition  
4 to any other charge authorized by law. (~~The county may retain up to~~  
5 ~~five percent of these funds collected solely for the collection,~~  
6 ~~administration, and local distribution of these funds. Of the~~  
7 ~~remaining funds,~~) Forty percent of the revenue generated through  
8 this surcharge will be transmitted monthly to the state treasurer who  
9 will deposit the funds into the affordable housing for all account  
10 created in RCW 43.185C.190. The department of commerce must use these  
11 funds to provide housing and shelter for extremely low-income  
12 households, including but not limited to housing for victims of human  
13 trafficking and their families and grants for building operation and  
14 maintenance costs of housing projects or units within housing  
15 projects that are affordable to extremely low-income households with  
16 incomes at or below thirty percent of the area median income, and  
17 that require a supplement to rent income to cover ongoing operating  
18 expenses.

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

36 (a) Acquisition, construction, or rehabilitation of housing  
37 projects or units within housing projects that are affordable to very  
38 low-income households with incomes at or below fifty percent of the  
39 area median income, including units for homeownership, rental units,  
40 seasonal and permanent farmworker housing units, units reserved for

1 victims of human trafficking and their families, and single room  
2 occupancy units;

3 (b) Supporting building operation and maintenance costs of  
4 housing projects or units within housing projects eligible to receive  
5 housing trust funds, that are affordable to very low-income  
6 households with incomes at or below fifty percent of the area median  
7 income, and that require a supplement to rent income to cover ongoing  
8 operating expenses;

9 (c) Rental assistance vouchers for housing units that are  
10 affordable to very low-income households with incomes at or below  
11 fifty percent of the area median income, including rental housing  
12 vouchers for victims of human trafficking and their families, to be  
13 administered by a local public housing authority or other local  
14 organization that has an existing rental assistance voucher program,  
15 consistent with or similar to the United States department of housing  
16 and urban development's section 8 rental assistance voucher program  
17 standards; and

18 (d) Operating costs for emergency shelters and licensed overnight  
19 youth shelters.

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

22 **Sec. 409.** RCW 36.22.179 and 2017 3rd sp.s. c 16 s 5 are each  
23 amended to read as follows:

24 (1) In addition to the surcharge authorized in RCW 36.22.178, and  
25 except as provided in subsection (2) of this section, an additional  
26 surcharge of ten dollars shall be charged by the county auditor for  
27 each document recorded, which will be in addition to any other charge  
28 allowed by law. From September 1, 2012, through June 30, 2023, the  
29 surcharge shall be forty dollars. The funds collected pursuant to  
30 this section are to be distributed and used as follows:

31 (a) The auditor shall (~~retain two percent for collection of the~~  
32 ~~fee, and of the remainder shall~~) remit sixty percent to the county  
33 to be deposited into a fund that must be used by the county and its  
34 cities and towns to accomplish the purposes of chapter 484, Laws of  
35 2005, six percent of which may be used by the county for the  
36 collection and local distribution of these funds and administrative  
37 costs related to its homeless housing plan, and the remainder for  
38 programs which directly accomplish the goals of the county's local  
39 homeless housing plan, except that for each city in the county which

1 elects as authorized in RCW 43.185C.080 to operate its own local  
2 homeless housing program, a percentage of the surcharge assessed  
3 under this section equal to the percentage of the city's local  
4 portion of the real estate excise tax collected by the county shall  
5 be transmitted at least quarterly to the city treasurer, without any  
6 deduction for county administrative costs, for use by the city for  
7 program costs which directly contribute to the goals of the city's  
8 local homeless housing plan; of the funds received by the city, it  
9 may use six percent for administrative costs for its homeless housing  
10 program.

11 (b) The auditor shall remit the remaining funds to the state  
12 treasurer for deposit in the home security fund account. The  
13 department may use twelve and one-half percent of this amount for  
14 administration of the program established in RCW 43.185C.020,  
15 including the costs of creating the statewide homeless housing  
16 strategic plan, measuring performance, providing technical assistance  
17 to local governments, and managing the homeless housing grant  
18 program. Of the remaining eighty-seven and one-half percent, at least  
19 forty-five percent must be set aside for the use of private rental  
20 housing payments, and the remainder is to be used by the department  
21 to:

22 (i) Provide housing and shelter for homeless people including,  
23 but not limited to: Grants to operate, repair, and staff shelters;  
24 grants to operate transitional housing; partial payments for rental  
25 assistance; consolidated emergency assistance; overnight youth  
26 shelters; grants and vouchers designated for victims of human  
27 trafficking and their families; and emergency shelter assistance; and  
28 (ii) Fund the homeless housing grant program.

29 (2) The surcharge imposed in this section does not apply to (a)  
30 assignments or substitutions of previously recorded deeds of trust,  
31 (b) documents recording a birth, marriage, divorce, or death, (c) any  
32 recorded documents otherwise exempted from a recording fee or  
33 additional surcharges under state law, (d) marriage licenses issued  
34 by the county auditor, (e) documents recording a state, county, or  
35 city lien or satisfaction of lien, or (f) documents recording a  
36 water-sewer district lien or satisfaction of a lien for delinquent  
37 utility payments.

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

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

7 (a) The auditor shall remit ninety percent to the county to be  
8 deposited into a fund six percent of which may be used by the county  
9 for the collection and local distribution of these funds and  
10 administrative costs related to its homeless housing plan, and the  
11 remainder for programs that directly accomplish the goals of the  
12 county's local homeless housing plan, except that for each city in  
13 the county that elects, as authorized in RCW 43.185C.080, to operate  
14 its own local homeless housing program, a percentage of the surcharge  
15 assessed under this section equal to the percentage of the city's  
16 local portion of the real estate excise tax collected by the county  
17 must be transmitted at least quarterly to the city treasurer for use  
18 by the city for program costs that directly contribute to the goals  
19 of the city's local homeless housing plan.

20 (b) The auditor shall remit the remaining funds to the state  
21 treasurer for deposit in the home security fund account. The  
22 department may use the funds for administering the program  
23 established in RCW 43.185C.020, including the costs of creating and  
24 updating the statewide homeless housing strategic plan, measuring  
25 performance, providing technical assistance to local governments, and  
26 managing the homeless housing grant program. Remaining funds may also  
27 be used to:

28 (i) Provide housing and shelter for homeless people including,  
29 but not limited to: Grants to operate, repair, and staff shelters;  
30 grants to operate transitional housing; partial payments for rental  
31 assistance; consolidated emergency assistance; overnight youth  
32 shelters; grants and vouchers designated for victims of human  
33 trafficking and their families; and emergency shelter assistance; and

34 (ii) Fund the homeless housing grant program.

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

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



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

3 (a) Any local government that has the authority to issue housing  
4 vouchers, directly or through a contractor, using document recording  
5 surcharge funds collected pursuant to RCW 36.22.178, 36.22.179, or  
6 36.22.1791 must:

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

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

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

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

15 (E) Communicate and interact with landlord and tenant  
16 associations located within its jurisdiction to facilitate  
17 development, maintenance, and distribution of the list to private  
18 rental housing landlords. The department must make reasonable efforts  
19 to ensure that local providers conduct outreach to private rental  
20 housing landlords each calendar quarter regarding opportunities to  
21 provide rental housing to the homeless and the availability of funds;

22 (ii) Using cost-effective methods of communication, convene, on a  
23 semiannual or more frequent basis, landlords represented on the  
24 interested landlord list and agencies providing services to  
25 individuals and households receiving housing vouchers to identify  
26 successes, barriers, and process improvements. The local government  
27 is not required to reimburse any participants for expenses related to  
28 attendance;

29 (iii) Produce data, limited to document recording fee uses and  
30 expenditures, on a (~~calendar~~) fiscal year basis in consultation  
31 with landlords represented on the interested landlord list and  
32 agencies providing services to individuals and households receiving  
33 housing vouchers, that include the following: Total amount expended  
34 from document recording fees; amount expended on, number of  
35 households that received, and number of housing vouchers issued in  
36 each of the private, public, and nonprofit markets; amount expended  
37 on, number of households that received, and number of housing  
38 placement payments provided in each of the private, public, and  
39 nonprofit markets; amount expended on and number of eviction  
40 prevention services provided in the private market; amount expended

1 on and number of other tenant-based rent assistance services provided  
2 in the private market; and amount expended on and number of services  
3 provided to unaccompanied homeless youth. If these data elements are  
4 not readily available, the reporting government may request the  
5 department to use the sampling methodology established pursuant to  
6 (c)(iii) of this subsection to obtain the data; and

7 (iv) Annually submit the (~~calendar~~) fiscal year data to the  
8 department (~~by October 1st, with preliminary data submitted by~~  
9 ~~October 1, 2012, and full calendar year data submitted beginning~~  
10 ~~October 1, 2013~~)).

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

21 (c) The department must:

22 (i) Require contractors that provide housing vouchers to  
23 distribute the interested landlord list created by the appropriate  
24 local government to individuals and households receiving the housing  
25 vouchers;

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

33 (iii) Develop a sampling methodology to obtain data required  
34 under this section when a local government or contractor does not  
35 have such information readily available. The process for developing  
36 the sampling methodology must include providing notification to and  
37 the opportunity for public comment by local governments issuing  
38 housing vouchers, landlord association representatives, and agencies  
39 providing services to individuals and households receiving housing  
40 vouchers;

1 (iv) Develop a report, limited to document recording fee uses and  
2 expenditures, on a (~~calendar~~) fiscal year basis that may include  
3 consultation with local governments, landlord association  
4 representatives, and agencies providing services to individuals and  
5 households receiving housing vouchers, that includes the following:  
6 Total amount expended from document recording fees; amount expended  
7 on, number of households that received, and number of housing  
8 vouchers issued in each of the private, public, and nonprofit  
9 markets; amount expended on, number of households that received, and  
10 number of housing placement payments provided in each of the private,  
11 public, and nonprofit markets; amount expended on and number of  
12 eviction prevention services provided in the private market; the  
13 total amount of funds set aside for private rental housing payments  
14 as required in RCW 36.22.179(1)(b); and amount expended on and number  
15 of other tenant-based rent assistance services provided in the  
16 private market. The information in the report must include data  
17 submitted by local governments and data on all additional document  
18 recording fee activities for which the department contracted that  
19 were not otherwise reported. The data, samples, and sampling  
20 methodology used to develop the report must be made available upon  
21 request and for the audits required in this section;

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

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

30 (d) The office of financial management must secure an independent  
31 audit of the department's data and expenditures of state funds  
32 received under RCW 36.22.179(1)(b) on an annual basis. The  
33 independent audit must review a random sample of local governments,  
34 contractors, and housing providers that is geographically and  
35 demographically diverse. The independent auditor must meet with the  
36 department and a landlord representative to review the preliminary  
37 audit and provide the department and the landlord representative with  
38 the opportunity to include written comments regarding the findings  
39 that must be included with the audit. The first audit of the  
40 department's data and expenditures will be for calendar year 2014 and

1 is due July 1, 2015. Each audit thereafter will be due July 1st  
2 following the department's submission of the report to the  
3 legislature. If the independent audit finds that the department has  
4 failed to set aside at least forty-five percent of the funds received  
5 under RCW 36.22.179(1)(b) after June 12, 2014, for private rental  
6 housing payments, the independent auditor must notify the department  
7 and the office of financial management of its finding. In addition,  
8 the independent auditor must make recommendations to the office of  
9 financial management and the legislature on alternative means of  
10 distributing the funds to meet the requirements of RCW  
11 36.22.179(1)(b).

12 (e) The office of financial management must contract with an  
13 independent auditor to conduct a performance audit of the programs  
14 funded by document recording surcharge funds collected pursuant to  
15 RCW 36.22.178, 36.22.179, and 36.22.1791. The audit must provide  
16 findings to determine if the funds are being used effectively,  
17 efficiently, and for their intended purpose. The audit must review  
18 the department's performance in meeting all statutory requirements  
19 related to document recording surcharge funds including, but not  
20 limited to, the data the department collects, the timeliness and  
21 quality of required reports, and whether the data and required  
22 reports provide adequate information and accountability for the use  
23 of the document recording surcharge funds. The audit must include  
24 recommendations for policy and operational improvements to the use of  
25 document recording surcharges by counties and the department. The  
26 performance audit must be submitted to the legislature by December 1,  
27 2016.

28 (2) For purposes of this section:

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

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

39 (c) "Interested landlord list" means a list of landlords who have  
40 indicated to a local government or contractor interest in renting to

1 individuals or households receiving a housing voucher funded by  
2 document recording surcharges.

3 (d) "Private rental housing" means housing owned by a private  
4 landlord and does not include housing owned by a nonprofit housing  
5 entity or government entity.

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

7 **PART V**

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

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

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

30 NEW SECTION. **Sec. 504.** Section 102 of this act expires July 1,  
31 2018.

1        NEW SECTION.    **Sec. 505.**    Section 103 of this act takes effect  
2    July 1, 2018.

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