

SENATE BILL REPORT

2ESHB 1362

As Reported by Senate Committee On:
State Government & Elections, February 20, 2024

Title: An act relating to improving government efficiency related to reports by state agencies by eliminating reports, changing the frequency of reports, and providing an alternative method for having information publicly available in place of reports.

Brief Description: Improving government efficiency related to reports by state agencies by eliminating reports, changing the frequency of reports, and providing an alternative method for having information publicly available in place of reports.

Sponsors: House Committee on State Government & Tribal Relations (originally sponsored by Representatives Stearns, Reeves, Abbarno, Gregerson, Lekanoff and Tharinger; by request of Office of Financial Management).

Brief History: Passed House: 1/31/24, 97-0.

Committee Activity: State Government & Elections: 3/21/23, 3/24/23 [DPA, w/oRec];
2/15/24, 2/20/24 [DP, w/oRec].

Brief Summary of Bill

- Repeals the requirement for state agencies to submit certain reports to either the Legislature or Governor, or both.
- Modifies the frequency of certain reports from state agencies to either the Legislature or Governor, or both.
- Permits state agencies to place certain information online rather than submit a report to the Legislature.

SENATE COMMITTEE ON STATE GOVERNMENT & ELECTIONS

Majority Report: Do pass.

Signed by Senators Hunt, Chair; Valdez, Vice Chair; Wilson, J., Ranking Member;

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.

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Minority Report: That it be referred without recommendation.

Signed by Senators Hasegawa and Kuderer.

Staff: Danielle Creech (786-7412)

Background: Agency Report Requirements. Many state agencies are statutorily required to submit reports on a variety of topics to the Legislature, the Governor, or both. These reports may be required one-time, such as a one-time report due December 15, 2021, by the Department of Veterans Affairs (DVA) to the Legislature and the Governor about the implementation and status of the LGBTQ coordinator position. Other reports may be required regularly, such as the following:

- a semiannual report by the Washington State Patrol to the Legislature about the statewide sexual assault tracking kit system;
- an annual report by the Department of Revenue (DOR) to the Legislature about the progress of its efforts to partner with all cities that impose a general business license requirement;
- a biennial report by the Department of Commerce (Commerce) to the Legislature about the status and costs of the state program for worker training and certification related to lead-based paint;
- reports no less than every ten days by the Director of the Department of Fish and Wildlife to the Governor about the effect of measures taken in response to aquatic invasive species emergency;
- an annual report by the Department of Corrections (DOC), to the Legislature, about various statistics related to extraordinary medical placement for offenders;
- a biennial report by the Washington Student Achievement Council, to the Legislature, about the development of transfer associate degrees that satisfy lower division requirements at public four-year colleges;
- an annual report by DVA, to the Governor, about the department's activities;
- a biennial update by the Children of Incarcerated Parents Advisory Committee, to the Legislature and the Governor, about their activities;
- a report at least every four years by the Office of Privacy and Data Protection, to the Legislature, about telecommunications inequality in tribal, rural, or economically distressed areas;
- an annual letter by the Department of Health and the University of Washington, to the Legislature, about the status of their expenditures of moneys collected from a surcharge on recreational shellfish licenses to fund biotoxin testing for monitoring beaches; and
- a report by Commerce, to the Legislature, aggregating data from consumer-owned and investor-owned utility plans, and assessing the overall adequacy of Washington's electricity supply.

State agencies may also be statutorily required to provide certain information to the

Legislature or other agencies in an unspecified format. For example:

- the Department of Children, Youth, and Families must make certain data available to the Legislature annually regarding the use of family reconciliation services; and
- agencies required to participate in the implementation of the Business License Center Act must provide DOR with certain information about business licenses issued by the agency.

State agencies are also often statutorily required to post certain information publicly on their websites. Examples include:

- the Department of Ecology must list online the interagency agreements to which the department is a party or participant; and
- the Office of the Insurance Commissioner must post online a report about geographic access to gender-affirming treatment across the state, to be updated biannually.

Summary of Bill: Repealed Reporting Requirements. The following reporting requirements are repealed:

- four annual reports from DOR to the Legislature:
 1. regarding the progress of its efforts to partner with all cities that impose a general business license requirement;
 2. regarding payments made by Public Utility Districts in lieu of paying property taxes on property that has broadband infrastructure;
 3. regarding public improvements undertaken by local governments that are financed by hospital benefit zone financing; and
 4. a summary of information DOR receives from local governments about local revitalization projects; and
- four reports from DVA:
 1. a one-time report due December 15, 2021, to the Legislature and the Governor, about the implementation and status of the LGBTQ coordinator position;
 2. an annual report to the Governor, about the DVA's activities; and
 3. two reports due December 31, 2018, and September, 30, 2024, to the Legislature, about the veteran peer-to-peer training and support program; and
- three annual reports from the Office of Superintendent of Public Instruction (OSPI):
 1. regarding the implementation of essential academic learning requirements;
 2. reporting the number of staff trained through a dyslexia pilot program; and
 3. regarding the demographics of students earning dual credits in schools receiving Duel Credit Academic Acceleration Incentive Program grants; and
- two reports from the Commerce to the Legislature:
 1. aggregating data from consumer-owned and investor-owned utility plans, and assessing the overall adequacy of Washington's electricity supply; and
 2. regarding the impact fee deferral process for single-family residential construction; and
- eight reports from other agencies and committees:
 1. a biennial report by the Washington Student Achievement Council, to the Legislature, about the development of transfer associate degrees that satisfy

- lower division requirements at public four-year colleges;
2. a biennial update by the Children of Incarcerated Parents Advisory Committee, to the Legislature and the Governor, about their activities;
3. a report at least every four years by the Office of Privacy and Data Protection, to the Legislature, about telecommunications inequality in tribal, rural, or economically distressed areas;
4. a quarterly report by the Office of Transit Mobility, to the Legislature and the Secretary of Transportation, about the office's progress in fulfilling its duties;
5. an annual report by DOC, to the Legislature and the Governor, about contracts for telecommunication services and electronic media services to inmates;
6. an annual letter by the Department of Health and the University of Washington, to the Legislature, about the status of their expenditures of moneys collected from a surcharge on recreational shellfish licenses to fund biotoxin testing for monitoring beaches;
7. an annual report by the Department of Licensing, to the Governor, on the operation of the filing office, in other words, a place designated to file a financing statement to perfect a security interest or agricultural lien; and
8. an annual joint report by the State Board of Education and the Professional Educator Standards Board, the Legislature and Governor, about progress toward achieving the state's basic education goals.

Relatedly, the following other information-sharing provisions are repealed:

- the requirement for the Department of Children, Youth, and Families to make certain data available to the Legislature annually about the use of family reconciliation services;
- the requirement for agencies to participate in the implementation of the Business License Center Act to provide the Department of Revenue with certain information about business licenses issued by the agency; and
- the requirement for the Department of Ecology to list online the interagency agreements to which the department is a party or participant.

Reporting Frequency Modified. The reporting frequency is modified for the following reports:

- the semiannual report by the Washington State Patrol, to the Legislature, about the statewide sexual assault kit tracking system, is now required annually;
- the reports by the director of the Department of Fish and Wildlife to the Governor evaluating the effect of measures taken in response to an aquatic invasive species emergency, required at least every ten days, are now required at least monthly if the report relates to the green crab infestation emergency;
- the online report by the Office of the Insurance Commissioner about geographic access to gender-affirming treatment across the state is now required to be updated biennially, rather than biannually;
- the annual report by OSPI regarding the Transitional Bilingual Instruction Program is due March 1st rather than February 1st;

- the annual report by OSPI regarding progress on achieving its goal for new voter registrations of 17- and 18-year-olds is due May 1st rather than March 1st;
- the annual report by OSPI, to the Legislature, regarding metrics related to physical, social, and emotional support staff in schools is due March 1st rather than February 1st;
- the annual report by OSPI, to the Legislature, regarding graduation pathways available to students is due March 10th rather than January 10th;
- the annual report from OSPI, to school districts, about the statewide student assessment results is due October 1st rather than September 10th; and
- the annual report from school districts, to OSPI, about various issues related to hiring and compensating substitute teachers, is due March 1st rather than October 1st, and OSPI must post this information online by May 1st rather than January 1st.

Certain Reports to Be Posted Online Rather Than Submitted to the Legislature. The following reports or information are now required to be posted to the agency's website, rather than submitted to the Legislature:

- annual recommendations by Commerce about the best use of under-utilized, state-owned land and property suitable for the development of affordable housing;
- an annual report by Commerce about the amount of revenue collected by local jurisdictions for additional conviction fees for crimes related to commercial sexual abuse of a minor, indecent exposure, and prostitution, and for fees from vehicle impoundment for prostitution-related offenses;
- an annual report by Commerce about the performance of the foreclosure mediation program and related information;
- a biennial report by Commerce about the status and costs of the state program for worker training and certification related to lead-based paint; and
- an annual report by DOCs about various statistics related to extraordinary medical placement for offenders.

Appropriation: None.

Fiscal Note: Requested on February 12, 2024.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony (Regular Session 2024): PRO: This is a good governance bill. Many of the reports in this bill were specifically identified by agencies.

Persons Testifying: PRO: Sheri Sawyer, Office of the Governor.

Persons Signed In To Testify But Not Testifying: No one.