
HOUSE BILL 1812

State of Washington

66th Legislature

2019 Regular Session

By Representatives Reeves, Leavitt, Kilduff, Appleton, Lovick, and Stanford

Read first time 01/31/19. Referred to Committee on Housing, Community Development & Veterans.

1 AN ACT Relating to the military spouse equal economic opportunity
2 act; amending RCW 49.60.010, 49.60.020, 49.60.040, 49.60.180,
3 49.60.190, 49.60.200, 18.340.020, 19.02.020, 19.02.070, 19.02.075,
4 43.24.086, 43.70.110, 43.70.250, 73.16.010, 73.16.110, 49.74.005,
5 41.06.530, 73.16.120, 82.04.4498, 50.62.020, and 50.62.030; adding a
6 new section to chapter 43.330 RCW; adding a new section to chapter
7 39.19 RCW; creating a new section; and providing an expiration date.

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

9 NEW SECTION. **Sec. 1.** This act may be known and cited as the
10 military spouse equal economic opportunity act.

11 **Sec. 2.** RCW 49.60.010 and 2007 c 187 s 1 are each amended to
12 read as follows:

13 This chapter shall be known as the "law against discrimination."
14 It is an exercise of the police power of the state for the protection
15 of the public welfare, health, and peace of the people of this state,
16 and in fulfillment of the provisions of the Constitution of this
17 state concerning civil rights. The legislature hereby finds and
18 declares that practices of discrimination against any of its
19 inhabitants because of race, creed, color, national origin, families
20 with children, sex, marital status, military spouse status, sexual

1 orientation, age, honorably discharged veteran or military status, or
2 the presence of any sensory, mental, or physical disability or the
3 use of a trained dog guide or service animal by a person with a
4 disability are a matter of state concern, that such discrimination
5 threatens not only the rights and proper privileges of its
6 inhabitants but menaces the institutions and foundation of a free
7 democratic state. A state agency is herein created with powers with
8 respect to elimination and prevention of discrimination in
9 employment, in credit and insurance transactions, in places of public
10 resort, accommodation, or amusement, and in real property
11 transactions because of race, creed, color, national origin, families
12 with children, sex, marital status, military spouse status, sexual
13 orientation, age, honorably discharged veteran or military status, or
14 the presence of any sensory, mental, or physical disability or the
15 use of a trained dog guide or service animal by a person with a
16 disability; and the commission established hereunder is hereby given
17 general jurisdiction and power for such purposes.

18 **Sec. 3.** RCW 49.60.020 and 2007 c 187 s 2 are each amended to
19 read as follows:

20 The provisions of this chapter shall be construed liberally for
21 the accomplishment of the purposes thereof. Nothing contained in this
22 chapter shall be deemed to repeal any of the provisions of any other
23 law of this state relating to discrimination because of race, color,
24 creed, national origin, sex, marital status, military spouse status,
25 sexual orientation, age, honorably discharged veteran or military
26 status, or the presence of any sensory, mental, or physical
27 disability, other than a law which purports to require or permit
28 doing any act which is an unfair practice under this chapter. Nor
29 shall anything herein contained be construed to deny the right to any
30 person to institute any action or pursue any civil or criminal remedy
31 based upon an alleged violation of his or her civil rights. This
32 chapter shall not be construed to endorse any specific belief,
33 practice, behavior, or orientation. Inclusion of sexual orientation
34 in this chapter shall not be construed to modify or supersede state
35 law relating to marriage.

36 **Sec. 4.** RCW 49.60.040 and 2018 c 176 s 2 are each amended to
37 read as follows:

1 The definitions in this section apply throughout this chapter
2 unless the context clearly requires otherwise.

3 (1) "Aggrieved person" means any person who: (a) Claims to have
4 been injured by an unfair practice in a real estate transaction; or
5 (b) believes that he or she will be injured by an unfair practice in
6 a real estate transaction that is about to occur.

7 (2) "Any place of public resort, accommodation, assemblage, or
8 amusement" includes, but is not limited to, any place, licensed or
9 unlicensed, kept for gain, hire, or reward, or where charges are made
10 for admission, service, occupancy, or use of any property or
11 facilities, whether conducted for the entertainment, housing, or
12 lodging of transient guests, or for the benefit, use, or
13 accommodation of those seeking health, recreation, or rest, or for
14 the burial or other disposition of human remains, or for the sale of
15 goods, merchandise, services, or personal property, or for the
16 rendering of personal services, or for public conveyance or
17 transportation on land, water, or in the air, including the stations
18 and terminals thereof and the garaging of vehicles, or where food or
19 beverages of any kind are sold for consumption on the premises, or
20 where public amusement, entertainment, sports, or recreation of any
21 kind is offered with or without charge, or where medical service or
22 care is made available, or where the public gathers, congregates, or
23 assembles for amusement, recreation, or public purposes, or public
24 halls, public elevators, and public washrooms of buildings and
25 structures occupied by two or more tenants, or by the owner and one
26 or more tenants, or any public library or educational institution, or
27 schools of special instruction, or nursery schools, or day care
28 centers or children's camps: PROVIDED, That nothing contained in this
29 definition shall be construed to include or apply to any institute,
30 bona fide club, or place of accommodation, which is by its nature
31 distinctly private, including fraternal organizations, though where
32 public use is permitted that use shall be covered by this chapter;
33 nor shall anything contained in this definition apply to any
34 educational facility, columbarium, crematory, mausoleum, or cemetery
35 operated or maintained by a bona fide religious or sectarian
36 institution.

37 (3) "Commission" means the Washington state human rights
38 commission.

39 (4) "Complainant" means the person who files a complaint in a
40 real estate transaction.

1 (5) "Covered multifamily dwelling" means: (a) Buildings
2 consisting of four or more dwelling units if such buildings have one
3 or more elevators; and (b) ground floor dwelling units in other
4 buildings consisting of four or more dwelling units.

5 (6) "Credit transaction" includes any open or closed end credit
6 transaction, whether in the nature of a loan, retail installment
7 transaction, credit card issue or charge, or otherwise, and whether
8 for personal or for business purposes, in which a service, finance,
9 or interest charge is imposed, or which provides for repayment in
10 scheduled payments, when such credit is extended in the regular
11 course of any trade or commerce, including but not limited to
12 transactions by banks, savings and loan associations or other
13 financial lending institutions of whatever nature, stock brokers, or
14 by a merchant or mercantile establishment which as part of its
15 ordinary business permits or provides that payment for purchases of
16 property or service therefrom may be deferred.

17 (7)(a) "Disability" means the presence of a sensory, mental, or
18 physical impairment that:

19 (i) Is medically cognizable or diagnosable; or

20 (ii) Exists as a record or history; or

21 (iii) Is perceived to exist whether or not it exists in fact.

22 (b) A disability exists whether it is temporary or permanent,
23 common or uncommon, mitigated or unmitigated, or whether or not it
24 limits the ability to work generally or work at a particular job or
25 whether or not it limits any other activity within the scope of this
26 chapter.

27 (c) For purposes of this definition, "impairment" includes, but
28 is not limited to:

29 (i) Any physiological disorder, or condition, cosmetic
30 disfigurement, or anatomical loss affecting one or more of the
31 following body systems: Neurological, musculoskeletal, special sense
32 organs, respiratory, including speech organs, cardiovascular,
33 reproductive, digestive, genitor-urinary, hemic and lymphatic, skin,
34 and endocrine; or

35 (ii) Any mental, developmental, traumatic, or psychological
36 disorder, including but not limited to cognitive limitation, organic
37 brain syndrome, emotional or mental illness, and specific learning
38 disabilities.

1 (d) Only for the purposes of qualifying for reasonable
2 accommodation in employment, an impairment must be known or shown
3 through an interactive process to exist in fact and:

4 (i) The impairment must have a substantially limiting effect upon
5 the individual's ability to perform his or her job, the individual's
6 ability to apply or be considered for a job, or the individual's
7 access to equal benefits, privileges, or terms or conditions of
8 employment; or

9 (ii) The employee must have put the employer on notice of the
10 existence of an impairment, and medical documentation must establish
11 a reasonable likelihood that engaging in job functions without an
12 accommodation would aggravate the impairment to the extent that it
13 would create a substantially limiting effect.

14 (e) For purposes of (d) of this subsection, a limitation is not
15 substantial if it has only a trivial effect.

16 (8) "Dog guide" means a dog that is trained for the purpose of
17 guiding blind persons or a dog that is trained for the purpose of
18 assisting hearing impaired persons.

19 (9) "Dwelling" means any building, structure, or portion thereof
20 that is occupied as, or designed or intended for occupancy as, a
21 residence by one or more families, and any vacant land that is
22 offered for sale or lease for the construction or location thereon of
23 any such building, structure, or portion thereof.

24 (10) "Employee" does not include any individual employed by his
25 or her parents, spouse, or child, or in the domestic service of any
26 person.

27 (11) "Employer" includes any person acting in the interest of an
28 employer, directly or indirectly, who employs eight or more persons,
29 and does not include any religious or sectarian organization not
30 organized for private profit.

31 (12) "Employment agency" includes any person undertaking with or
32 without compensation to recruit, procure, refer, or place employees
33 for an employer.

34 (13) "Families with children status" means one or more
35 individuals who have not attained the age of eighteen years being
36 domiciled with a parent or another person having legal custody of
37 such individual or individuals, or with the designee of such parent
38 or other person having such legal custody, with the written
39 permission of such parent or other person. Families with children
40 status also applies to any person who is pregnant or is in the

1 process of securing legal custody of any individual who has not
2 attained the age of eighteen years.

3 (14) "Full enjoyment of" includes the right to purchase any
4 service, commodity, or article of personal property offered or sold
5 on, or by, any establishment to the public, and the admission of any
6 person to accommodations, advantages, facilities, or privileges of
7 any place of public resort, accommodation, assemblage, or amusement,
8 without acts directly or indirectly causing persons of any particular
9 race, creed, color, sex, sexual orientation, national origin, or with
10 any sensory, mental, or physical disability, or the use of a trained
11 dog guide or service animal by a person with a disability, to be
12 treated as not welcome, accepted, desired, or solicited.

13 (15) "Honorably discharged veteran or military status" means a
14 person who is:

15 (a) A veteran, as defined in RCW 41.04.007; or

16 (b) An active or reserve member in any branch of the armed forces
17 of the United States, including the national guard, coast guard, and
18 armed forces reserves.

19 (16) "Labor organization" includes any organization which exists
20 for the purpose, in whole or in part, of dealing with employers
21 concerning grievances or terms or conditions of employment, or for
22 other mutual aid or protection in connection with employment.

23 (17) "Marital status" means the legal status of being married,
24 single, separated, divorced, or widowed.

25 (18) "Military spouse status" means any person currently or
26 previously married to a military service member during the military
27 service member's time of active duty. Active duty may have been in
28 any branch of the armed forces of the United States, including the
29 national guard, coast guard, and armed forces reserves.

30 (19) "National origin" includes "ancestry."

31 ~~((19))~~ (20) "Person" includes one or more individuals,
32 partnerships, associations, organizations, corporations,
33 cooperatives, legal representatives, trustees and receivers, or any
34 group of persons; it includes any owner, lessee, proprietor, manager,
35 agent, or employee, whether one or more natural persons; and further
36 includes any political or civil subdivisions of the state and any
37 agency or instrumentality of the state or of any political or civil
38 subdivision thereof.

1 ~~((20))~~ (21) "Premises" means the interior or exterior spaces,
2 parts, components, or elements of a building, including individual
3 dwelling units and the public and common use areas of a building.

4 ~~((21))~~ (22) "Real estate transaction" includes the sale,
5 appraisal, brokering, exchange, purchase, rental, or lease of real
6 property, transacting or applying for a real estate loan, or the
7 provision of brokerage services.

8 ~~((22))~~ (23) "Real property" includes buildings, structures,
9 dwellings, real estate, lands, tenements, leaseholds, interests in
10 real estate cooperatives, condominiums, and hereditaments, corporeal
11 and incorporeal, or any interest therein.

12 ~~((23))~~ (24) "Respondent" means any person accused in a
13 complaint or amended complaint of an unfair practice in a real estate
14 transaction.

15 ~~((24))~~ (25) "Service animal" means any dog or miniature horse,
16 as discussed in RCW 49.60.214, that is individually trained to do
17 work or perform tasks for the benefit of an individual with a
18 disability, including a physical, sensory, psychiatric, intellectual,
19 or other mental disability. The work or tasks performed by the
20 service animal must be directly related to the individual's
21 disability. Examples of work or tasks include, but are not limited
22 to, assisting individuals who are blind or have low vision with
23 navigation and other tasks, alerting individuals who are deaf or hard
24 of hearing to the presence of people or sounds, providing nonviolent
25 protection or rescue work, pulling a wheelchair, assisting an
26 individual during a seizure, alerting individuals to the presence of
27 allergens, retrieving items such as medicine or the telephone,
28 providing physical support and assistance with balance and stability
29 to individuals with mobility disabilities, and helping persons with
30 psychiatric and neurological disabilities by preventing or
31 interrupting impulsive or destructive behaviors. The crime deterrent
32 effects of an animal's presence and the provision of emotional
33 support, well-being, comfort, or companionship do not constitute work
34 or tasks. This subsection does not apply to RCW 49.60.222 through
35 49.60.227 with respect to housing accommodations or real estate
36 transactions.

37 ~~((25))~~ (26) "Sex" means gender.

38 ~~((26))~~ (27) "Sexual orientation" means heterosexuality,
39 homosexuality, bisexuality, and gender expression or identity. As
40 used in this definition, "gender expression or identity" means having

1 or being perceived as having a gender identity, self-image,
2 appearance, behavior, or expression, whether or not that gender
3 identity, self-image, appearance, behavior, or expression is
4 different from that traditionally associated with the sex assigned to
5 that person at birth.

6 **Sec. 5.** RCW 49.60.180 and 2007 c 187 s 9 are each amended to
7 read as follows:

8 It is an unfair practice for any employer:

9 (1) To refuse to hire any person because of age, sex, marital
10 status, military spouse status, sexual orientation, race, creed,
11 color, national origin, honorably discharged veteran or military
12 status, or the presence of any sensory, mental, or physical
13 disability or the use of a trained dog guide or service animal by a
14 person with a disability, unless based upon a bona fide occupational
15 qualification: PROVIDED, That the prohibition against discrimination
16 because of such disability shall not apply if the particular
17 disability prevents the proper performance of the particular worker
18 involved: PROVIDED, That this section shall not be construed to
19 require an employer to establish employment goals or quotas based on
20 sexual orientation.

21 (2) To discharge or bar any person from employment because of
22 age, sex, marital status, military spouse status, sexual orientation,
23 race, creed, color, national origin, honorably discharged veteran or
24 military status, or the presence of any sensory, mental, or physical
25 disability or the use of a trained dog guide or service animal by a
26 person with a disability.

27 (3) To discriminate against any person in compensation or in
28 other terms or conditions of employment because of age, sex, marital
29 status, military spouse status, sexual orientation, race, creed,
30 color, national origin, honorably discharged veteran or military
31 status, or the presence of any sensory, mental, or physical
32 disability or the use of a trained dog guide or service animal by a
33 person with a disability: PROVIDED, That it shall not be an unfair
34 practice for an employer to segregate washrooms or locker facilities
35 on the basis of sex, or to base other terms and conditions of
36 employment on the sex of employees where the commission by regulation
37 or ruling in a particular instance has found the employment practice
38 to be appropriate for the practical realization of equality of
39 opportunity between the sexes.

1 (4) To print, or circulate, or cause to be printed or circulated
2 any statement, advertisement, or publication, or to use any form of
3 application for employment, or to make any inquiry in connection with
4 prospective employment, which expresses any limitation,
5 specification, or discrimination as to age, sex, marital status,
6 military spouse status, sexual orientation, race, creed, color,
7 national origin, honorably discharged veteran or military status, or
8 the presence of any sensory, mental, or physical disability or the
9 use of a trained dog guide or service animal by a person with a
10 disability, or any intent to make any such limitation, specification,
11 or discrimination, unless based upon a bona fide occupational
12 qualification: PROVIDED, Nothing contained herein shall prohibit
13 advertising in a foreign language.

14 **Sec. 6.** RCW 49.60.190 and 2007 c 187 s 10 are each amended to
15 read as follows:

16 It is an unfair practice for any labor union or labor
17 organization:

18 (1) To deny membership and full membership rights and privileges
19 to any person because of age, sex, marital status, military spouse
20 status, sexual orientation, race, creed, color, national origin,
21 honorably discharged veteran or military status, or the presence of
22 any sensory, mental, or physical disability or the use of a trained
23 dog guide or service animal by a person with a disability.

24 (2) To expel from membership any person because of age, sex,
25 marital status, military spouse status, sexual orientation, race,
26 creed, color, national origin, honorably discharged veteran or
27 military status, or the presence of any sensory, mental, or physical
28 disability or the use of a trained dog guide or service animal by a
29 person with a disability.

30 (3) To discriminate against any member, employer, employee, or
31 other person to whom a duty of representation is owed because of age,
32 sex, marital status, military spouse status, sexual orientation,
33 race, creed, color, national origin, honorably discharged veteran or
34 military status, or the presence of any sensory, mental, or physical
35 disability or the use of a trained dog guide or service animal by a
36 person with a disability.

37 **Sec. 7.** RCW 49.60.200 and 2007 c 187 s 11 are each amended to
38 read as follows:

1 It is an unfair practice for any employment agency to fail or
2 refuse to classify properly or refer for employment, or otherwise to
3 discriminate against, an individual because of age, sex, marital
4 status, military spouse status, sexual orientation, race, creed,
5 color, national origin, honorably discharged veteran or military
6 status, or the presence of any sensory, mental, or physical
7 disability or the use of a trained dog guide or service animal by a
8 person with a disability, or to print or circulate, or cause to be
9 printed or circulated any statement, advertisement, or publication,
10 or to use any form of application for employment, or to make any
11 inquiry in connection with prospective employment, which expresses
12 any limitation, specification or discrimination as to age, sex, race,
13 sexual orientation, creed, color, or national origin, honorably
14 discharged veteran or military status, or the presence of any
15 sensory, mental, or physical disability or the use of a trained dog
16 guide or service animal by a person with a disability, or any intent
17 to make any such limitation, specification, or discrimination, unless
18 based upon a bona fide occupational qualification: PROVIDED, Nothing
19 contained herein shall prohibit advertising in a foreign language.

20 **Sec. 8.** RCW 18.340.020 and 2011 2nd sp.s. c 5 s 2 are each
21 amended to read as follows:

22 ~~(1) ((For the purposes of this section, "authority" means any~~
23 ~~board, commission, or other authority for issuance of a license,~~
24 ~~certificate, registration, or permit under this title.~~

25 ~~(2) To the extent resources are available:~~

26 ~~(a))~~ Each authority shall establish procedures to expedite the
27 issuance of ((a)) standard and provisional licenses, certificates,
28 registrations, or permits to perform professional services regulated
29 by each such authority to ((a person:

30 ~~(i) Who is certified or licensed, certified, or registered, or~~
31 ~~has a permit in another state to perform professional services in~~
32 ~~that state;~~

33 ~~(ii) Whose spouse is the subject of a military transfer to~~
34 ~~Washington; and~~

35 ~~(iii) Who left employment in the other state to accompany the~~
36 ~~person's spouse to Washington.~~

37 ~~(b) The procedure must include a process for issuing the person a~~
38 ~~license, certificate, registration, or permit, if, in the opinion of~~
39 ~~the authority, the requirements for licensure, certification,~~

1 registration, or obtaining a permit of such other state are
2 substantially equivalent to that required in Washington.

3 ~~(c) Each authority in this title shall develop a method and adopt~~
4 ~~rules to authorize a person who meets the criteria in (a) (i) through~~
5 ~~(iii) of this subsection to perform services regulated by the~~
6 ~~authority in Washington by issuing the person a temporary license,~~
7 ~~certificate, registration, or permit for a limited period of time to~~
8 ~~allow the person to perform services regulated by the authority while~~
9 ~~completing any specific additional requirements in Washington that~~
10 ~~are not related to training or practice standards of the profession~~
11 ~~that were not required in the other state in which the person is~~
12 ~~licensed, certified, or registered, or has a permit)) active duty~~
13 ~~military spouses who relocate to Washington state and possess~~
14 ~~substantially equivalent authorization.~~

15 (2) Nothing in this section requires the authority to issue a
16 ((temporary)) license, certificate, registration, or permit if the:

17 (a) Standards of the other state are substantially unequal to
18 Washington standards ((-

19 ~~(d) An applicant must state in the application that he or she:~~

20 ~~(i) Has requested verification from the other state or states~~
21 ~~that the person is currently licensed, certified, registered, or has~~
22 ~~a permit; and~~

23 ~~(ii) Is not)); or~~

24 (b) Person is subject to any pending investigation, charges, or
25 disciplinary action by the regulatory body of ((the other)) another
26 state or ((states)) territory of the United States.

27 ~~((e)) (3) If the authority finds reasonable cause to believe~~
28 ~~that an applicant falsely ((affirmed or stated either of the~~
29 ~~requirements under (d) (i) or (ii) of this subsection)) provided~~
30 ~~information, the authority may summarily suspend the license,~~
31 ~~certificate, registration, or permit pending an investigation or~~
32 ~~further action to discipline or revoke the license, certificate,~~
33 ~~registration, or permit.~~

34 (4) For the purposes of this section:

35 (a) "Active duty military spouse" means any person currently
36 married to someone who is an active or reserve member in any branch
37 of the armed forces of the United States, including the national
38 guard, coast guard, and armed forces reserves.

1 (b) "Authority" means any board, commission, or other authority
2 for issuance of a license, certificate, registration, or permit under
3 this title.

4 (c) "Provisional license, certificate, registration, or permit"
5 means immediate authorization to perform the full range of activities
6 allowed with a standard license, certificate, registration, or
7 permit:

8 (i) Under the supervision of a person with a standard Washington
9 state license, certificate, registration, or permit; and

10 (ii) For a period of three years, or the duration of a standard
11 license, certificate, registration, or permit if less than three
12 years.

13 (d) "Substantially equivalent authorization" means a license,
14 certificate, registration, or permit to practice a profession from
15 another state or territory of the United States that uses
16 requirements comparable to those used in Washington state.

17 **Sec. 9.** RCW 19.02.020 and 2013 c 144 s 16 are each amended to
18 read as follows:

19 The definitions in this section apply throughout this chapter
20 unless the context clearly requires otherwise.

21 (1) "Business license" means the single document designed for
22 public display issued by the business licensing service, which
23 certifies state agency or local government license approval and which
24 incorporates the endorsements for individual licenses included in the
25 business licensing system, which the state or local government
26 requires for any person subject to this chapter.

27 (2) "Business license application" means a document incorporating
28 pertinent data from existing applications for licenses covered under
29 this chapter.

30 (3) "Business licensing service" means the business registration
31 and licensing service established by this chapter and located in and
32 under the administrative control of the department of revenue.

33 (4) "Department" means the department of revenue.

34 (5) "Director" means the director of the department.

35 (6) "License" means the whole or part of any agency or local
36 government permit, license, certificate, approval, registration,
37 charter, or any form or permission required by law, including agency
38 rule, to engage in any activity.

1 (7) "License information packet" means a collection of
2 information about licensing requirements and application procedures
3 custom-assembled for each request.

4 (8) "Participating local government" means a municipal
5 corporation or political subdivision that participates in the
6 business licensing system established by this chapter.

7 (9) "Person" means any individual, sole proprietorship,
8 partnership, association, cooperative, corporation, nonprofit
9 organization, state or local government agency, and any other
10 organization required to register with the state or a participating
11 local government to do business in the state or the participating
12 local government and to obtain one or more licenses from the state or
13 any of its agencies or the participating local government.

14 (10) "Regulatory" means all licensing and other governmental or
15 statutory requirements pertaining to business or professional
16 activities.

17 (11) "Regulatory agency" means any state agency, board,
18 commission, division, or local government that regulates one or more
19 professions, occupations, industries, businesses, or activities.

20 (12) "Renewal application" means a document used to collect
21 pertinent data for renewal of licenses covered under this chapter.

22 (13) "System" or "business licensing system" means the procedure
23 by which business licenses are issued and renewed, license and
24 regulatory information is collected and disseminated with due regard
25 to privacy statutes, and account data is exchanged by the agencies
26 and participating local governments.

27 (14) "Active duty military spouse" means any person currently
28 married to someone who is an active or reserve member in any branch
29 of the armed forces of the United States, including the national
30 guard, coast guard, and armed forces reserves.

31 **Sec. 10.** RCW 19.02.070 and 2013 c 144 s 19 are each amended to
32 read as follows:

33 (1) Any person requiring licenses that have been incorporated
34 into the system must submit a business license application to the
35 department requesting the issuance of the licenses. The business
36 license application form must contain in consolidated form
37 information necessary for the issuance of the licenses.

38 (2) The applicant must include with the application the sum of
39 all fees and deposits required for the requested individual license

1 endorsements as well as the handling fee established by the
2 department under the authority of RCW 19.02.075.

3 (3) (a) Irrespective of any authority delegated to the department
4 to implement the provisions of this chapter, the authority for
5 approving issuance and renewal of any requested license that requires
6 a prelicensing or renewal investigation, inspection, testing, or
7 other judgmental review by the regulatory agency otherwise legally
8 authorized to issue the license must remain with that agency.

9 (b) The business licensing service has the authority to issue
10 those licenses for which proper fee payment and a completed
11 application form have been received and for which no prelicensing or
12 renewal approval action is required by the regulatory agency. If the
13 applicant is an active duty military spouse, the department must
14 expedite the approval of those licenses.

15 (4) Upon receipt of the application and proper fee payment for
16 any license for which issuance is subject to regulatory agency action
17 under subsection (3) of this section, the department must immediately
18 notify the regulatory agency with authority to approve issuance or
19 renewal of the license requested by the applicant. If the applicant
20 is an active duty military spouse, the department must require the
21 agency to expedite processing of the application. Each regulatory
22 agency must advise the department within a reasonable time after
23 receiving the notice: (a) That the agency approves the issuance of
24 the requested license and will advise the applicant of any specific
25 conditions required for issuing the license; (b) that the agency
26 denies the issuance of the license and gives the applicant reasons
27 for the denial; or (c) that the application is pending.

28 (5) The department must issue a business license endorsed for all
29 the approved licenses to the applicant and advise the applicant of
30 the status of other requested licenses. It is the responsibility of
31 the applicant to contest the decision regarding conditions imposed or
32 licenses denied through the normal process established by statute or
33 by the regulatory agency with the authority for approving issuance of
34 the license.

35 (6) Regulatory agencies must be provided information from the
36 business license application for their licensing and regulatory
37 functions.

38 **Sec. 11.** RCW 19.02.075 and 2013 c 144 s 20 are each amended to
39 read as follows:

1 (1) Except as provided in subsection (2) of this section, the
2 department must collect a handling fee on each business license
3 application and each renewal application filing. The department must
4 set the amount of the handling fees by rule, as authorized by RCW
5 19.02.030. The handling fees may not exceed nineteen dollars for each
6 business license application, and eleven dollars for each business
7 license renewal application filing, and must be deposited in the
8 business license account. The department may increase handling and
9 renewal fees for the purposes of making improvements in the business
10 licensing service program, including improvements in technology and
11 customer services, expanded access, and infrastructure.

12 (2) The department may not collect a handling fee for an initial
13 business license application for any applicant who is an active duty
14 military spouse.

15 **Sec. 12.** RCW 43.24.086 and 1999 c 240 s 2 are each amended to
16 read as follows:

17 It shall be the policy of the state of Washington that the cost
18 of each professional, occupational(~~(+)~~), or business licensing
19 program be fully borne by the members of that profession,
20 occupation(~~(+)~~), or business. The director of licensing shall from
21 time to time establish the amount of all application fees, license
22 fees, registration fees, examination fees, permit fees, renewal fees,
23 and any other fee associated with licensing or regulation of
24 professions, occupations(~~(+)~~), or businesses, except for health
25 professions, administered by the department of licensing. In fixing
26 said fees, the director shall set the fees for each such program at a
27 sufficient level to defray the costs of administering that program.
28 All such fees shall be fixed by rule adopted by the director in
29 accordance with the provisions of the administrative procedure act,
30 chapter 34.05 RCW. No fees shall be charged to an active duty
31 military spouse.

32 **Sec. 13.** RCW 43.70.110 and 2015 c 77 s 1 are each amended to
33 read as follows:

34 (1) The secretary shall charge fees to the licensee for obtaining
35 a license. Physicians regulated pursuant to chapter 18.71 RCW who
36 reside and practice in Washington and obtain or renew a retired
37 active license are exempt from such fees. After June 30, 1995,
38 municipal corporations providing emergency medical care and

1 transportation services pursuant to chapter 18.73 RCW shall be exempt
2 from such fees, provided that such other emergency services shall
3 only be charged for their pro rata share of the cost of licensure and
4 inspection, if appropriate. The secretary may waive the fees when, in
5 the discretion of the secretary, the fees would not be in the best
6 interest of public health and safety, or when the fees would be to
7 the financial disadvantage of the state.

8 (2) Except as provided in subsection (3) of this section, fees
9 charged shall be based on, but shall not exceed, the cost to the
10 department for the licensure of the activity or class of activities
11 and may include costs of necessary inspection.

12 (3) License fees shall include amounts in addition to the cost of
13 licensure activities in the following circumstances:

14 (a) For registered nurses and licensed practical nurses licensed
15 under chapter 18.79 RCW, support of a central nursing resource center
16 as provided in RCW 18.79.202;

17 (b) For all health care providers licensed under RCW 18.130.040,
18 the cost of regulatory activities for retired volunteer medical
19 worker licensees as provided in RCW 18.130.360; and

20 (c) For physicians licensed under chapter 18.71 RCW, physician
21 assistants licensed under chapter 18.71A RCW, osteopathic physicians
22 licensed under chapter 18.57 RCW, osteopathic physicians' assistants
23 licensed under chapter 18.57A RCW, naturopaths licensed under chapter
24 18.36A RCW, podiatrists licensed under chapter 18.22 RCW,
25 chiropractors licensed under chapter 18.25 RCW, psychologists
26 licensed under chapter 18.83 RCW, registered nurses and licensed
27 practical nurses licensed under chapter 18.79 RCW, optometrists
28 licensed under chapter 18.53 RCW, mental health counselors licensed
29 under chapter 18.225 RCW, massage therapists licensed under chapter
30 18.108 RCW, advanced social workers licensed under chapter 18.225
31 RCW, independent clinical social workers and independent clinical
32 social worker associates licensed under chapter 18.225 RCW, midwives
33 licensed under chapter 18.50 RCW, marriage and family therapists and
34 marriage and family therapist associates licensed under chapter
35 18.225 RCW, occupational therapists and occupational therapy
36 assistants licensed under chapter 18.59 RCW, dietitians and
37 nutritionists certified under chapter 18.138 RCW, speech-language
38 pathologists licensed under chapter 18.35 RCW, and East Asian
39 medicine practitioners licensed under chapter 18.06 RCW, the license
40 fees shall include up to an additional twenty-five dollars to be

1 transferred by the department to the University of Washington for the
2 purposes of RCW 43.70.112.

3 (4) Department of health advisory committees may review fees
4 established by the secretary for licenses and comment upon the
5 appropriateness of the level of such fees.

6 (5) No fees shall be charged to an active duty military spouse.

7 **Sec. 14.** RCW 43.70.250 and 2017 c 195 s 26 are each amended to
8 read as follows:

9 (1) It shall be the policy of the state of Washington that the
10 cost of each professional, occupational, or business licensing
11 program be fully borne by the members of that profession, occupation,
12 or business.

13 (2) The secretary shall from time to time establish the amount of
14 all application fees, license fees, registration fees, examination
15 fees, permit fees, renewal fees, and any other fee associated with
16 licensing or regulation of professions, occupations, or businesses
17 administered by the department. Any and all fees or assessments, or
18 both, levied on the state to cover the costs of the operations and
19 activities of the interstate health professions licensure compacts
20 with participating authorities listed under chapter 18.130 RCW shall
21 be borne by the persons who hold licenses issued pursuant to the
22 authority and procedures established under the compacts. In fixing
23 said fees, the secretary shall set the fees for each program at a
24 sufficient level to defray the costs of administering that program
25 and the cost of regulating licensed volunteer medical workers in
26 accordance with RCW 18.130.360, except as provided in RCW 18.79.202.
27 In no case may the secretary increase a licensing fee for an
28 ambulatory surgical facility licensed under chapter 70.230 RCW prior
29 to July 1, 2018, nor may he or she commence the adoption of rules to
30 increase a licensing fee prior to July 1, 2018.

31 (3) All such fees shall be fixed by rule adopted by the secretary
32 in accordance with the provisions of the administrative procedure
33 act, chapter 34.05 RCW.

34 (4) No fees shall be charged to an active duty military spouse.

35 **Sec. 15.** RCW 73.16.010 and 1975 1st ex.s. c 198 s 1 are each
36 amended to read as follows:

37 In every public department, and upon all public works of the
38 state, and of any county thereof, honorably discharged soldiers,

1 sailors, and marines who are veterans of any war of the United
2 States, or of any military campaign for which a campaign ribbon shall
3 have been awarded, and their widows or widowers, shall be preferred
4 for appointment and employment. Age, loss of limb, or other physical
5 impairment, which does not in fact incapacitate, shall not be deemed
6 to disqualify them, provided they possess the capacity necessary to
7 discharge the duties of the position involved: PROVIDED, That
8 (~~spouses of honorably discharged veterans who have a service~~
9 ~~connected permanent and total disability~~) military spouses shall
10 also be preferred for appointment and employment.

11 **Sec. 16.** RCW 73.16.110 and 2011 c 144 s 1 are each amended to
12 read as follows:

13 (1) The legislature intends to establish a permissive preference
14 in private employment for certain veterans and military spouses.

15 (2) In every private, nonpublic employment in this state,
16 honorably discharged soldiers, sailors, and marines who are veterans
17 of any war of the United States, or of any military campaign for
18 which a campaign ribbon has been awarded(~~, and their widows or~~
19 ~~widowers~~), may be preferred for employment. (~~Spouses of honorably~~
20 ~~discharged veterans who have a service connected permanent and total~~
21 ~~disability~~) Military spouses may also be preferred for employment.
22 These preferences are not considered violations of any state or local
23 equal employment opportunity law, including but not limited to any
24 statute or regulation adopted under chapter 49.60 RCW.

25 (3) For the purposes of this section:

26 (a) "Military spouse" means any person currently or previously
27 married to a military service member during the military service
28 member's time of active duty. Active duty may have been in any branch
29 of the armed forces of the United States, including the national
30 guard, coast guard, and armed forces reserves.

31 (b) "Veteran" has the same meanings as defined in RCW 41.04.005
32 and 41.04.007, and includes a current member of the national guard or
33 armed forces reserves who has been deployed to serve in an armed
34 conflict.

35 **Sec. 17.** RCW 49.74.005 and 1985 c 365 s 7 are each amended to
36 read as follows:

37 Discrimination because of race, creed, color, national origin,
38 age, sex, marital status, veteran status, military spouse status, or

1 the presence of any sensory, mental, or physical handicap is contrary
2 to the findings of the legislature and public policy. The legislature
3 finds and declares that racial minorities, women, persons in
4 protected age groups, persons with disabilities, veterans, Vietnam-
5 era veterans, (~~and disabled~~) veterans with disabilities, and
6 military spouses are underrepresented in Washington state government
7 employment.

8 The purpose of this chapter is to provide for enforcement
9 measures for affirmative action within Washington state government
10 employment and institutions of higher education in order to eliminate
11 such underrepresentation.

12 **Sec. 18.** RCW 41.06.530 and 2011 1st sp.s. c 43 s 429 are each
13 amended to read as follows:

14 (1) The legislature recognizes that:

15 (a) The labor market and the state government workforce are
16 diverse in terms of gender, race, ethnicity, age, veteran status,
17 military spouse status, and the presence of disabilities.

18 (b) The state's personnel resource and management practices must
19 be responsive to the diverse nature of its workforce composition.

20 (c) Managers in all agencies play a key role in the
21 implementation of all critical personnel policies.

22 It is therefore the policy of the state to create an
23 organizational culture in state government that respects and values
24 individual differences and encourages the productive potential of
25 every employee.

26 (2) To implement this policy:

27 (a) The office of financial management shall, in consultation
28 with agencies, employee organizations, employees, institutions of
29 higher education, and related boards, review civil service rules and
30 related policies to ensure that they support the state's policy of
31 valuing and managing diversity in the workplace; and

32 (b) The department of enterprise services, in consultation with
33 agencies, employee organizations, and employees, institutions of
34 higher education, and related boards, develop training programs for
35 all managers to enhance their ability to implement diversity policies
36 and to provide a thorough grounding in all aspects of the state civil
37 service law and merit system rules, and how the proper implementation
38 and application thereof can facilitate and further the mission of the
39 agency.

1 (3) The department of enterprise services and the office of
2 financial management shall coordinate implementation of this section
3 with the institutions of higher education and related boards to
4 reduce duplication of effort.

5 **Sec. 19.** RCW 73.16.120 and 2015 c 57 s 2 are each amended to
6 read as follows:

7 (1) The department of veterans affairs, employment security
8 department, and department of commerce shall consult local chambers
9 of commerce, associate development organizations, and businesses to
10 initiate a demonstration campaign to increase veteran and military
11 spouse employment. This campaign may include partnerships with
12 chambers of commerce that result in business owners sharing, with the
13 local chamber of commerce, information on the number of veterans
14 employed and the local chambers of commerce providing this
15 information to the department of veterans affairs.

16 (2) The department of veterans affairs, employment security
17 department, and department of commerce shall develop and deliver
18 training and other resources for employers addressing:

19 (a) The elimination of barriers to veteran and military spouse
20 employment; and

21 (b) Strategies for recruiting and retaining veteran and military
22 spouse employees.

23 (3) Participants in the campaign are encouraged to work with the
24 Washington state military transition council and county veterans'
25 advisory boards as defined in RCW 73.08.035.

26 ~~((3) Funding for the campaign shall be established from existing~~
27 ~~resources.))~~

28 (4) For the purposes of this section~~((7))~~:

29 (a) "Military spouse" means any person currently or previously
30 married to a military service member during the military service
31 member's time of active duty. Active duty may have been in any branch
32 of the armed forces of the United States, including the national
33 guard, coast guard, and armed forces reserves.

34 (b) "Veteran" means any veteran discharged under honorable
35 conditions.

36 **Sec. 20.** RCW 82.04.4498 and 2015 3rd sp.s. c 6 s 1002 are each
37 amended to read as follows:

1 (1) A person is allowed a credit against the tax due under this
2 chapter as provided in this section. The credit equals twenty percent
3 of wages and benefits paid to or on behalf of a qualified employee up
4 to a maximum of one thousand five hundred dollars for each qualified
5 employee hired on or after October 1, 2016.

6 (2) No credit may be claimed under this section until a qualified
7 employee has been employed for at least two consecutive full calendar
8 quarters.

9 (3) Credits are available on a first-in-time basis. The
10 department must keep a running total of all credits allowed under
11 this section and RCW 82.16.0499 during each fiscal year. The
12 department may not allow any credits that would cause the total
13 credits allowed under this section and RCW 82.16.0499 to exceed five
14 hundred thousand dollars in any fiscal year. If all or part of a
15 claim for credit is disallowed under this subsection, the disallowed
16 portion is carried over to the next fiscal year. However, the
17 carryover into the next fiscal year is only permitted to the extent
18 that the cap for the next fiscal year is not exceeded. Priority must
19 be given to credits carried over from a previous fiscal year. The
20 department must provide written notice to any person who has claimed
21 tax credits in excess of the limitation in this subsection. The
22 notice must indicate the amount of tax due and provide that the tax
23 be paid within thirty days from the date of the notice. The
24 department may not assess penalties and interest as provided in
25 chapter 82.32 RCW on the amount due in the initial notice if the
26 amount due is paid by the due date specified in the notice, or any
27 extension thereof.

28 (4) The credit may be used against any tax due under this
29 chapter, and may be carried over until used, except as provided in
30 subsection (9) of this section. No refunds may be granted for credits
31 under this section.

32 (5) If an employer discharges a qualified employee for whom the
33 employer has claimed a credit under this section, the employer may
34 not claim a new credit under this section for a period of one year
35 from the date the qualified employee was discharged. However, this
36 subsection (5) does not apply if the qualified employee was
37 discharged for misconduct, as defined in RCW 50.04.294, connected
38 with his or her work or discharged due to a felony or gross
39 misdemeanor conviction, and the employer contemporaneously documents
40 the reason for discharge.

1 (6) Credits earned under this section may be claimed only on
2 returns filed electronically with the department using the
3 department's online tax filing service or other method of electronic
4 reporting as the department may authorize. No application is required
5 to claim the credit, but the taxpayer must keep records necessary for
6 the department to determine eligibility under this section including
7 records establishing the person's status as a veteran and status as
8 unemployed when hired by the taxpayer.

9 (7) No person may claim a credit against taxes due under both
10 this chapter and chapter 82.16 RCW for the same qualified employee.

11 (8) The definitions in this subsection apply throughout this
12 section unless the context clearly requires otherwise.

13 (a) "Military spouse" means any person currently or previously
14 married to a military service member during the military service
15 member's time of active duty. Active duty may have been in any branch
16 of the armed forces of the United States, including the national
17 guard, coast guard, and armed forces reserves.

18 (b)(i) "Qualified employee" means an unemployed veteran or
19 military spouse who is employed in a permanent full-time position for
20 at least two consecutive full calendar quarters. For seasonal
21 employers, "qualified employee" also includes the equivalent of a
22 full-time employee in work hours for two consecutive full calendar
23 quarters.

24 (ii) For purposes of this subsection (8) ~~((a))~~ (b), "full time"
25 means a normal workweek of at least thirty-five hours.

26 ~~((b))~~ (c) "Unemployed" means that the veteran was unemployed as
27 defined in RCW 50.04.310 for at least thirty days immediately
28 preceding the date that the veteran was hired by the person claiming
29 credit under this section for hiring the veteran.

30 ~~((e))~~ (d) "Veteran" means every person who has received an
31 honorable discharge or received a general discharge under honorable
32 conditions or is currently serving honorably, and who has served as a
33 member in any branch of the armed forces of the United States,
34 including the national guard and armed forces reserves.

35 (9) Credits allowed under this section can be earned for tax
36 reporting periods through June 30, 2022. No credits can be claimed
37 after June 30, 2023.

38 (10) This section expires July 1, 2023.

1 **Sec. 21.** RCW 50.62.020 and 1987 c 284 s 2 are each amended to
2 read as follows:

3 Unless the context clearly requires otherwise, the definitions in
4 this section apply throughout this chapter.

5 (1) "Job service" means the employment assistance program of the
6 employment security department.

7 (2) "Employment assistance" means services to unemployed persons
8 focused on and measured by the obtaining of employment.

9 (3) "Labor exchange" means those activities which match labor
10 supply and labor demand, including recruitment, screening, and
11 referral of qualified workers to employers.

12 (4) "Special account of the administrative contingency fund"
13 means that fund under RCW 50.24.014 established within the
14 administrative contingency fund of the employment security department
15 which provides revenue for the purposes of this chapter.

16 (5) "Continuous wage and benefit history" means an information
17 and research system utilizing a longitudinal database containing
18 information on both employment and unemployment.

19 (6) "Long-term unemployed" means demographic groups of
20 unemployment insurance claimants identified by the employment
21 security department pursuant to RCW 50.62.040(1)(e) which have the
22 highest percentages of persons who have drawn at least fifteen weeks
23 of unemployment insurance benefits or have the highest percentage of
24 persons who have exhausted their unemployment insurance benefits.

25 (7) "Older unemployed workers" means unemployment insurance
26 claimants who are at least fifty years of age.

27 (8) "Military spouses" means any person currently or previously
28 married to a military service member during the military service
29 member's time of active duty. Active duty may have been in any branch
30 of the armed forces of the United States, including the national
31 guard, coast guard, and armed forces reserves.

32 **Sec. 22.** RCW 50.62.030 and 2017 c 39 s 10 are each amended to
33 read as follows:

34 (1) Job service resources must be used to assist with the
35 reemployment of unemployed workers using the most efficient and
36 effective means of service delivery. The job service program of the
37 employment security department may undertake any program or activity
38 for which funds are available and which furthers the goals of this

1 chapter. These programs and activities must include, but are not
2 limited to:

3 (a) Giving older unemployed workers (~~and~~), the long-term
4 unemployed, and military spouses the highest priority for all
5 services made available under this section. The employment security
6 department must make the services provided under this chapter
7 available to the older unemployed workers (~~and~~), the long-term
8 unemployed, and military spouses as soon as they register under the
9 employment assistance program;

10 (b) Supplementing basic employment services, with special job
11 search and claimant placement assistance designed to assist
12 unemployment insurance claimants to obtain employment;

13 (c) Providing employment services, such as recruitment,
14 screening, and referral of qualified workers, to agricultural areas
15 where these services have in the past contributed to positive
16 economic conditions for the agricultural industry; and

17 (d) Providing otherwise unobtainable information and analysis to
18 the legislature and program managers about issues related to
19 employment and unemployment.

20 (2) Individuals who are eligible for services under the federal
21 workforce innovation and opportunity act, P.L. 113-128 or its
22 successor, must be provided the opportunity to enroll in self-
23 employment assistance or entrepreneurial training programs to prepare
24 them for self-employment on the same basis as they are provided the
25 opportunity to enroll in other training programs funded under the
26 federal workforce innovation and opportunity act. The department must
27 work with local workforce development councils to ensure that the
28 contracting process with training providers is efficient and that the
29 number of entrepreneurial training providers on the state's eligible
30 training provider list is sufficient to meet demand. Each local
31 workforce development council must:

32 (a) Notify all individuals eligible for services under the
33 workforce innovation and opportunity act of the availability of self-
34 employment assistance and entrepreneurial training; and

35 (b) Establish and implement a plan for expending workforce
36 innovation and opportunity act funds on self-employment assistance
37 and entrepreneurial training at a rate that is commensurate with
38 either the demand for such services or the rate of self-employment
39 within the council's workforce development area.

1 NEW SECTION. **Sec. 23.** A new section is added to chapter 43.330

2 RCW to read as follows:

3 (1) The legislature recognizes that the departments of veterans
4 affairs, social and health services, health, and commerce, the
5 employment security department, the Washington student achievement
6 council, the state board for community and technical colleges, the
7 health care authority, the office of financial management, and the
8 United States department of defense, in addition to other agencies,
9 each have comprehensive data that can contribute greatly to
10 understanding the demographics of military spouses, as defined in RCW
11 50.62.020, and military families in the state.

12 (2) For the purposes of improving the state's ability to support
13 military families, the department shall convene a work group of
14 representatives from the agencies listed in subsection (1) of this
15 section and any other agency or entity the department finds
16 appropriate to develop recommendations on best practices for
17 collecting demographic data on military families receiving services,
18 support, assistance, and benefits from the state agencies.

19 (3) The department must convene the work group and issue a report
20 of findings and recommendations to the joint committee of veterans'
21 and military affairs by December 31, 2019.

22 (4) The work group must, at a minimum:

23 (a) Determine what data on military families is already being
24 collected by each agency;

25 (b) Establish best practices for agencies to share demographic
26 data on military families in order to better serve and support
27 military families; and

28 (c) Recommend methods to encourage military families to self-
29 identify for the purposes of collecting demographic data.

30 (5) (a) If the work group's recommendations can be implemented by
31 the agencies without legislative action, the agencies shall implement
32 the recommendations within one year of the work group's report.

33 (b) If legislative action is required to implement the work
34 group's recommendations, the department shall request legislation in
35 the legislative session following the issuance of the work group's
36 report.

37 (6) In coordination with the work group, the office of financial
38 management shall develop and issue a report on military spouses
39 residing in Washington state to the joint committee on veterans' and
40 military affairs by December 31, 2019. The report must include, at a

1 minimum: The actual or estimated number of spouses currently married
2 to active duty service members; spouses currently married to active
3 duty service members who have moved to Washington state over the past
4 year; spouses currently married to separated service members; and
5 spouses previously married to active duty service members.

6 (7) In coordination with the work group, the employment security
7 department shall develop and issue a report on working-age military
8 spouses residing in Washington state to the joint committee on
9 veterans' and military affairs by December 31, 2019. The report must
10 include, at a minimum: The actual or estimated labor force
11 participation rate; the unemployment rate; and average wages.

12 NEW SECTION. **Sec. 24.** A new section is added to chapter 39.19
13 RCW to read as follows:

14 (1) By January 1, 2020, the office shall design and implement a
15 two-year pilot program to conduct outreach to military spouses who
16 are women and minority business owners, for the purposes of providing
17 support and technical assistance to those business owners.

18 (2) In designing and implementing the pilot program, the office
19 shall, at a minimum:

20 (a) Focus on one military installation community; and

21 (b) Partner with the department of commerce, the department of
22 veterans affairs, the United States small business administration,
23 nonprofit organizations, and any other organizations that provide
24 small business support, such as advising, planning, networking, and
25 alternative financing.

26 (3) By December 31, 2021, the office shall provide a report to
27 the joint committee on veterans' and military affairs on the office's
28 outreach efforts, the number of business owners who participated in
29 the pilot program, and the status of the businesses that were part of
30 the pilot program.

31 (4) For the purposes of this section, "military spouse" means any
32 person currently or previously married to a military service member
33 during the military service member's time of active duty. Active duty
34 may have been in any branch of the armed forces of the United States,
35 including the national guard, coast guard, and armed forces reserves.

36 (5) This section expires December 31, 2023.

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