
SENATE BILL 5356

State of Washington

66th Legislature

2019 Regular Session

By Senators Wilson, C., Randall, Das, Saldaña, Darneille, Pedersen, Liiias, Nguyen, Cleveland, Dhingra, and Hunt

Read first time 01/18/19. Referred to Committee on State Government, Tribal Relations & Elections.

1 AN ACT Relating to establishing the Washington state LGBTQ
2 commission; adding a new chapter to Title 43 RCW; and creating a new
3 section.

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

5 NEW SECTION. **Sec. 1.** The legislature declares that the public
6 policy of this state is to ensure equal opportunity for all
7 Washingtonians. The legislature believes that the state is
8 responsible for improving its interface with the LGBTQ community,
9 identifying the needs of its members, and ensuring that there is an
10 effective means of advocating for LGBTQ equity in all aspects of
11 state government. Therefore, the legislature deems it necessary to
12 create a commission to carry out the purposes of this chapter.

13 NEW SECTION. **Sec. 2.** The definitions in this section apply
14 throughout this chapter unless the context clearly requires
15 otherwise.

16 (1) "Commission" means the Washington state LGBTQ commission.

17 (2) "LGBTQ" includes lesbian, gay, bisexual, transgender, and
18 queer communities.

1 NEW SECTION. **Sec. 3.** The Washington state LGBTQ commission is
2 established in the office of the governor. The commission shall be
3 administered by an executive director, who shall be appointed by, and
4 serve at the pleasure of, the governor. The governor shall set the
5 salary of the executive director. The executive director shall employ
6 the staff of the commission.

7 NEW SECTION. **Sec. 4.** (1) The commission consists of fifteen
8 members appointed by the governor.

9 (2) The governor shall consider nominations for membership based
10 upon maintaining a balanced and diverse distribution of race and
11 ethnic, geographic, gender identity, sexual orientation, age,
12 socioeconomic status, and occupational representation, where
13 practicable.

14 (3) All commission members serve at the pleasure of the governor,
15 but in no case may any member serve more than three years without
16 formal reappointment by the governor. Of the persons initially
17 appointed by the governor to the commission, five must be appointed
18 to serve one year, five to serve two years, and five to serve three
19 years. Upon expiration of such terms, subsequent appointments are for
20 three years. Any vacancies occurring in the membership of the
21 commission must be filled for the remainder of the unexpired term in
22 the same manner as the original appointments.

23 (4) Members must be reimbursed for expenses incurred in the
24 performance of their duties in accordance with RCW 43.03.050 and
25 43.03.060.

26 (5) A simple majority of the commission's membership constitutes
27 a quorum for the purpose of conducting business.

28 NEW SECTION. **Sec. 5.** The executive director of the commission
29 shall:

30 (1) Monitor state legislation and advocate for legislation
31 affecting LGBTQ people;

32 (2) Work with state agencies to assess programs and policies that
33 affect LGBTQ people;

34 (3) Coordinate with the minority commissions, women's commission,
35 and human rights commission to address issues of mutual concern; and

36 (4) Work as a liaison between the public and private sector to
37 eliminate barriers to economic and health equity for LGBTQ people.

1 NEW SECTION. **Sec. 6.** (1) The commission shall have the
2 following duties:

3 (a) Actively recruit and maintain a list of names of qualified
4 LGBTQ people to fill vacancies on various boards and commissions;

5 (b) Provide a clearinghouse for information regarding both state
6 and federal legislation as it relates to the purpose of this chapter;

7 (c) Identify and define specific needs of LGBTQ people of color
8 and provide recommendations for addressing those needs in the
9 biennial report to the legislature and governor under (k) of this
10 subsection;

11 (d) Consult with state agencies regarding the effect of agency
12 policies, procedures, practices, laws, and administrative rules on
13 the unique problems and needs of LGBTQ people. The commission shall
14 also advise such state agencies on the development and implementation
15 of comprehensive and coordinated policies, plans, and programs
16 focusing on those problems and needs;

17 (e) Provide resource and referral information to agencies and the
18 public. The commission may gather data and disseminate information to
19 the public in order to implement the purposes of this chapter;

20 (f) Consult with nonprofit organizations and make recommendations
21 in the biennial report to the legislature and governor under (k) of
22 this subsection regarding preserving the memory and contributions of
23 LGBTQ members in Washington state;

24 (g) Hold public hearings to gather input on issues related to the
25 unique problems and needs of LGBTQ people. The commission must
26 include in the biennial report submitted under (k) of this subsection
27 the input received and recommendations for addressing the problems
28 and needs discussed at the public hearings;

29 (h) Advocate for removal of legal and social barriers for LGBTQ
30 people;

31 (i) Review best practices for discrimination and harassment
32 policies and training and provide recommendations to state agencies
33 as they update their discrimination and harassment policies. The
34 commission shall also maintain a file of discrimination and
35 harassment policies that meet high quality standards and make these
36 files available for agency use;

37 (j) Review and make recommendations to the legislature on
38 strategies to increase the number of LGBTQ people serving on for-
39 profit corporate boards with gross incomes of five million dollars or
40 more; and

1 (k) Submit a report to the appropriate committees of the
2 legislature and the governor every two years detailing the
3 commission's activities. The report submitted must be in electronic
4 format pursuant to RCW 43.01.036.

5 (2) State agencies must provide appropriate and reasonable
6 assistance to the commission as needed, including gathering data and
7 information, in order for the commission to carry out the purpose of
8 this chapter.

9 NEW SECTION. **Sec. 7.** (1) The commission has the power to
10 receive gifts, grants, and endowments from public or private sources
11 that are made for the use or benefit of the commission and to expend
12 the same or any income therefrom according to their terms and the
13 purpose of this chapter. The commission's executive director shall
14 make a report of such funds received from private sources to the
15 office of financial management on a regular basis. Such funds
16 received from private sources must not be applied to reduce or
17 substitute for the commission's budget as appropriated by the
18 legislature, but must be applied and expended toward projects and
19 functions authorized by this chapter that were not funded by the
20 legislature.

21 (2) In carrying out its duties, the commission may establish such
22 relationships with public and private institutions, local
23 governments, private industry, community organizations, and other
24 segments of the general public as may be needed to promote equal
25 opportunity for LGBTQ people in government, education, economic
26 security, employment, and services.

27 (3) The commission may adopt rules and regulations pursuant to
28 chapter 34.05 RCW as are necessary to implement the purpose of this
29 chapter.

30 NEW SECTION. **Sec. 8.** The legislature declares that:

31 (1) June of each year will be known as LGBTQ pride month;

32 (2) The fourth week in June is designated as a time for people of
33 this state to celebrate the contributions to the state by LGBTQ
34 people in the arts, sciences, commerce, and education; and

35 (3) Educational institutions, public entities, and private
36 organizations are encouraged to designate time for appropriate
37 activities in commemoration of the lives, history, achievements, and
38 contributions of LGBTQ people.

1 NEW SECTION. **Sec. 9.** Sections 2 through 8 of this act
2 constitute a new chapter in Title 43 RCW.

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