
SUBSTITUTE SENATE BILL 6038

State of Washington

68th Legislature

2024 Regular Session

By Senate Ways & Means (originally sponsored by Senators C. Wilson, Lovelett, Keiser, Kuderer, Llias, Nguyen, Nobles, Randall, Salomon, Valdez, and Wellman)

READ FIRST TIME 02/05/24.

1 AN ACT Relating to reducing the costs associated with providing
2 child care; amending RCW 82.04.2905, 43.216.300, and 43.216.305;
3 adding a new section to chapter 82.04 RCW; creating a new section;
4 and providing an effective date.

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

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 82.04
7 RCW to read as follows:

8 This chapter does not apply to amounts received by a child care
9 provider for the care or supervision of children:

- 10 (1) Under 13 years of age; or
11 (2) Under 19 years of age who have a verified special need or are
12 under court supervision as determined by the department of children,
13 youth, and families under chapter 43.216 RCW.

14 **Sec. 2.** RCW 82.04.2905 and 1998 c 312 s 7 are each amended to
15 read as follows:

16 (1) Upon every person engaging within this state in the business
17 of providing child care for periods of less than twenty-four hours (~~as to such persons~~), the amount of tax with respect to such business
18 (~~shall be~~) is equal to the gross proceeds derived from such sales
19 multiplied by the rate of 0.484 percent.
20

1 (2) For the purpose of this section, "child care" means the care
2 or supervision of children 13 years of age or older. "Child care"
3 does not include the care and supervision of children under age 19
4 who have a verified special need or are under court supervision as
5 determined by the department of children, youth, and families under
6 chapter 43.216 RCW.

7 **Sec. 3.** RCW 43.216.300 and 2018 c 58 s 41 are each amended to
8 read as follows:

9 ~~((1))~~ The secretary ~~((shall))~~ may not charge fees to the
10 licensee for obtaining a child care license. ~~((The secretary may~~
11 ~~waive the fees when, in the discretion of the secretary, the fees~~
12 ~~would not be in the best interest of public health and safety, or~~
13 ~~when the fees would be to the financial disadvantage of the state.~~

14 ~~(2) Fees charged shall be based on, but shall not exceed, the~~
15 ~~cost to the department for the licensure of the activity or class of~~
16 ~~activities and may include costs of necessary inspection.~~

17 ~~(3) The secretary shall establish the fees charged by rule.)~~

18 **Sec. 4.** RCW 43.216.305 and 2021 c 304 s 14 are each amended to
19 read as follows:

20 (1) Each agency shall make application for a license or the
21 continuation of a full license to the department using a method
22 prescribed by the department. Upon receipt of such application, the
23 department shall either grant or deny a license or continuation of a
24 full license within ninety days. A license or continuation shall be
25 granted if the agency meets the minimum requirements set forth in
26 this chapter and the departmental requirements consistent with this
27 chapter, except that an initial license may be issued as provided in
28 RCW 43.216.315. The department shall consider whether an agency is in
29 good standing, as defined in subsection (4)(b) of this section,
30 before granting a continuation of a full license. Full licenses
31 provided for in this chapter shall continue to remain valid so long
32 as the licensee meets the requirements for a nonexpiring license in
33 subsection (2) of this section and may be transferred to a new
34 licensee in the event of a transfer of ownership of a child care
35 operation. The licensee, however, shall advise the secretary of any
36 material change in circumstances which might constitute grounds for
37 reclassification of license as to category. The license issued under
38 this chapter applies only to the licensee and the location stated in

1 the application. For licensed family day care homes having an
2 acceptable history of child care, the license may remain in effect
3 for two weeks after a move.

4 (2) In order to qualify for a nonexpiring full license, a
5 licensee must meet the following requirements on an annual basis as
6 established from the date of initial licensure:

7 (a) ~~((Submit the annual licensing fee;~~
8 ~~(b))~~) Submit a declaration to the department indicating the
9 licensee's intent to continue operating a licensed child care
10 program, or the intent to cease operation on a date certain;

11 ~~((c))~~ (b) Submit a declaration of compliance with all licensing
12 rules; and

13 ~~((d))~~ (c) For all current employees of the agency and as
14 defined by department rule, submit background check applications into
15 the department's electronic workforce registry on the schedule
16 established by the department.

17 (3) If a licensee fails to meet the requirements in subsection
18 (2) of this section for continuation of a full license the license
19 expires and the licensee must submit a new application for licensure
20 under this chapter.

21 (4)(a) Nothing about the nonexpiring license process may
22 interfere with the department's established monitoring practice.

23 (b) For the purpose of this section, an agency is considered to
24 be in good standing if in the intervening period between monitoring
25 visits the agency does not have any of the following:

26 (i) Valid complaints;

27 (ii) A history of noncompliance related to those valid complaints
28 or pending from prior monitoring visits; or

29 (iii) Other information that when evaluated would result in a
30 finding of noncompliance with this section.

31 (c) The department shall consider whether an agency is in good
32 standing when determining the most appropriate approach and process
33 for monitoring visits, for the purposes of administrative efficiency
34 while protecting children, consistent with this chapter. If the
35 department determines that an agency is not in good standing, the
36 department may issue a probationary license, as provided in RCW
37 43.216.320.

38 NEW SECTION. **Sec. 5.** RCW 82.32.805 and 82.32.808 do not apply
39 to this act.

1 NEW SECTION. **Sec. 6.** Sections 1 and 2 of this act take effect
2 October 1, 2024.

--- END ---