

2012 LEGISLATIVE SESSION UPDATE

March 2, 2012

Welcome to the last few weeks of the 2012 legislative session! Today, March 2, is an important deadline, which was the last day to get bills that were introduced in the opposite house passed out of the House or the Senate. Bills that failed to pass their respective houses are no longer viable for the session, unless later they are somehow incorporated into the State Budget. There is one last major deadline coming up, which is **Thursday, March 8**, the last day of the session allowed under the State Constitution. If the budget is not resolved by then, it will be necessary for the Governor to call back a special session for the legislature to finalize the budget.

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 input the bill number. ***Please note, bills that were included in prior updates that are no longer included are no longer viable this session.***

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

• STATE BUDGET

Proposed supplemental operating HB 2127/SB 5967, and capital budgets HB 2168/SB 6074-

WSCADV's highest priority this legislative session has been protecting funds for domestic violence services and advocacy, including shelters, domestic violence legal advocacy, and funding for domestic violence services for underserved victims. The Governor's proposed budget that was released in November reduced domestic violence shelter and services for underserved communities by 10% and domestic violence legal advocacy by 20%. A summary of the Governor's proposed operating budget can be found at: <http://www.ofm.wa.gov/budget12/recsum/default.asp>

The House released its proposed budgets on February 21st and the Senate released its proposed budgets on February 28th

The House Budget (as passed the House)

With respect to programs relating to domestic violence survivors,

- **Domestic violence shelter program** funding remains level
- **Domestic violence legal advocacy** funding is reduced by 10% (\$164,000), with the reduction taking effect in May of 2012.
- Increases the **Homeless Housing and Transitional Housing Programs** by \$3.8 million, contingent on the passage of HB 2048 (see below)
- \$979,000 reduction to the **Crime Victims Compensation** program by imposing time limits for reporting a crime and reducing the time individual can apply for CVC benefits
- \$1.5 million reduction in **Department of Corrections supervision funding**, shortening supervision to 12 months for all offenders except sex offenders, which have supervision shortened to 24 months from 36 months.
- \$15.8 million reduction in **Department of Corrections Community Supervision Violators** by implementing “structured community supervision violation” process.
- \$91 million in reductions to the TANF program as a result of decreased childcare caseloads and reduced staffing.

In addition, the **House Capital Budget** increases the Housing Trust Fund at \$100 million.

The Senate Budget:

With respect to programs relating to domestic violence survivors,

- **Domestic violence shelter program** funding remains level
- **Domestic violence legal advocacy** funding remains level
- \$15 million reduction in **Department of Corrections Community Supervision Violators** by implementing “structured community supervision violation” process
- Restores the 15% grant reduction implemented last year in the **TANF program**, while reducing \$70.4 million from the program overall due to lower childcare caseloads due to prior cuts, and reduction of staffing.

In addition, the **Senate Capital Budget** includes \$30 million for the Housing Trust Fund.

Currently, the chairs and ranking members of the Senate and House Ways and Means Committees are working to figure out how to fill the gap. Thus, **it is essential that you continue to talk about budget issues with your legislators and emphasize the importance services for domestic violence victims.**

Position: Support the Senate Operating Budget and the House Capital Budget.

Status: The House has passed its budget and it has moved to the House for consideration, and the Senate must still vote on its budget.

• LEGAL RESPONSE TO DOMESTIC VIOLENCE

SHB 2363- Relating to Domestic Violence and Harassment-

This amended bill adds various provisions to state law relating to domestic violence. The bill includes provisions that:

- 1) make willful violations of a no-contact order issued in a criminal harassment case a gross misdemeanor
- 2) provide that a court may issue a criminal no-contact order at arraignment in cases where the defendant does not appear where that court has found probable cause
- 3) require that defendants that are charged with violating a civil anti-harassment order must appear in court
- 4) provides restrictions relating to requiring a domestic violence victim in revealing confidential information about her or his address, employer, or school
- 5) enhances confidentiality protections for domestic violence fatality review panels
- 6) provides address confidentiality participants enhanced protections against disclosure of their addresses
- 7) prohibits courts from ordering that the confidential addresses of domestic violence programs be disclosed in court proceedings unless the court finds by clear and convincing evidence that disclosure is necessary, considering the safety and confidentiality concerns of other residents of the program as well as the party before the court, and other alternatives to disclosure.
- 8) requires that the Washington State Institute for Public Policy study domestic violence offender recidivism rates, and review relevant interventions and their impact on domestic violence recidivism.

Primary Sponsor: Representative Roger Goodman

Position: Support

Status: This bill passed the Senate on February 29. It must be sent back to the House Floor for a vote because amendments were made on the Senate side

• Housing/Homelessness

- **SB 5952/ HB 2048- Relating to Low Income and Homeless Housing Surcharges** This bill increases the \$30 surcharges on document recording fees for local homeless housing and assistance to \$40 from September 1, 2012, through June 30, 2015; becomes \$30 from July 1, 2015, to June 30, 2017; and returns to \$10, beginning July 1, 2017. The bill also requires that local governments that have the authority to issue housing vouchers, paid for with funds obtained from document recording fees, are required to maintain an interested landlord list, distribute the list to agencies providing services to those receiving housing vouchers, make the list available online, semi-annually convene interested landlords and agencies that provide services to households receiving housing vouchers to identify successes, barriers, and process improvements; and develop and submit annual data, in

consultation with landlords and agencies, on specified expenditures made and services provided with document recording fees to Commerce.

- **Prime Sponsors:** Senator Kohl-Welles, Rep. Kenney
- **Position: Support.** Many domestic violence programs receive funding through this source, and domestic violence victims utilize the various programs supported through these funds.
- **Status: SB 5952** is currently in the Senate Ways and Means Committee, and **HB 2048** has passed both the House and Senate, but must be returned to the House for a vote to reconcile the different versions.

SB 6315/HB 2642: Increasing accuracy, transparency, and fairness in tenant screening reports; promoting affordability through portable reports

—This bill, as amended requires a prospective landlord to notify the prospective tenant in writing of the types of information accessed for the screening and what criteria may result in denial. It also requires the landlord to provide the reasons for adverse action (denial of rental). Finally, the bill creates a stakeholder work group to address other issues of tenant screening, including which court records (victim protection orders) may or may not be considered.

Prime Sponsors: Senator Frockt and Rep. Stanford

Position: Support

Status: SB 6315 passed both the House and Senate and has been delivered to the Governor for signature.

• CHILD WELFARE

SHB 2289/ SB 6555 -Establishing a Flexible Approach to Child Protective Services-

These bills allow for a “family assessment track” by CPS, meaning that CPS could assess the needs of the child or family without requiring a determination of risk or occurrence of maltreatment, and provide relevant services. They would direct DSHS to develop of an implementation plan in collaboration with stakeholders. In addition, the Washington State Institute for Public Policy (WSIPP) would evaluate the implementation sites and report results to the Legislature. The **Senate** bill also directs DSHS to inform parents of their rights on how to appeal a child abuse or neglect finding.

Prime Sponsors: Representative Ruth Kagi and Senator Jim Hargrove

Position: Support. This bill could provide relevant supports to domestic violence victims and their involved in the child welfare system, and strengthen implementation of DSHS’ domestic violence practice guide that was developed in 2009.

Status: SB 6555 has passed both the Senate and the House, and **HB 2289** has passed the House and is currently in Senate Ways and Means awaiting passage.

• **OTHER BILLS OF INTEREST**

SB 6389-Creating the Crime Victims' Services Account

This bill adds a \$10 fee on every traffic infraction to create the Crime Victims' Services Account, which would support crime victims and witness programs and sexual assault programs.

Prime Sponsor: Senator Jim Hargrove

Position: Support

Status: This bill is in Senate Rules, and has been included in the Senate Budget

Please note, bills previously listed but no longer included on the following table are bills that are no longer viable due to failure to advance past relevant cutoff dates.

Other Bills of Interest that are still viable this session:

BILL	TITLE	SPONSOR	STATUS	COMPANION BILLS
House Bills				
EHB 1234	Security alarms, crime watch	Moscoso	S Passed 3rd	SB 5244(Ssubst for)
2SHB 1652	Electronic impersonation	Froct	Del to Gov	
SHB 2177	Child sexual exploitation	Ladenburg	S Passed 3rd	
HB 2195	Depositions & discovery act	Rivers	S 2nd Reading	
SHB 2196	Collaborative law act	Eddy	S 2nd Reading	
HB 2232	Indian tribes and state govt	McCoy	S Rules 2	SB 6175 (Del to Gov)
ESHB 2233	Indian country and tribes	McCoy	S Passed 3rd	SB 6147 (Ssubst for)
SHB 2239	Social purpose corporations	Pedersen	S Passed 3rd	SB 6230 (SJudiciary)
SHB 2254	Foster care outcomes	Carlyle	S Passed 3rd	SB 6374(SWays & Means)
SHB 2263	Child welfare system savings	Kagi	S Passed 3rd	
E2SHB 2264	Child welfare/contracting	Kagi	S Passed 3rd	
HB 2342	Vehicle owner information	Kirby	H Judiciary	SB 6075(Ssubst for)
ESHB 2366	Suicide assessment, treatmnt	Orwall	S Passed 3rd	
E2SHB 2536	Children/services delivery	Dickerson	S Passed 3rd	SB 6205 (S HumServ/Corr)
SHB 2541	Sealing juvenile records	Darneille	S Passed 3rd	

SHB 2607	Six-year budget outlook	Alexander	S 2nd Reading	
SHB 2640	Housing trust fund	Smith	S 2nd Reading	
SHB 2668	Bail practices	Hope	S 2nd Reading	
HB 2807	Crime victims' compensation Con	Hunter	H Ways & Means	
Senate Bills				
SSB 5984	Local government finances	Murray	C 4 L 12	
ESSB 5991	Child abuse reporting	Kohl-Welles	H Passed 3rd	
SSB 6075	Vehicle owner information	Carrell	H Rules R	HB 2342(HJudiciary)
SSB 6088	Tax preferences	Pridemore	H Ways & Means	
SB 6098	Private investigators	Rolfes	H Passed 3rd	
SSB 6100	Sexual assault grants	Hargrove	Del to Gov	
ESSB 6147	Tribes in Indian country	Prentice	H Rules R	HB 2233(Hsubst for)
ESSB 6150	Facial recognition matching	Haugen	H 2nd Reading	HB 2433(HRules C)
SSB 6167	Criminal ID system info	Kohl-Welles	H Passed 3rd	
E2SSB 6204	Community supervision Concerns	Hargrove	H Ways & Means	
ESSB 6239	Marriage & dom. partnerships	Murray	C 3 L 12	HB 2516(HRules R)
SSB 6240	Juvenile disposition orders	Regala	H 2nd Reading	
ESB 6296	Background checks	Harper	Del to Gov	
SSB 6386	Public assistance fraud	Carrell	H 2nd Reading	
SSB 6403	Vulnerable adult protection	Regala	H Passed 3rd	
ESSB 6462	Public assistnce eligibility	Fraser	H Rules R	
SB 6495	Fiscal reform	Chase	S Ways & Means	
SB 6496	New tax preferences	Pridemore	S Ways & Means	
SSB 6508	DSHS overpayment recovery	Pridemore	H Passed 3rd	
SB 6550	Tax reform	Froct	S Ways & Means	HB 2486(HWays & Means)

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