



2009 LEGISLATIVE SESSION UPDATE

January 20, 2009

The Washington State Legislature began its annual session on January 12. This year is a budget year in Olympia, meaning the Legislature will be writing a two-year budget to fund state programs, and WSCADV is monitoring budget discussions and items that affect domestic violence victims and programs. It will be an extremely difficult budget year, with a projected state budget shortfall of \$6 billion.

Important dates to remember for this session are:

Wednesday, February 25 - Last day to get bills out of committee in the house where they were introduced, other than bills related to fiscal matters and transportation.

Monday, March 2 – Last day to get bills out of the fiscal and transportation committees in their house of origin.

Thursday, March 12 – Last day to pass bills out of the full House or Senate, in the house where they were introduced.

Monday, March 30 – Last day to get bills out of committee that originated in the opposite house, other than bills related to fiscal matters and transportation.

Monday, April 6 – Last day to get bills out of the fiscal and transportation committees that originated in the opposite house.

Friday, April 17 – Last day that bills introduced in the opposite house must be voted on by the full House or Senate or they will not continue this session.

Sunday, April 26 – Last day of 2009 legislative session.

WSCADV WILL BE HOSTING TWO LOBBY DAYS DURING THE SESSION:

February 26: King County Lobby Day (in conjunction with KCCADV)

March 19: Statewide Lobby Day

Register online for either date: www.wscadv.org/publicpolicy.cfm

THE FIRST WEEK OF SESSION

Much of the first week was spent introducing new legislators to various topics in legislative committee “work sessions,” as well as hearings on bills that were filed before the session began. Topics included briefings on the Governor’s proposed budget and criminal law sentencing changes.

Following is a summary of the status of WSCADV’s legislative priorities, as well as a chart tracking numerous bills of interest to domestic violence survivors and programs.

For more information about these bills, including the bill text and status, go to <http://apps.leg.wa.gov/billinfo/> and type in the bill number.

If there is a bill you care about, use the LEGISLATIVE HOTLINE to contact your legislators: **1-800-562-6000**.

• STATE BUDGET

HB 1244 - Governor Gregoire's proposed 2009/2010 operating budget

WSCADV's highest priority this legislative session is protecting funds for domestic violence services and advocacy, including shelters, domestic violence legal advocacy, and funding for domestic violence services for underserved victims. Fortunately, the Governor's proposed budget preserves funding for these programs. However, there are other drastic cuts to important safety net programs that affect domestic violence survivors, including:

- Cuts to Transitional Housing, Operating and Rent (THOR), which provides rental assistance and funding for other services for low-income individuals;
- Elimination of General Assistance Unemployable (GAU), a medical and cash assistance program for temporarily disabled individuals who do not have children, including domestic violence survivors, and
- Elimination of 42% of the budget for the state's Basic Health Program, the state's health insurance program for low-income working residents, leaving 46,000 people uninsured.

Status: Numerous hearings are being held in the various House Appropriations Committees as well as the Senate Ways and Means Committee, with ongoing hearings going on into the second week of the session.

• HOUSING / HOUSING SERVICES FOR DV SURVIVORS

HB 1216/SB 5222 - Proposed Capital Budget

The Capital Budget makes appropriations for construction and building. A large portion of the Capital Budget is the Housing Trust Fund, the largest public funding source for the creation of affordable homes for low-income families and individuals, which includes a set-aside to build domestic violence shelter and transitional housing. The Governor's proposed capital budget cuts the Housing Trust Fund in half, but maintains a \$1 million set-aside for domestic violence shelters and transitional housing for the biennium.

Status: **HB 1216** has been referred to the House Capital Budget Committee. **SB 5222** has been referred to the Senate Ways and Means Committee.

HB 1250 - Allowing capital appropriations for the housing trust fund to be used for project application, review, selection, contracting and project development. This bill removes the 5% cap on administrative costs to be paid by the

Housing Trust Fund. Instead, funds can be used to pay for department costs directly related to project application, review, selection, contracting, and project development.

Sponsors: Orwall, Miloscia, Springer, Dunshee, Ormsby, and Dickerson

Position: Monitor

Status: Referred to the House Capital Budget Committee.

• FAMILY LAW

HB 1182 - Relating to the uniform child abduction prevention act

This bill allows courts to issue abduction prevention measures in a child custody proceeding if the court find that the evidence establishes a credible risk of abduction of the child. Further, a party to a child custody determination or another individual or entity having a right to seek a child custody determination for the child may file a petition seeking abduction prevention measures to protect the child. A prosecutor or public authority designated under RCW 26.27.541 may seek a warrant to take physical custody of a child or other appropriate prevention measures. If a court finds that there is a credible risk that the child is imminently likely to be wrongfully removed, the court may issue an *ex parte* warrant to take physical custody of the child. The bill goes on to delineate the process for filing a petition and determining the risk of abduction.

Sponsors: Goodman, Rodne, Miloscia, Williams, and Ormsby

Position: Oppose as drafted. The bill in current form poses serious concerns for domestic violence survivors, as the factors listed that the court is to consider are very broad and will likely encompass a variety of activities survivors use for safety planning. Because of the broad language, WSCADV is concerned about the potential for abusive litigation using the provisions. In addition, provisions in the bill would encourage courts to inquire as to the parties' immigration status, a factor that will likely discourage battered immigrants from access to protection from the courts.

Status: Referred to the House Judiciary Committee and scheduled for a hearing on 1/21 at 8:00am.

• PROTECTION ORDERS

HB 1148 – Protecting Animals from Domestic Violence Perpetrators

Allows a court, when issuing a domestic violence protection order, to designate who is granted the custody or control of a pet, and can prohibit the respondent from coming within a certain distance of a place where the pet is normally found.

Sponsors: Williams, Rodne, Simpson, Upthegrove, Haigh, Nelson, Rolfes, Sullivan, Hunt, Lias, Chase, Moeller, Goodman, Ormsby, Hurst, Kenney, Kirby, Eddy, Conway, Pedersen, Dunshee, Dickerson, Hasegawa, Sells, Appleton, Campbell, and Herrera

Position: Support with concerns. WSCADV supports increased protection for domestic violence victims' pets, as abusers frequently use pets to try to control victims and may harm them, but the bill as introduced raises enforcement questions.

Status: Referred to the House Judiciary Committee.

• **CRIMINAL LEGAL SYSTEM**

HB 1220/SB 5208 - Increasing Penalties for Domestic Violence Offenders

This bill alters the criminal sentencing grid and provides that courts should count past domestic violence offenses in increasing sentences for repeat domestic violence offenders.

Sponsors: HB 1220 - O'Brien, Warnick, Rodne, Moeller, Hope, Blake, Hasegawa, Smith, Eddy, Klippert, Ericks, Bailey, Rolfes, Kelley, Maxwell, Schmick, and Morrell

SB 5208 - Brandland, Kline, Hargrove, Stevens, Regala, Sheldon, Marr, Kohl-Welles, Tom, Kilmer

Position: Monitor. WSCADV supports increased accountability for repeat offenders, but is concerned about the impact on local governments and the Department of Corrections given existing budget shortfalls.

Status: Referred to the respective Judiciary committees of both houses. **SB 5208** is scheduled for a hearing on Friday, January 23, at 1:30 pm.

BILL No.	TITLE	STATUS	SPONSOR	COMPANION BILLS
House Bills				
HB 1002	Allowing for certificate of discharge notwithstanding existing no-contact/ protective order	H Judiciary	Appleton	SB 5167 (S humserv/Corr)
HB 1005	Requiring Commercial web sites to post their privacy policy Support	H Tech/En/Com	Morris	
HB 1011	Regulating the use of Radio Frequency Identification Devices by Government entities Support	H Tech/En/Com	Morris	
HB 1017	Creating a Public Records Act and meetings board	H SGTribal Aff	Kessler	
HB 1076	Victim input re: wrk release	H Hum Ser	Rolfes	
HB 1103	Prohibiting abusers from access to vulnerable adults' estates	H Judiciary	Moeller	
HB 1141	Providing a tax rebate for materials, services related to building affordable housing	H LG & Housing	Lias	

	Support			
HB 1145	Creating penalties for removing Electronic monitoring devices	H Pub Safety	O'Brien	
HB 1149	Protecting consumers from security breaches	H Fin Inst & Ins	Williams	
HB 1157	Emergency info delivery	H Pub Safety	Anderson	
HB 1160	Eliminating the family leave insurance program Oppose	H Comm/Lab	Condotta	
HB 1162	Social emotional learning curriculum in schools	H Education	Dickerson	
HB 1170	Parenting plan modification for military	H Judiciary	McCoy	SB 5212 (S humServ/Corr)
HB 1173	Affordable housing programs	H LG & Housing	Miloscia	
HB 1181	Prisoner publ records access	H SG Tribal Aff	Ross	SB 5130 (S humServ/Corr)
HB 1183	Legal representation of Children in dependency proceedings	H Judiciary	Goodman	
HB 1194	Crisis referral services for criminal justice personnel	H Pub Safety	O'Brien	SB 5131(S HumServ/Cor)
HB 1203	Defining of the crime of assistance as to relatives	H Pub Safety	O'Brien	
HB 1221	Civil commitment witnesses	H Pub Safety	Maxwell	SB 5209 (S HumSer/Corr)
HB 1224	Driver license photo access	H Trans	Klippert	
HB 1234	Creates the crime of abandonment of a dependent person in the fourth degree.	H. Pub Safety	Morrell	
HB 1281	Victim and witness rights before the ISRB	H Human Ser	Hurst	SB 5207(S HumSer/Corr)
HB 1299	Crime-free rental housing	H Judiciary	O'Brien	
HB 1324	Peace officer psych exams		O'Brien	SB 5157(S Judiciary)
Senate Bills				
SB 5013	County clerks	S Judiciary	Hargrove	
SB 5025	Statutory costs	S Judiciary	Kline	HB 1022 (HJudiciary)
SB 5056	Violent injury reporting/ exception to HIPPA Concerns	S Hea/L-T Care	Brandland	
SB 5073	Consolidating accts/gen fund Concerns	S Ways & Means	Zarelli	
SB 5104	Fiscal reform	S Ways & Means	Franklin	

SB 5119	Publ records exemptions comm.	S GovtOp & Elect	Fairley	
SB 5130	Prisoner publ records access	S Hum Serv/Corr	Carrell	HB 1181 (HSGTribalAff)
SB 5131	Crisis referral services for law enforcement personnel	S Hum Serv/Corr	Delvin	HB 1194 (HPub Safety)
SB 5140	Language access services Support	S Hea/L-T Care	Shin	
SB 5142	Convicted persons/employment	S Hum Serv/Corr	Regala	
SB 5146	Judgments against offenders	S Judiciary	Kline	
SB 5151	Court commissioners	S Judiciary	Kline	
SB 5157	Peace officer psych exams	S Judiciary	Brandland	HB 1324()
SB 5167	Allowing for certificate of discharge notwithstanding existing no-contact/ protective order	S Hum Serv/Corr	Regala	HB 1002 (HJudiciary)
SB 5207	Victim and witness rights before the ISRB	S Hum Serv/Corr	Regala	HB 1281 (HHuman Ser)
SB 5212	Parenting plan modification for military	S Hum Serv/ Corr	Kilmer	HB 1170 (HJudiciary)
SB 5219	Housing task force/homeless	S Hum Serv/Corr	Carrell	

For more information on these legislative issues and others facing domestic violence victims and programs, please contact ACTION (at) wscadv . org