

CERTIFICATION OF ENROLLMENT
ENGROSSED SUBSTITUTE HOUSE BILL 2124

Chapter 1, Laws of 1

68th Legislature
2024 Regular Session

TESTING

EFFECTIVE DATE: February 29, 2024

Passed by the House February 2, 2024
Yeas 0 Nays 0

LAURIE JINKINS

**Speaker of the House of
Representatives**

Passed by the Senate February 2, 2024
Yeas 0 Nays 0

DENNY HECK

President of the Senate

Approved February 29, 2024 12:00 AM

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE HOUSE BILL 2124** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BERNARD DEAN

Chief Clerk

FILED

February 29, 2024

**Secretary of State
State of Washington**

ENGROSSED SUBSTITUTE HOUSE BILL 2124

Passed Legislature - 2024 Regular Session

State of Washington **68th Legislature** **2024 Regular Session**

By House Human Services, Youth, & Early Learning (originally sponsored by Representatives Eslick, Senn, Leavitt, Chapman, Reed, Ramel, Callan, Rule, Goodman, Tharinger, Wylie, Timmons, Stonier, Reeves, and Kloba)

READ FIRST TIME 01/17/24.

1 AN ACT Relating to supporting and expanding access to child care
2 and early learning programs; amending RCW 43.216.1364 and 43.216.775;
3 reenacting and amending RCW 43.216.136; and providing an effective
4 date and TESTING AN ENGROSSED SUB.

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

6 **Sec. 1.** RCW 43.216.136 and 2023 c 294 s 1 and 2023 c 222 s 3 are
7 each reenacted and amended to read as follows:

8 (1) The department shall establish and implement policies in the
9 working connections child care program to promote stability and
10 quality of care for children from low-income households. These
11 policies shall focus on supporting school readiness for young
12 learners. Policies for the expenditure of funds constituting the
13 working connections child care program must be consistent with the
14 outcome measures established by the department and the standards
15 established in this section intended to promote stability, quality,
16 and continuity of early care and education programming.

17 (2) As recommended by P.L. 113-186, authorizations for the
18 working connections child care subsidy are effective for 12 months
19 beginning July 1, 2016.

20 (a) A household's 12-month authorization begins on the date that
21 child care is expected to begin.

1 (b) If a newly eligible household does not begin care within 12
2 months of being determined eligible by the department, the household
3 must reapply in order to qualify for subsidy.

4 (3)(a) The department shall establish and implement policies in
5 the working connections child care program to allow eligibility for
6 families with children who:

7 (i) In the last six months have:

8 (A) Received child protective services as defined and used by
9 chapters 26.44 and 74.13 RCW;

10 (B) Received child welfare services as defined and used by
11 chapter 74.13 RCW;

12 (C) Received services through a family assessment response as
13 defined and used by chapter 26.44 RCW; or

14 (D) A parent or guardian participating in a specialty court or
15 therapeutic court or who is a listed victim in a case in a specialty
16 court or therapeutic court;

17 (ii) Have been referred for child care as part of the family's
18 case management as defined by RCW 74.13.020 or as part of the
19 specialty court or therapeutic court's proceedings; and

20 (iii) Are residing with a biological parent or guardian.

21 (b) Families who are eligible for working connections child care
22 pursuant to this subsection do not have to keep receiving services or
23 keep participating in a specialty court or therapeutic court
24 identified in this subsection to maintain 12-month authorization.

25 (4)(a) Beginning July 1, 2021, and subject to the availability of
26 amounts appropriated for this specific purpose, the department may
27 not require an applicant or consumer to meet work requirements as a
28 condition of receiving working connections child care benefits when
29 the applicant or consumer is in a state registered apprenticeship
30 program or is a full-time student of a community, technical, or
31 tribal college and is enrolled in:

32 (i) A vocational education program that leads to a degree or
33 certificate in a specific occupation; or

34 (ii) An associate degree program.

35 (b) An applicant or consumer is a full-time student for the
36 purposes of this subsection if the applicant or consumer meets the
37 college's definition of a full-time student.

38 (c) Nothing in this subsection is intended to change how
39 applicants or consumers are prioritized when applicants or consumers
40 are placed on a waitlist for working connections child care benefits.

1 (d) Subject to the availability of amounts appropriated for this
2 specific purpose, the department may extend the provisions of this
3 subsection (4) to full-time students who are enrolled in a bachelor's
4 degree program or applied baccalaureate degree program.

5 (5) The department may not consider the immigration status of an
6 applicant or consumer's child when determining eligibility for
7 working connections child care benefits.

8 (6) Beginning July 1, 2024, the department must consider an
9 applicant or consumer's participation in any of the following
10 programs as an approved activity when determining eligibility for
11 working connections child care benefits:

12 (a) Early childhood education and assistance program;

13 (b) Birth to three early childhood education and assistance
14 program;

15 (c) Head start; or

16 (d) Early head start.

17 (7)(a) An applicant or consumer is eligible to receive working
18 connections child care benefits for the care of one or more eligible
19 children for the first 12 months of the applicant's or consumer's
20 enrollment in a state registered apprenticeship program under chapter
21 49.04 RCW when:

22 (i) The applicant or consumer's household annual income adjusted
23 for family size does not exceed 75 percent of the state median income
24 at the time of application, or, beginning July 1, 2027, does not
25 exceed 85 percent of the state median income if funds are
26 appropriated for the purpose of RCW 43.216.1368(4);

27 (ii) The child receiving care is: (A) Less than 13 years of age;
28 or (B) less than 19 years of age and either has a verified special
29 need according to department rule or is under court supervision; and

30 (iii) The household meets all other program eligibility
31 requirements.

32 (b) The department must adopt a copayment model for benefits
33 granted under this subsection, which must align with any copayment
34 identified or adopted for households with the same income level under
35 RCW 43.216.1368.

36 (~~(7)~~) (8)(a) The department must extend the homeless grace
37 period, as adopted in department rule as of January 1, 2020, from a
38 four-month grace period to a 12-month grace period.

39 (b) For the purposes of this section, "homeless" means being
40 without a fixed, regular, and adequate nighttime residence as

1 described in the federal McKinney-Vento homeless assistance act (42
2 U.S.C. Sec. 11434a) as it existed on January 1, 2020.

3 ~~((8))~~ (9) For purposes of this section, "authorization" means a
4 transaction created by the department that allows a child care
5 provider to claim payment for care. The department may adjust an
6 authorization based on a household's eligibility status.

7 **Sec. 2.** RCW 43.216.1364 and 2023 c 222 s 2 are each amended to
8 read as follows:

9 (1) Beginning October 1, 2023, a family is eligible for working
10 connections child care when the household's annual income is at or
11 below 85 percent of the state median income adjusted for family size
12 and:

13 (a) The child receiving care is: (i) Less than 13 years of age;
14 or (ii) less than 19 years of age and has a verified special need
15 according to department rule or is under court supervision;

16 (b) The applicant or consumer is employed ~~((in a licensed child
17 care center or family home provider))~~, as verified in the agency's
18 electronic workforce registry, in a:

19 (i) Licensed or certified child care center or family home
20 provider;

21 (ii) Early childhood education and assistance program or birth to
22 three early childhood education and assistance program; or

23 (iii) Head start or early head start program or a successor
24 federal program; and

25 (c) The household meets all other program eligibility
26 requirements.

27 (2) The department must waive the copayment to the extent
28 allowable under federal law; otherwise, a maximum of \$15 for any
29 applicant or consumer that meets the requirements under this section.

30 **Sec. 3.** RCW 43.216.775 and 2021 c 199 s 106 are each amended to
31 read as follows:

32 ~~((Beginning July 1, 2023, and subject to the availability of
33 amounts appropriated for this specific purpose, rates))~~ (1) Rates
34 paid under RCW ~~((43.216.579, 43.216.585,))~~ 43.216.592 ~~((, and~~
35 ~~43.216.578))~~ must be adjusted every two years according to an
36 inflationary increase. The inflationary increase must be calculated
37 by applying the rate of the increase in the inflationary adjustment

1 index to the rates established ((in RCW 43.216.579, 43.216.585,))
2 pursuant to RCW 43.216.592((, and 43.216.578. Any)).

3 (2) Subject to the availability of amounts appropriated for this
4 specific purpose, rates paid under RCW 43.216.579, 43.216.585, and
5 43.216.578 must be adjusted every two years according to an
6 inflationary increase. The inflationary increase must be calculated
7 by applying the rate of the increase in the inflationary adjustment
8 index to the rates established pursuant to RCW 43.216.579,
9 43.216.585, and 43.216.578.

10 (3) Inflationary increases under subsection (1) of this section
11 and any funded inflationary increase under subsection (2) of this
12 section must be included in the rate used to determine inflationary
13 increases in subsequent years.

14 (4) For the purposes of this section, "inflationary adjustment
15 index" means the implicit price deflator averaged for each fiscal
16 year, using the official current base rate, compiled by the bureau of
17 economic analysis, United States department of commerce.

18 NEW SECTION. Sec. 4. This act takes effect November 1, 2024.

Passed by the House February 2, 2024.
Passed by the Senate February 2, 2024.
Approved by the Governor February 29, 2024.
Filed in Office of Secretary of State February 29, 2024.

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