

# FINAL BILL REPORT

## 2SSB 5793

---

---

C 245 L 22

Synopsis as Enacted

**Brief Description:** Allowing compensation for lived experience on boards, commissions, councils, committees, and other similar groups.

**Sponsors:** Senate Committee on Ways & Means (originally sponsored by Senators Wilson, C., Trudeau, Das, Dhingra, Hasegawa, Lovelett, Nguyen, Nobles and Saldaña; by request of Attorney General).

**Senate Committee on State Government & Elections**

**Senate Committee on Ways & Means**

**House Committee on State Government & Tribal Relations**

**House Committee on Appropriations**

**Background:** Class One Groups. Part-time groups are identified as class one through class five for setting any additional compensation or allowances. Class one groups include part-time groups which are established by the executive, legislative, or judicial branch to participate in state government and which function primarily in an advisory, coordinating, or planning capacity. Absent any other provision of law, no money beyond customary reimbursement or allowances for expenses may be paid to members of class one groups for attendance at meetings.

No person designated as a member of a class one group may receive an allowance for subsistence, lodging, or travel expenses if the cost is funded by the state general fund. Exceptions may be granted for the critically necessary work of an agency if approved by the head of the executive branch agency, the Chief Justice of the Supreme Court, the House Chief Clerk, or the Secretary of Senate, as appropriate. Groups using funds from sources other than the state general fund are encouraged to reduce travel, lodging, and other costs associated with conducting the business of the group. All classes are directed, if feasible, to use methods of conducting meetings that do not require members to travel while still maximizing member and public participation.

Office of Equity. In 2020, the Legislature created the Office of Equity (Office) to promote

---

*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.*

access to equitable opportunities and resources that reduce disparities and improve outcomes statewide across all sectors of government. The work of the Office must be guided by the following principles of equity:

- equity requires developing, strengthening, and supporting policies and procedures that distribute and prioritize resources to those who have been historically and currently marginalized, including tribes;
- equity requires the elimination of systemic barriers that have been deeply entrenched in systems of inequality and oppression; and
- equity achieves procedural and outcome fairness, promoting dignity, honor, and respect for all people.

Office of Financial Management. The Office of Financial Management (OFM) sets allowances for subsistence, lodging, and travel expenses for elective and appointive officials and state employees.

**Summary:** Unless otherwise identified in law, all newly formed and existing groups are a class one group.

Subject to available funding, an agency may provide a stipend, not to exceed \$200, to individuals who are low- income or have lived experience to support their participation in class one groups when the agency determines such participation is desirable to implement principles of equity, provided that the individuals are not otherwise compensated for their attendance at meetings. A person qualifies as low-income if their income is not more than 400 percent of the federal poverty level, adjusted for family size. A person has lived experience if they have direct personal experience in the subject matter being addressed by the class one group.

The restriction for allowances of members in a class one group if the cost is funded by the state general fund is removed for members of class one groups who are eligible to receive a stipend. Allowances for child and adult care reimbursement, lodging, and travel expenses may be provided to eligible individuals in addition to stipend amounts. The director of OFM must prescribe reasonable allowances to cover reasonable and necessary child and adult care expenses.

By December 1, 2022, the Office must develop uniform equity-driven guidelines that agencies must follow when issuing stipends and allowances to eligible members of class one groups. When developing the guidelines, the Office must consult with stakeholders.

Agencies must work to minimize the impact of stipends and reimbursements on public assistance eligibility and benefit amounts as allowed by federal and state law to the greatest extent possible. Stipends and reimbursements do not create an employment relationship with the state or any membership or qualification in any publicly supported retirement system where such a relationship did not already exist.

An agency who issues stipends must provide two reports to the Office—the first due by August 30, 2023, and the second due by August 30, 2024. The report must include the following for its respective fiscal year:

- a brief description of the groups for which stipends were made available including the number of members receiving a stipend or allowance and the aggregate demographic information of members of class one groups including race, ethnicity, income, and geographic representation by county;
- the amount of stipends distributed;
- the amount of allowances distributed;
- an analysis of whether and how the availability of stipends has reduced barriers to participation and increased diversity of group participants; and
- an analysis of whether the provision of stipends and allowances resulted in more applications and willingness to participate.

The Office must compile and analyze the information received from agencies, and prepare a report to the Governor and the Legislature by December 1, 2024. The report must include:

- an overall evaluation of the stipend process;
- recommendations to improve the process; and
- recommendations to further decrease barriers to participation and increase the diversity of group applicants.

**Votes on Final Passage:**

|        |    |    |                    |
|--------|----|----|--------------------|
| Senate | 31 | 18 |                    |
| House  | 67 | 31 | (House amended)    |
| Senate | 32 | 17 | (Senate concurred) |

**Effective:** June 9, 2022