



# WASHINGTON STATE LEGISLATURE



## Legislative Digest No. 13

SIXTY-FIFTH LEGISLATURE

Thursday, January 25, 2018

18th Day - 2018 Regular Session

<b>SENATE</b>	SB 6509	SB 6510	SB 6511	SB 6512	SB 6513	SB 6514	SB 6515
	SB 6516	SB 6517	SB 6518	SB 6519	SB 6520	SB 6521	SB 6522
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<b>HOUSE</b>	HB 2903	HB 2904	HB 2905	HB 2906	HB 2907	HB 2908	HB 2909

This publication includes digest and history for bills, joint memorials, joint resolutions, concurrent resolutions, initiatives, and substitutes. Engrossed measures may be republished if the amendment makes a substantive change.

Electronic versions of Legislative Digests are available at <http://apps.leg.wa.gov/billinfo/digests.aspx?year=2018>.

### House Bills

**HB 2903** by Representatives Stanford, Valdez, Gregerson, Hudgins, and Pollet

Concerning work restrictions.

Addresses the protection of workers from work restrictions.

Prohibits an employer from restricting, restraining, or prohibiting an employee, who works fewer than forty hours per week or earns less than two hundred percent of the applicable state or local minimum wage from: (1) Having an additional job;

(2) Supplementing their income by working for another employer;

(3) Working as an independent contractor; or

(4) Being self-employed.

-- 2018 REGULAR SESSION --

Jan 23 First reading, referred to Labor & Workplace Standards (Not Officially read and referred until adoption of Introduction report).

Jan 25 Scheduled for public hearing in the House Committee on Labor & Workplace Standards at 8:00 AM. (Subject to change)

**HB 2904** by Representatives McBride and Appleton

Modifying the criteria for local designation of residential targeted areas for new and rehabilitated multiple-unit dwellings.

Requires the following criteria to be met before an area may be designated as a residential targeted area: The area must be served by a sewer system and designated by a county before January 1, 2013, if located in a rural county.

Expires January 1, 2029.

-- 2018 REGULAR SESSION --

Jan 23 First reading, referred to Finance (Not Officially read and referred until adoption of Introduction report).

**HB 2905** by Representatives Cody, Fitzgibbon, Ortiz-Self, Senn, Valdez, Irwin, Pollet, and Doglio

Providing a sales and use tax exemption for diapers.

Provides a sales and use tax exemption for diapers.

-- 2018 REGULAR SESSION --

Jan 23 First reading, referred to Finance (Not Officially read and referred until adoption of Introduction report).

**HB 2906** by Representatives McDonald, Johnson, and Muri

Concerning eligibility of a surviving spouse for the property tax exemption for senior citizens and disabled persons.

Allows a person to claim a property tax exemption within one year of the death of his or her spouse or domestic partner, beginning with property taxes payable in 2018, if the income of the person claiming the exemption is reduced for less than two months of the assessment year by reason of the death of his or her spouse or domestic partner.

-- 2018 REGULAR SESSION --

Jan 23 First reading, referred to Finance (Not Officially read and referred until adoption of Introduction report).

**HB 2907** by Representatives Goodman, Frame, Kagi, and Doglio

Concerning confinement in juvenile rehabilitation facilities.

Requires a child under the age of eighteen to be placed in a facility operated by the department of social and health services or the department of children, youth, and

families, as applicable, to determine the child's earned release date.

Authorizes a juvenile offender adjudicated of a serious violent offense to be committed by the juvenile court to the department of social and health services or the department of children, youth, and families, as applicable, for placement in a correctional institution up to the time the juvenile offender is age twenty-five and one-half years old, but not beyond.

Requires the state institute for public policy to assess the impact of this act on community safety, racial disproportionality, and youth rehabilitation.

-- 2018 REGULAR SESSION --

Jan 23 First reading, referred to Early Learning & Human Services (Not Officially read and referred until adoption of Introduction report).

**HB 2908** by Representatives Macri, Jinkins, Robinson, Riccelli, Gregerson, Stonier, Slatter, Frame, Kagi, Ormsby, Ortiz-Self, Valdez, Goodman, Tarleton, Stanford, Pollet, and Doglio

Enacting the employee reproductive choice act.

Establishes the employee reproductive choice act.

Modifies the state civil rights act by including the right of an employee whose employer provides health insurance coverage as part of an employee benefit package to receive contraceptive coverage from that employer's health plan free of restrictions, exclusions, or reductions in coverage or benefits.

Prohibits a health plan, issued on or after January 1, 2019, that includes coverage for contraceptive coverage, from imposing a deductible, coinsurance, copayment, or other cost-sharing requirement on the contraceptive coverage provided.

-- 2018 REGULAR SESSION --

Jan 23 First reading, referred to Judiciary (Not Officially read and referred until adoption of Introduction report).

**HB 2909** by Representatives Macri, Jinkins, Robinson, Frame, Riccelli, Gregerson, Stonier, Kagi, Ormsby, Ortiz-Self, Valdez, Goodman, Tarleton, Stanford, and Pollet

Enacting the reproductive health access for all act.

Establishes the reproductive health access for all act.

Requires the state health care authority to administer a program to reimburse the cost of medically appropriate services, drugs, devices, products, and procedures for individuals who can become pregnant and who would be eligible for medical assistance if not for 8 U.S.C. Sec. 1611 or 1612.

-- 2018 REGULAR SESSION --

Jan 23 First reading, referred to Health Care & Wellness (Not Officially read and referred until adoption of Introduction report).

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## Senate Bills

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**SB 6509** by Senators Braun and Pedersen

Concerning correctional cost savings.

Addresses consecutive and concurrent sentences and community placements for purposes of the sentencing reform act of 1981 and the sentencing for certain crimes committed before July 1, 2000.

Requires the department of corrections to recalculate the scheduled end dates for terms of community custody, community supervision, and community placement so they run concurrently to previously imposed sentences of community custody, community supervision, community placement, probation, and parole.

-- 2018 REGULAR SESSION --

Jan 22 First reading, referred to Law & Justice.

**SB 6510** by Senators Short, Kuderer, Rivers, Conway, and Keiser

Concerning benefit managers.

Requires a health benefit manager to: (1) Before conducting business in this state, register with the office of the insurance commissioner and annually renew the registration; and

(2) File contracts and amendments to the contracts, executed between the health benefit manager and health carrier, with the insurance commissioner thirty days before use.

Requires a pharmacy benefit manager to file contracts and amendments to the contracts, executed between the pharmacy benefit manager and an insurer or third-party payor, with the insurance commissioner thirty days before use.

Requires a radiology benefit manager to file contracts and amendments to contracts, executed between the radiology benefit manager and an insurer or third-party payor, with the insurance commissioner thirty days before use.

-- 2018 REGULAR SESSION --

Jan 22 First reading, referred to Health & Long Term Care.

**SB 6511** by Senator Darneille; by request of Department of Corrections

Concerning responses to violations of conditions of community custody related to in lieu of earned early release time.

Removes language regarding the transfer of an offender to a more restrictive confinement status if he or she was transferred to community custody in lieu of earned early release.

-- 2018 REGULAR SESSION --

Jan 22 First reading, referred to Human Services & Corrections.

**SB 6512** by Senators Baumgartner, Billig, and Padden

Addressing county commissioner elections.

Establishes the responsible representation act.  
Requires certain noncharter counties to establish a redistricting committee to create, review, and adjust county commissioner districts.

-- 2018 REGULAR SESSION --

Jan 22 First reading, referred to Local Government.

**SB 6513** by Senator Fortunato

Providing a sales and use tax exemption for vehicles and equipment used by first responders.

Provides a sales and use tax exemption for public safety vehicles, public safety equipment, and replacement and repair parts for the vehicles and equipment used by first responders.

-- 2018 REGULAR SESSION --

Jan 22 First reading, referred to Ways & Means.

**SB 6514** by Senators Brown, O'Ban, Darneille, Palumbo, and Saldaña

Concerning suicide prevention and behavioral health in higher education, with enhanced services to student veterans.

Requires the department of health to: (1) In collaboration with the student achievement council, develop a statewide resource for behavioral health and suicide prevention for the state's postsecondary institutions;

(2) Convene and consult with a work group that consists of representatives from stakeholder groups; and

(3) Contract with an entity that has suicide prevention expertise.

Creates the suicide prevention in higher education grant program to provide funding to postsecondary institutions for the institutions to create partnerships with health care entities to provide mental health, behavioral health, and suicide prevention to students in their institutions.

Requires the student achievement council to administer the grant program in collaboration with the work group convened by the department.

Requires postsecondary institutions to submit a report to the department of health for establishing a baseline for behavioral health concerns and responses at the institutions of higher education.

-- 2018 REGULAR SESSION --

Jan 22 First reading, referred to Higher Education & Workforce Development.

**SB 6515** by Senators Conway, Darneille, O'Ban, Becker, Zeiger, and Fortunato

Concerning the legal and geographical review requirements for the conditional release of sexually violent predators to a less restrictive alternative.

Addresses the release of sexually violent predators to a neighboring county.

-- 2018 REGULAR SESSION --

Jan 22 First reading, referred to Human Services & Corrections.

Jan 24 Public hearing in the Senate Committee on Human Services & Corrections at 1:30 PM.

**SB 6516** by Senators Wilson, Short, and Sheldon

Allowing limited storm and sanitary sewer systems for rural economic development in the growth management act.

Authorizes a city to extend storm and sanitary sewer systems in rural areas for allowed uses or in certain limited circumstances by designing and sizing the sewer line so that it may serve only particular structures and not intervening lands.

-- 2018 REGULAR SESSION --

Jan 22 First reading, referred to Local Government.

**SB 6517** by Senator Darneille; by request of Department of Corrections

Eliminating the sunset provision associated with the drug offense sentencing grid.

Repeals an effective date and expiration date of, and chapter 291, Laws of 2015, amendments to, RCW 9.94A.517 regarding the drug offense sentencing grid.

-- 2018 REGULAR SESSION --

Jan 22 First reading, referred to Law & Justice.

**SB 6518** by Senator Darneille; by request of Department of Corrections

Requiring multiple terms of community custody or community supervision to run concurrently unless the court orders otherwise.

Addresses consecutive and concurrent sentences and community placements for purposes of the sentencing reform act of 1981 and the sentencing for certain crimes committed before July 1, 2000.

Requires the department of corrections to recalculate the scheduled end dates for terms of community custody, community supervision, and community placement so they run concurrently to previously imposed sentences of community custody, community supervision, community placement, probation, and parole, unless the court pronouncing the current sentence has expressly required the terms to run consecutively.

-- 2018 REGULAR SESSION --

Jan 22 First reading, referred to Law & Justice.

**SB 6519** by Senators King and Hobbs

Revising the establishment of marine pilotage tariffs.

Removes the following duties and options from the board of pilotage commissioners and places them on the utilities and transportation commission: (1) Establishing the pilotage tariffs for pilotage services provided under chapter 88.16 RCW (the pilotage act);

(2) Establishing extra compensation for extra services to vessels in distress, for awaiting vessels, for vessels in direct transit to or from a Canadian port where Puget Sound pilotage is required for a portion of the voyage, or for being carried to sea on vessels against the will of the pilot; and

(3) As an element of the Puget Sound pilotage district tariff, considering pilot retirement plan expenses incurred in the prior year in either pilotage district.

Prohibits the state from being obligated to fund or pay for any portion of retirement payments for pilots or retired pilots.

-- 2018 REGULAR SESSION --

Jan 22 First reading, referred to Transportation.

**SB 6520** by Senators Cleveland and Rivers

Concerning certificate of need exemptions for certain ambulatory facilities and centers.

Prohibits the department of health from requiring a certificate of need for an ambulatory surgical facility or center wholly owned, fully operated, and used exclusively by a practice of physicians or dentists with two or fewer operating rooms and no more than two surgical specialties.

-- 2018 REGULAR SESSION --

Jan 22 First reading, referred to Health & Long Term Care.

**SB 6521** by Senators Saldaña, Keiser, and Hasegawa

Concerning unemployment compensation for musicians.

States that a base year will not be established unless it is determined, for a musician who earns at least seventy-five percent of his or her base year wages as an employee of a music or entertainment business or as a member of a music or entertainment group, that the individual earned wages in "employment" in not less than five hundred four hours of his or her base year.

-- 2018 REGULAR SESSION --

Jan 22 First reading, referred to Labor & Commerce.

**SB 6522** by Senators Liias and Fain

Limiting noncompetition agreements.

Addresses the protection of workers from work restrictions.

Prohibits an employer from restricting, restraining, or prohibiting an employee, who works fewer than forty hours per week or earns less than two hundred percent of the applicable state or local minimum wage, from: (1) Having an additional job;

(2) Supplementing their income by working for another employer;

(3) Working as an independent contractor; or

(4) Being self-employed.

-- 2018 REGULAR SESSION --

Jan 22 First reading, referred to Labor & Commerce.

Jan 25 Scheduled for public hearing in the Senate Committee on Labor & Commerce at 1:30 PM. (Subject to change)

**SB 6523** by Senator Mullet

Concerning the tolling of construction defect claims.

Modifies provisions regarding construction defect claims.

-- 2018 REGULAR SESSION --

Jan 22 First reading, referred to Law & Justice.

**SB 6524** by Senators Braun, Rolfes, Rivers, Fain, Zeiger, Hawkins, Mullet, and Miloscia

Concerning special education funding.

Modifies provisions regarding appropriations for special education programs.

Revises the definition of "funded enrollment percent," to include the actual enrollment percent if above thirteen and five-tenths percent, for school districts with a student enrollment under one thousand students.

Requires the state allocation for the special education safety net to be specified in the omnibus appropriations act which must be at least five percent of the total allocated to school districts under RCW 28A.150.390 (2) (b) (section 1 (2) (b) of this act).

Encourages school districts to participate in the establishment or continuation of existing cooperative programs between or among school districts, or educational service districts and school districts, to provide special education and services to eligible students with disabilities.

Requires each special education cooperative to apply for approval of the program by the superintendent of public instruction before the 2019-2020 school year and every five years thereafter.

-- 2018 REGULAR SESSION --

Jan 22 First reading, referred to Early Learning & K-12 Education.

**SB 6525** by Senators Mullet, Braun, Palumbo, Fain, Hobbs, Takko, Rivers, Becker, Miloscia, Wilson, Angel, Ericksen, Warnick, Zeiger, Wagoner, Bailey, Honeyford, Brown, Schoesler, Fortunato, O'Ban, Sheldon, King, Walsh, Padden, Short, and Hawkins

Concerning final implementation of education funding reform.

Finds that: (1) The court ruled in its November 15, 2017, order that it is satisfied that the new salary model provides for full state funding of basic education salaries sufficient to recruit and retain competent teachers, administrators, and staff;

(2) The court took exception that the 2017-2019 budget funds only half of the salary increase called for by the 2018-2019 school year, deferring full funding until the 2019-2020 school year; and

(3) Fully implementing state salary allocations in the 2018-2019 school year substantially alters the carefully calibrated balance between state and local sources of funding for school districts.

Declares an intent to: (1) Recalibrate the balance of state and local funding for school districts in light of the court's latest order;

(2) Fully implement the salary allocations in school year 2018-2019 if school districts accelerate the implementation of certain accounting and budget transparency requirements; and

(3) Reduce local school district levies by an amount equal to the increased state salary allocations that will be made to school districts in school year 2018-2019.

-- 2018 REGULAR SESSION --

Jan 22 First reading, referred to Early Learning & K-12 Education.

**SB 6526** by Senators Conway, Keiser, Hasegawa, Saldaña, and Kuderer

Concerning noncompetition agreements.

States that a contract that restrains a person from engaging in a lawful profession, trade, or business of any kind is against public policy and is void and unenforceable to the extent that it restrains a person from engaging in a lawful profession, trade, or business.

-- 2018 REGULAR SESSION --

Jan 22 First reading, referred to Labor & Commerce.

Jan 25 Scheduled for public hearing in the Senate Committee on Labor & Commerce at 1:30 PM. (Subject to change)

**SB 6527** by Senators Schoesler and Rolfes

Improving tax and licensing laws administered by the department of revenue, but not including changes to tax laws that are estimated to affect state or local tax collections as reflected in any fiscal note prepared and approved under the process established in chapter 43.88A RCW.

Addresses the improvement of department of revenue-administered tax and licensing laws.

-- 2018 REGULAR SESSION --

Jan 22 First reading, referred to Ways & Means.

**SB 6528** by Senators Fain, Palumbo, Angel, Bailey, Braun, Miloscia, Wilson, Zeiger, Padden, and Rivers

Eliminating various occupational licensure and certification requirements through creation of a state review web site.

Requires the department of licensing to create the Washington effective licensing port web site, which is a comprehensive and user-friendly web site for public comment on and review of individuals working in one or more of the following occupations: Auctioneer, boxing announcer, and manicurist.

Requires auctioneers, boxing announcers, and manicurists to have an active profile on the web site.

Requires the web site to allow any individual to: (1) Register and create a profile that lists business contact information and allows for public comment and review of his or her service; and

(2) Include information about training, degrees, or certificates that he or she holds.

Allows the department of licensing to charge a fee of no more than twenty-five dollars for the first creation of an individual's profile.

Changes the name of the cosmetology, hair design, barbering, esthetics, and manicuring advisory board to the cosmetology, hair design, barbering, and esthetics advisory board.

-- 2018 REGULAR SESSION --

Jan 22 First reading, referred to Labor & Commerce.

**SB 6529** by Senators Saldaña, Ranker, Cleveland, Rolfes, Van De Wege, Miloscia, Chase, Conway, McCoy, Hunt, Keiser, and Hasegawa

Protecting agricultural workers and community members from pesticides.

Declares that agricultural workers and community members should be protected from pesticide exposure and notified of certain pesticide applications to prevent unnecessary exposure.

Requires a pesticide user to provide written notice of an intended pesticide application in accordance with certain requirements provided by the department of health.

Requires the department of health to develop a list of individuals who apply to receive notification of pesticide applications on adjacent property.

Authorizes the department of health and the department of labor and industries to investigate and assess a civil fine in accordance with administrative procedures for certain violations of this act.

Prohibits the civil fine from exceeding seven thousand five hundred dollars.

-- 2018 REGULAR SESSION --

Jan 22 First reading, referred to Labor & Commerce.

Jan 25 Scheduled for public hearing in the Senate Committee on Labor & Commerce at 1:30 PM. (Subject to change)

**SB 6530** by Senators Saldaña, Zeiger, Liias, and Takko

Concerning the transfer of moneys from transportation accounts.

Creates the bicycle and pedestrian grant account.

Requires a certain net tax amount from the motor vehicle fund to be distributed to the transportation improvement board, the county road administration board, the freight mobility investment account, the freight mobility multimodal account, and the connecting Washington account.

Requires the state treasurer to transfer from the multimodal transportation account: (1) 4,403,000 dollars to the rural mobility grant program account beginning with September 2019, by the last day of September, December, March, and June of each year;

(2) 9,710,000 dollars to the regional mobility grant program account beginning with September 2019, by the last day of September, December, March, and June of each year;

(3) 7,335,000 dollars to the complete streets grant program account; and

(4) 5,190,000 dollars to the bicycle and pedestrian grant account.

Expires June 30, 2031.

-- 2018 REGULAR SESSION --

Jan 22 First reading, referred to Transportation.

**SB 6531** by Senators Pedersen, Warnick, Carlyle, Rivers, Keiser, Fain, Rolfes, King, Hobbs,

Nelson, O'Ban, Zeiger, Billig, Bailey, Darneille, Miloscia, Frockt, Cleveland, Conway, Wellman, Kuderer, Hasegawa, Chase, Hunt, Van De Wege, Takko, Dhingra, Lias, Ranker, Palumbo, McCoy, Saldaña, Wilson, Angel, Wagoner, and Short

Regarding the school construction assistance program.

Addresses the allotment of appropriations for school plant facilities and the computation of state aid for school plant projects.

-- 2018 REGULAR SESSION --

Jan 23 First reading, referred to Ways & Means.

**SB 6532** by Senators Mullet, Angel, and Saldaña

Creating a Washington affordable housing tax credit program.

Allows a qualified taxpayer a Washington affordable housing tax credit, for tax years during the credit period, with respect to the taxes imposed by RCW 48.14.020 (taxes on premiums) or chapter 82.04 RCW (business and occupation taxes).

Prohibits a qualified taxpayer from claiming a tax credit greater than forty percent of the tax due pursuant to RCW 48.14.020 or chapter 82.04 RCW, before application of any tax credits.

Authorizes the housing finance commission to allocate a credit to the owner of a qualified development by issuing an allocation certificate to the owner.

Expires January 1, 2029.

-- 2018 REGULAR SESSION --

Jan 23 First reading, referred to Financial Institutions & Insurance.

**SB 6533** by Senators Billig, Padden, Zeiger, Kuderer, and Short

Concerning child care center licensing standards regarding educational requirements.

Requires the department of early learning and the department of children, youth, and families to engage in negotiated rule making with entities representing or operating child care centers and entities representing family home child care providers before adopting or defining equivalencies to educational requirements that affect the following child care center employees: Directors, assistant directors, supervisors, lead teachers, assistant teachers, instructional aides, and aides.

Exempts child care center employees who have met the education requirements set forth in chapter 170-295 WAC (minimum licensing requirements for child care centers) as of January 1, 2018, from any new education requirements established by the department of early learning and the department of children, youth, and families.

-- 2018 REGULAR SESSION --

Jan 23 First reading, referred to Early Learning & K-12 Education.

**SB 6534** by Senators Becker and Saldaña

Concerning the Graham community and technical college study.

Requires the state board for community and technical colleges to continue the feasibility study for a potential

new community and technical college within ten miles of Graham, Washington.

Requires the study to: (1) Be conducted for an additional two years; and

(2) Specifically address the intent of pursuing the establishment of a community college in the Graham community.

-- 2018 REGULAR SESSION --

Jan 23 First reading, referred to Higher Education & Workforce Development.

**SB 6535** by Senator Miloscia

Concerning mandatory reporting of child abuse and neglect.

Expands the mandatory reporting of child abuse and neglect requirements.

Requires state contracts with youth-serving organizations to include a requirement that the organizations provide a signed acknowledgment of the organization's compliance with the mandatory reporter posting law.

-- 2018 REGULAR SESSION --

Jan 23 First reading, referred to Human Services & Corrections.