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HOUSE BILL 1406

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State of Washington

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By Representatives Cortes, Senn, Berry, Ortiz-Self, Goodman, Thai, Alvarado, Simmons, Orwall, Taylor, Bateman, Lekanoff, Peterson, Ramel, Macri, Bergquist, Pollet, Reed, Ormsby, Doglio, and Davis

Read first time 01/18/23. Referred to Committee on Human Services, Youth, & Early Learning.

1 AN ACT Relating to youth seeking housing assistance and other  
2 related services; amending RCW 13.32A.040, 13.32A.082, and  
3 43.185C.010; and adding a new section to chapter 43.330 RCW.

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

5 **Sec. 1.** RCW 13.32A.040 and 2020 c 51 s 2 are each amended to  
6 read as follows:

7 (1) The department, or a designated contractor of the department,  
8 shall (~~offer~~):

9 (a) Offer family reconciliation services to families or youth who  
10 are experiencing conflict and who may be in need of services upon  
11 request from the family or youth and subject to the availability of  
12 funding appropriated for this specific purpose; and

13 (b) Offer family reconciliation services to families or youth  
14 after receiving a report that a youth is away from a lawfully  
15 prescribed residence or home without parental permission under RCW  
16 13.32A.082(1).

17 (2) The department may involve a local multidisciplinary team in  
18 its response in determining the services to be provided and in  
19 providing those services. Such services shall be provided to  
20 alleviate personal or family situations which present a serious and

1 imminent threat to the health or stability of the child or family and  
2 to maintain families intact wherever possible.

3 **Sec. 2.** RCW 13.32A.082 and 2013 c 4 s 2 are each amended to read  
4 as follows:

5 (1)(a) Except as provided in (b) of this subsection, any person,  
6 unlicensed youth shelter, or runaway and homeless youth program that,  
7 without legal authorization, provides shelter to a minor and that  
8 knows at the time of providing the shelter that the minor is away  
9 from a lawfully prescribed residence or home without parental  
10 permission, shall promptly report the location of the child to the  
11 parent, the law enforcement agency of the jurisdiction in which the  
12 person lives, or the department.

13 (b)(i) If a licensed overnight youth shelter, or another licensed  
14 organization with a stated mission to provide services to homeless or  
15 runaway youth and their families, shelters a child and knows at the  
16 time of providing the shelter that the child is away from a lawfully  
17 prescribed residence or home without parental permission, it must  
18 contact the youth's parent within (~~seventy-two~~) 72 hours, but  
19 preferably within (~~twenty-four~~) 24 hours, following the time that  
20 the youth is admitted to the shelter or other licensed organization's  
21 program. The notification must include the whereabouts of the youth,  
22 a description of the youth's physical and emotional condition, and  
23 the circumstances surrounding the youth's contact with the shelter or  
24 organization. If there are compelling reasons not to notify the  
25 parent, the shelter or organization must instead notify the  
26 department. A child may remain in a licensed overnight youth shelter  
27 or with another licensed organization with a stated mission to  
28 provide services to homeless or runaway youth and their families for  
29 up to 90 days if:

30 (A) The licensed overnight youth shelter or other licensed  
31 organization with a stated mission to provide services to homeless or  
32 runaway youth and their families is unable to make contact with a  
33 parent despite their notification efforts required under this  
34 section; or

35 (B) The licensed overnight youth shelter or other licensed  
36 organization with a stated mission to provide services to homeless or  
37 runaway youth and their families makes contact with a parent, but the  
38 parent does not request that the child return home.

1 (ii) At least once every eight hours after learning that a youth  
2 receiving services or shelter under this section is away from home  
3 without permission, the shelter or organization staff must consult  
4 the information that the Washington state patrol makes publicly  
5 available under RCW 43.43.510(2). If the youth is publicly listed as  
6 missing, the shelter or organization must immediately notify the  
7 department of its contact with the youth listed as missing. The  
8 notification must include a description of the minor's physical and  
9 emotional condition and the circumstances surrounding the youth's  
10 contact with the shelter or organization.

11 (c) Reports required under this section may be made by telephone  
12 or any other reasonable means.

13 (2) Unless the context clearly requires otherwise, the  
14 definitions in this subsection apply throughout this section.

15 (a) "Shelter" means the person's home or any structure over which  
16 the person has any control.

17 (b) "Promptly report" means to report within eight hours after  
18 the person has knowledge that the minor is away from a lawfully  
19 prescribed residence or home without parental permission.

20 (c) "Compelling reasons" include, but are not limited to,  
21 circumstances that indicate that notifying the parent or legal  
22 guardian will subject the minor to abuse or neglect as defined in RCW  
23 26.44.020.

24 (3) When the department receives a report under subsection (1) of  
25 this section, it shall make a good faith attempt to notify the parent  
26 that a report has been received and offer services to the youth and  
27 the family designed to resolve the conflict, including offering  
28 family reconciliation services, and accomplish a reunification of the  
29 family. The department shall offer services under this subsection as  
30 soon as possible, but no later than three days following the receipt  
31 of a report under subsection (1) of this section.

32 (4) Nothing in this section prohibits any person, unlicensed  
33 youth shelter, or runaway and homeless youth program from immediately  
34 reporting the identity and location of any minor who is away from a  
35 lawfully prescribed residence or home without parental permission  
36 more promptly than required under this section.

37 **Sec. 3.** RCW 43.185C.010 and 2019 c 124 s 2 are each amended to  
38 read as follows:

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

3 (1) "Administrator" means the individual who has the daily  
4 administrative responsibility of a crisis residential center.

5 (2) "Child in need of services petition" means a petition filed  
6 in juvenile court by a parent, child, or the department of children,  
7 youth, and families seeking adjudication of placement of the child.

8 (3) "Community action agency" means a nonprofit private or public  
9 organization established under the economic opportunity act of 1964.

10 (4) "Crisis residential center" means a secure or semi-secure  
11 facility established pursuant to chapter 74.13 RCW.

12 (5) "Department" means the department of commerce.

13 (6) "Director" means the director of the department of commerce.

14 (7) "Home security fund account" means the state treasury account  
15 receiving the state's portion of income from revenue from the sources  
16 established by RCW 36.22.179 and 36.22.1791, and all other sources  
17 directed to the homeless housing and assistance program.

18 (8) "Homeless housing grant program" means the vehicle by which  
19 competitive grants are awarded by the department, utilizing moneys  
20 from the home security fund account, to local governments for  
21 programs directly related to housing homeless individuals and  
22 families, addressing the root causes of homelessness, preventing  
23 homelessness, collecting data on homeless individuals, and other  
24 efforts directly related to housing homeless persons.

25 (9) "Homeless housing plan" means the five-year plan developed by  
26 the county or other local government to address housing for homeless  
27 persons.

28 (10) "Homeless housing program" means the program authorized  
29 under this chapter as administered by the department at the state  
30 level and by the local government or its designated subcontractor at  
31 the local level.

32 (11) "Homeless housing strategic plan" means the five-year plan  
33 developed by the department, in consultation with the interagency  
34 council on homelessness, the affordable housing advisory board, and  
35 the state advisory council on homelessness.

36 (12) "Homeless person" means an individual living outside or in a  
37 building not meant for human habitation or which they have no legal  
38 right to occupy, in an emergency shelter, or in a temporary housing  
39 program which may include a transitional and supportive housing  
40 program if habitation time limits exist. This definition includes

1 substance abusers, people with mental illness, and sex offenders who  
2 are homeless.

3 (13) "HOPE center" means an agency licensed by the secretary of  
4 the department of children, youth, and families to provide temporary  
5 residential placement and other services to street youth. A street  
6 youth may remain in a HOPE center for (~~(thirty)~~) 90 days while  
7 services are arranged and permanent placement is coordinated. No  
8 street youth may stay longer than (~~(thirty)~~) 90 days unless approved  
9 by the department and any additional days approved by the department  
10 must be based on the unavailability of a long-term placement option.  
11 A street youth whose parent wants him or her returned to home may  
12 remain in a HOPE center until his or her parent arranges return of  
13 the youth, not longer. All other street youth must have court  
14 approval under chapter 13.34 or 13.32A RCW to remain in a HOPE center  
15 up to (~~(thirty)~~) 90 days.

16 (14) "Housing authority" means any of the public corporations  
17 created by chapter 35.82 RCW.

18 (15) "Housing continuum" means the progression of individuals  
19 along a housing-focused continuum with homelessness at one end and  
20 homeownership at the other.

21 (16) "Interagency council on homelessness" means a committee  
22 appointed by the governor and consisting of, at least, policy level  
23 representatives of the following entities: (a) The department of  
24 commerce; (b) the department of corrections; (c) the department of  
25 children, youth, and families; (d) the department of veterans  
26 affairs; and (e) the department of health.

27 (17) "Local government" means a county government in the state of  
28 Washington or a city government, if the legislative authority of the  
29 city affirmatively elects to accept the responsibility for housing  
30 homeless persons within its borders.

31 (18) "Local homeless housing task force" means a voluntary local  
32 committee created to advise a local government on the creation of a  
33 local homeless housing plan and participate in a local homeless  
34 housing program. It must include a representative of the county, a  
35 representative of the largest city located within the county, at  
36 least one homeless or formerly homeless person, such other members as  
37 may be required to maintain eligibility for federal funding related  
38 to housing programs and services and if feasible, a representative of  
39 a private nonprofit organization with experience in low-income  
40 housing.

1 (19) "Long-term private or public housing" means subsidized and  
2 unsubsidized rental or owner-occupied housing in which there is no  
3 established time limit for habitation of less than two years.

4 (20) "Performance measurement" means the process of comparing  
5 specific measures of success against ultimate and interim goals.

6 (21) "Secure facility" means a crisis residential center, or  
7 portion thereof, that has locking doors, locking windows, or a  
8 secured perimeter, designed and operated to prevent a child from  
9 leaving without permission of the facility staff.

10 (22) "Semi-secure facility" means any facility including, but not  
11 limited to, crisis residential centers or specialized foster family  
12 homes, operated in a manner to reasonably assure that youth placed  
13 there will not run away. Pursuant to rules established by the  
14 facility administrator, the facility administrator shall establish  
15 reasonable hours for residents to come and go from the facility such  
16 that no residents are free to come and go at all hours of the day and  
17 night. To prevent residents from taking unreasonable actions, the  
18 facility administrator, where appropriate, may condition a resident's  
19 leaving the facility upon the resident being accompanied by the  
20 administrator or the administrator's designee and the resident may be  
21 required to notify the administrator or the administrator's designee  
22 of any intent to leave, his or her intended destination, and the  
23 probable time of his or her return to the center.

24 (23) "Staff secure facility" means a structured group care  
25 facility licensed under rules adopted by the department of children,  
26 youth, and families with a ratio of at least one adult staff member  
27 to every two children.

28 (24) "Street outreach services" means a program that provides  
29 services and resources either directly or through referral to street  
30 youth and unaccompanied young adults as defined in RCW 43.330.702.  
31 Services including crisis intervention, emergency supplies, case  
32 management, and referrals may be provided through community-based  
33 outreach or drop-in centers.

34 (25) "Washington homeless census" means an annual statewide  
35 census conducted as a collaborative effort by towns, cities,  
36 counties, community-based organizations, and state agencies, with the  
37 technical support and coordination of the department, to count and  
38 collect data on all homeless individuals in Washington.

39 (26) "Washington homeless client management information system"  
40 means a database of information about homeless individuals in the

1 state used to coordinate resources to assist homeless clients to  
2 obtain and retain housing and reach greater levels of self-  
3 sufficiency or economic independence when appropriate, depending upon  
4 their individual situations.

5 NEW SECTION. **Sec. 4.** A new section is added to chapter 43.330  
6 RCW to read as follows:

7 (1) Subject to the amounts appropriated for this specific  
8 purpose, the office of homeless youth prevention and protection  
9 programs shall provide additional funding and assistance to  
10 contracted youth service providers or other entities who convene a  
11 community support team as described in this section. The purpose of  
12 the community support team is to help identify supports for a youth  
13 and the youth's family focused on obtaining or maintaining long-term  
14 and stable housing.

15 (2) A community support team under this section must include:

- 16 (a) The youth;
- 17 (b) Behavioral health supports;
- 18 (c) Legal assistance; and
- 19 (d) Supportive adults identified by the youth, which may include:
  - 20 (i) Licensed shelter staff;
  - 21 (ii) A case manager;
  - 22 (iii) Individuals from the youth's school;
  - 23 (iv) Juvenile court staff;
  - 24 (v) The youth's attorney;
  - 25 (vi) Behavioral health providers;
  - 26 (vii) Community support providers;
  - 27 (viii) Family members;
  - 28 (ix) Mentors;
  - 29 (x) Peer support; or
  - 30 (xi) Other community members.

31 (3) The community support team described in this section shall  
32 develop a process that allows youth who enter a licensed overnight  
33 youth shelter, or another licensed organization with a stated mission  
34 to provide services to homeless or runaway youth and their families  
35 to request assistance from the community support team.

36 (4) Any youth who enters a licensed overnight youth shelter, or  
37 another licensed organization with a stated mission to provide  
38 services to homeless or runaway youth and their families in an area

1 served by the community support team is eligible for the community  
2 support team.

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