

SB 6160 -- Redline

Substitute to Bill -- Improving government efficiency related to reports by state agencies.

Deletions ~~struck~~ · Insertions underlined

~~S 4310.3Z-0597.1~~ SUBSTITUTE SENATE BILL 6160 State of Washington 69th Legislature 2026 Regular Session
By ~~Senate State Government, Tribal Affairs & Elections (originally sponsored by~~ Senators Krishnadasan,
Cortes, Hunt, Liias, Nobles, Riccelli, Shewmake, and Slatter;
by request of Office of Financial ~~Management)~~Management ~~READ~~Read ~~FIRST~~first ~~TIME~~time ~~02/04/26~~01/15/26.
~~AN~~Referred ~~ACT~~Relating to improving~~Committee government on efficiency~~State related~~Government, to Tribal~~
~~reports~~Affairs by~~& cabinet~~Elections, and executive agencies, the Washington student achievement council,
~~and the Washington state board of education, by eliminating reports, replacing reports, changing the~~
~~frequency of reports, and providing an alternative method for having information publicly available in~~
~~place of reports as recommended by the office of financial management;~~
~~amending~~AN RCW~~ACT 10.27A.210, Relating 28A.710.250, to 43.185C.040, improving 43.185C.045, government~~
~~47.56.880, efficiency 47.66.120, related 54.16.425, to 70A.02.090, reports 70A.535.050, by 74.09.888, state~~
~~74.09.495, agencies 74.39A.275, by 10.77.520, eliminating 13.34.360, reports, 28A.188.070, replacing~~
~~28A.700.100, reports, 28A.700.110, changing 28B.95.045, the 43.21A.150, frequency 43.63A.305, of~~
~~46.02.010, reports, 49.04.220, and 71.24.061, providing 71.24.635, an 76.09.350, alternative 76.09.360, method~~
~~76.09.368, for 76.09.420, having 79.110.240, information 82.08.9999, publicly 82.14.470, available and in~~
~~90.82.080; place of reports;~~
~~amending~~RCW 70A.535.050, 70A.02.090, 70A.02.110, 70A.65.300, 28A.710.250, 70A.300.310, 90.90.040,
90.38.100, 47.66.120, 71.24.061, 71.24.885, 71.24.635, 74.09.480, 74.09.888, 76.09.350, 76.09.360,
76.09.368, 76.09.420, 79.110.240, 79.13.060, 47.56.880, 47.04.280, 54.16.425, 82.08.9999, 82.14.470,
28A.188.070, 28A.700.100, 28A.700.110, 43.09.312, 28B.95.045, 46.92.010, 90.82.080, 43.21A.150,
10.77.520, and 13.34.360;

and repealing RCW ~~18.28.800, 41.05.630, 70.330.020, 74.09.495, 28A.305.035, 28A.657.110, 43.320.100,~~
~~28B.122.060, 18.28.800, 43.31.980, 43.62.050, 28A.657.110, 43.41.423, 43.62.050, 28B.122.060,~~
~~43.63A.311, 62A.9A.527, 70.330.020, 74.08A.411, and 74.08A.411, 74.39A.275.~~

(1) The legislature finds that requiring state agencies to report to the legislature is an important
method of providing information and keeping the legislature informed on the ~~p-~~implementation and impacts
of legislation.

~~1~~Some ~~SSB~~reports ~~6160~~provide implementation information and that impacts is of no legislation, longer
relevant or useful to the legislature, p.

~~Some~~1 ~~reports~~SB ~~provide~~6160 ~~information that is no longer relevant or useful to the legislature,~~ which
can be discerned by the lack of interest in the report.

~~RCW 10.27A.210 and 2025 c 264 s 4 are each amended to read as follows:~~

~~(1)(a) By November 1, 2020, the department must establish by rule a state energy performance standard
for covered buildings.~~

~~(b) In developing energy performance standards, the department shall seek to maximize reductions of
greenhouse gas emissions from the building sector.~~

~~The standard must include energy use intensity targets by building type and methods of conditional
compliance that include an energy management plan, operations and maintenance program, energy efficiency
audits, and investment in energy efficiency measures designed to meet the targets.~~

~~The department shall use ANSI/ASHRAE/IES standard 100-2018 as an initial model for standard development.
The department may adopt by rule subsequent versions of standard 100 as its model for standard
development.~~

~~The department must update the standard by July 1, 2020, and every five years thereafter.~~

~~Prior to the adoption or update of the standard, the department must identify the sources of information
it relied upon, including peer-reviewed science.~~

~~P-~~

~~2 SSB 6160 (2) In establishing the standard under subsection (1) of this section, the department:~~

~~(a) Must develop energy use intensity targets that are no greater than the average energy use intensity
for the covered building occupancy type with adjustments for unique energy using features.~~

~~The department must also develop energy use intensity targets for additional property types eligible for
incentives in RCW 10.27A.220.~~

~~The department may also develop targets for alternative metrics related to energy use and greenhouse gas
emissions if alternative metrics are included in standard 100-2018 or subsequent versions.~~

~~The department must consider regional and local building energy utilization data, such as existing
energy star benchmarking data, in establishing targets for the standard.~~

~~Energy use intensity targets or alternative metrics must be developed for two or more climate zones and be representative of energy use in a normal weather year;~~

~~(b) May consider building occupancy classifications from ANSI/ASHRAE/IES standard 100 and the United States environmental protection agency's energy star portfolio manager when developing energy use intensity targets;~~

~~(c) May implement lower energy use intensity targets or alternative metrics for more recently built covered buildings based on the state energy code in place when the buildings were constructed;~~

~~(d)(i) Must adopt a conditional compliance method that ensures that covered buildings that do not meet the specified energy use intensity targets or alternative metrics are taking action to achieve reduction in energy use, including investment criteria for conditional compliance that ensure that energy efficiency measures identified by energy audits are implemented to achieve a covered building's energy use intensity target or alternative metric.~~

~~The investment criteria must require that a building owner adopt an implementation plan to meet the energy intensity target or alternative metric or implement an optimized bundle of energy efficiency measures that provides maximum energy savings without resulting in a savings-to-investment ratio of less than 1.0, except as exempted in (d)(ii) of this subsection.~~

~~The implementation plan must be based on an investment grade energy audit and a life-cycle cost analysis that accounts for the period during which a bundle of measures will provide savings.~~

~~The building owner's cost for implementing energy efficiency measures must reflect net cost, p. 3 SSB 6160 excluding any costs covered by utility or government grants.~~

~~The implementation plan may exclude measures that do not pay for themselves over the useful life of the measure and measures excluded under (d)(ii) of this subsection.~~

~~The implementation plan may include phased implementation such that the building owner is not required to replace a system or equipment before the end of the system or equipment's useful life;~~

~~(ii) For those buildings or structures that are listed in the state or national register of historic places;~~

~~designated as a historic property under local or state designation law or survey;~~

~~certified as a contributing resource with a national register listed or locally designated historic district;~~

~~or with an opinion or certification that the property is eligible to be listed on the national or state registers of historic places either individually or as a contributing building to a historic district by the state historic preservation officer or the keeper of the national register of historic places, no individual energy efficiency requirement need be met that would compromise the historical integrity of a building or part of a building;~~

~~(e) Must provide an alternative compliance pathway for an owner of a state campus district energy system, in accordance with RCW 19.27A.260, and more broadly for the owner of any campus district energy system that is approved by the department to opt-in in accordance with RCW 19.27A.260(6);~~

~~(f) Must guarantee that the owner of a state campus district energy system is not required to implement more than one energy management plan and more than one operations and maintenance plan for the campus;~~

~~(g) Must guarantee that a state campus district energy system, as defined in RCW 19.27A.260, and all buildings connected to a state campus district energy system, are in compliance with any requirements for campus buildings to implement energy efficiency measures identified by an energy audit if:~~

~~(i) The energy audit demonstrates the energy savings from the state campus district energy system energy efficiency measures will be greater than the energy efficiency measures identified for the campus buildings;~~

~~and (ii) The state campus district energy system implements the energy efficiency measures;~~

~~and p.~~

~~4 SSB 6160 (h) May adopt additional compliance pathways for covered building owners to comply with the standard by meeting alternative metrics.~~

~~(3) Based on records obtained from each county assessor and other available information sources, the department must create a database of covered buildings and building owners required to comply with the standard established in accordance with this section.~~

~~(4) By July 1, 2021, the department must provide the owners of covered buildings with notification of compliance requirements.~~

~~(5) The department must develop a method for administering compliance reports from building owners.~~

~~(6) The department must provide a customer support program to building owners including, but not limited to, outreach and informational material, periodic training, phone and email support, and other technical assistance.~~

~~(7)(a) The building owner of a covered building must report the building owner's compliance with the standard to the department in accordance with the schedule established under subsection (8) of this section and every five years thereafter.~~

~~For each reporting date, the building owner must submit documentation to demonstrate that:~~

~~(i) The weather normalized energy use intensity of the covered building measured in the previous calendar year is less than or equal to the energy use intensity target or equal to the alternative metric;~~

~~(ii) The covered building has received conditional compliance from the department based on energy efficiency actions prescribed by the standard;~~

~~or (iii) The covered building is exempt from the standard by demonstrating that the building meets one, or combination of multiple partial exemptions affecting more than 50 percent of building square footage as established by the department by rule, of the following criteria:~~

~~(A) The building did not have a certificate of occupancy or temporary certificate of occupancy for all 12 months of the calendar year prior to the building owner compliance schedule established under subsection (8) of this section;~~

~~(B) The building did not have an average physical occupancy of at least 50 percent throughout the calendar year prior to the building owner compliance schedule established under subsection (8) of this section;~~

~~p-~~

~~5 SSB 6160 (C) The sum of the building's gross floor area minus unconditioned and semiconditioned spaces, as defined in the Washington state energy code, is less than 50,000 square feet;~~

~~(D) The primary use of the building is manufacturing or other industrial purposes, as defined under the following use designations of the international building code:~~

~~(I) Factory group F;~~

~~or (II) high hazard group H, including spaces with nonexempt occupancy classifications that are within the manufacturing or industrial building, not to include tenant spaces that are not associated with the primary manufacturing or industrial use of the building;~~

~~(E) The building is an agricultural structure;~~

~~(F) The building meets at least one of the following conditions of financial hardship:~~

~~(I) The building had arrears of property taxes or water or wastewater charges that resulted in the building's inclusion, within the prior two years, on a city's or county's annual tax lien sale list;~~

~~(II) the building has a court appointed receiver in control of the asset due to financial distress;~~

~~(III) the building is owned by a financial institution through default by a borrower;~~

~~(IV) the building has been acquired by a deed in lieu of foreclosure within the previous 24 months;~~

~~(V) the building has a senior mortgage subject to a notice of default;~~

~~(VI) the building is a K-12 school building in a school district or a private school that has financial hardships related to capital construction or improvements including, but not limited to, a failed bond and/or levy, limited school district debt capacity, and/or the building is actively correcting a violation of state board of health rules;~~

~~(VII) the building is a public hospital in a public hospital district that lacks the debt capacity to cover the cost of compliance;~~

~~or (VIII) other conditions of financial hardship identified by the department by rule;~~

~~or (G) Extenuating conditions exist, as approved by the department prior to the reporting date including, but not limited to:~~

~~(I) Buildings for which meeting the standard would impair the historic integrity of the building including, but not limited to, properties listed in the national register of historic places, the Washington heritage register, or local registers of historic places;~~

~~(II) Buildings for which meeting the standard would impair national security interests;~~

~~(III) Buildings that have had significant losses in assessed value since the COVID-19 pandemic which ((prevents [prevent])) p-~~

~~6 SSB 6160 prevent building owners from securing capital in the form of loans against equity in the covered building;~~

~~or (IV) Other extenuating circumstances identified by the department by rule that may still require benchmarking, operations and maintenance programs, and energy management plan reporting.~~

~~(b) The covered building owner may apply to the department for an extension to its compliance date.~~

~~Requests for extension must be received by the department no sooner than six months prior to and up to six months after the applicable compliance date in order to be processed by the department.~~

~~The department may approve extension requests for conditions including, but not limited to, conditions beyond the control of the building owner.~~

~~An extension granted pursuant to this subsection is valid for two years beyond the covered building's compliance date after which the covered building owner may apply to the department for an extension renewal or file for an exemption.~~

~~(8) A building owner of a tier 1 covered building must meet the following reporting schedule for complying with the standard established under this section:~~

~~(a) For a building with more than 220,000 gross square feet, June 1, 2026;~~

~~(b) For a building with more than 90,000 gross square feet but less than 220,001 gross square feet, June 1, 2027;~~

~~and (c) For a building with more than 50,000 gross square feet but less than 90,001 square feet, June 1, 2028.~~

~~(9)(a) The department may issue a notice of violation to a building owner for noncompliance with the requirements of this section.~~

~~A determination of noncompliance may be made for any of the following reasons:~~

~~(i) Failure to submit a compliance report in the form and manner prescribed by the department;~~

~~(ii) Failure to meet an energy use intensity target or alternative metric, or failure to receive conditional compliance approval;~~

~~(iii) Failure to provide accurate reporting consistent with the requirements of the standard established under this section;~~

~~and (iv) Failure to provide a valid exemption certificate.~~

~~(b) In order to create consistency with the implementation of the standard and rules adopted under this section, the department must reply and cite the section of law, code, or standard in a notice of p. 7 SSB 6160 violation for noncompliance with the requirements of this section when requested to do so by the building owner or the building owner's agent.~~

~~(10) The department is authorized to impose an administrative penalty upon a building owner for failing to submit documentation demonstrating compliance with the requirements of this section.~~

~~The penalty may not exceed an amount equal to \$5,000 plus an amount based on the duration of any continuing violation.~~

~~The additional amount for a continuing violation may not exceed a daily amount equal to \$1 per year per gross square foot of floor area.~~

~~The department may by rule increase the maximum penalty rates to adjust for the effects of inflation.~~

~~Penalties incurred from noncompliance may not be passed along to tenants, so long as tenants are providing access to utility usage data, physical spaces in the buildings, and being responsive to needs from building owners to facilitate compliance with the standard.~~

~~(11) Administrative penalties collected under this section must be deposited into the low-income weatherization and structural rehabilitation assistance account created in RCW 70A.35.030.~~

~~(12) The department must adopt rules as necessary to implement this section, including but not limited to:~~

~~(a) Rules necessary to ensure timely, accurate, and complete reporting of building energy performance for all covered buildings;~~

~~(b) Rules necessary to enforce the standard established under this section;~~

~~and (c) Rules that provide a mechanism for appeal of any administrative penalty imposed by the department under this section.~~

~~(13) Upon request by the department, each county assessor must provide property data from existing records to the department as necessary to implement this section.~~

~~(14) By January 15, 2022, and each year thereafter through ((2029)) 2031, the department must submit a report to the governor and the appropriate committees of the legislature on the implementation of the state energy performance standard established under this section.~~

~~The report must include information regarding the adoption of the ANSI/ASHRAE/IES standard 100-2018 as an initial model, the financial impact to building owners required to comply with the standard, the amount of incentives provided under RCW 19.27A.220 and 19.27A.230, and any other significant information associated with the implementation of this section, including p.~~

~~8 SSB 6160 administration of the early adoption incentive program under RCW 19.27A.220.~~

~~Sec.~~

~~102.~~

~~RCW 28A.710.250 and 2020 c 49 s 3 are each amended to read as follows:~~

~~(1) By ((March)) December 1st of ((each)) every odd-numbered year beginning in the first year after there have been charter schools operating for a full school year, the state board of education, in collaboration with the commission, must issue a report on the performance of the state's charter schools during the preceding school year to the governor, the legislature, and the public at large.~~

~~(2) The ((annual)) report must be based on the reports submitted by each authorizer as well as any additional relevant data compiled by the state board of education.~~

~~The report must include a comparison of the performance of charter school students with the performance~~

~~of academically, ethnically, and economically comparable groups of students in other public schools. In addition, the annual report must include the state board of education's assessment of the successes, challenges, and areas for improvement in meeting the purposes of this chapter, including the board's assessment of the sufficiency of funding for charter schools, the efficacy of the formula for authorizer funding, and any suggested changes in state law or policy necessary to strengthen the state's charter schools.~~

~~(3) Together with the issuance of the annual report following the fifth year after there have been charter schools operating for a full school year, the state board of education, in collaboration with the commission, shall submit a recommendation regarding whether or not the legislature should authorize the establishment of additional charter public schools.~~

~~NEW SECTION.~~

~~Sec.~~

~~103.~~

~~A new section is added to chapter 28B.77 RCW to read as follows:~~

~~The council shall report to the legislature by December 1, 2026, and each year thereafter, on the impacts of chapter 323, Laws of 2024 on degree completion outcomes, including any increase in the number of students using the extended eligibility provided under chapter 323, Laws of 2024.~~

~~p-~~

~~0 SSB 6160 Sec.~~

~~104.~~

~~RCW 43.185C.040 and 2018 c 85 s 4 are each amended to read as follows:~~

~~(1) The department shall, in consultation with the interagency council on homelessness, the affordable housing advisory board, and the state advisory council on homelessness, prepare and publish a five-year homeless housing strategic plan which must outline statewide goals and performance measures.~~

~~The state homeless housing strategic plan must be submitted to the legislature by ((July 1, 2019)) January 1, 2020, and every five years thereafter.~~

~~The plan must include:~~

~~(a) Performance measures and goals to reduce homelessness, including long-term and short-term goals;~~

~~(b) An analysis of the services and programs being offered at the state and county level and an identification of those representing best practices and outcomes;~~

~~(c) Recognition of services and programs targeted to certain homeless populations or geographic areas in recognition of the diverse needs across the state;~~

~~(d) New or innovative funding, program, or service strategies to pursue;~~

~~(e) An analysis of either current drivers of homelessness or improvements to housing security, or both, such as increases and reductions to employment opportunities, housing scarcity and affordability, health and behavioral health services, chemical dependency treatment, and incarceration rates;~~

~~and (f) An implementation strategy outlining the roles and responsibilities at the state and local level and timelines to achieve a reduction in homelessness at the statewide level during periods of the five-year homeless housing strategic plan.~~

~~(2) The department must coordinate its efforts on the state homeless housing strategic plan with the office of homeless youth prevention and protection programs advisory committee under RCW 43.330.705.~~

~~The state homeless housing strategic plan must not conflict with the strategies, planning, data collection, and performance and outcome measures developed under RCW 43.330.705 and 43.330.706 to reduce the state's homeless youth population.~~

~~(3) To guide local governments in preparation of local homeless housing plans due December 1, 2019, the department shall issue by December 1, 2018, guidelines consistent with this chapter and including the best available data on each community's homeless p-~~

~~10 SSB 6160 population.~~

~~Program outcomes, performance measures, and goals must be created by the department in collaboration with local governments against which state and local governments' performance will be measured.~~

~~(4) The department shall develop a consistent statewide data gathering instrument to monitor the performance of cities and counties receiving grants in order to determine compliance with the terms and conditions set forth in the grant application or required by the department.~~

~~The department shall, in consultation with the interagency council on homelessness and the affordable housing advisory board, report biennially to the governor and the appropriate committees of the legislature an assessment of the state's performance in furthering the goals of the state five-year homeless housing strategic plan and the performance of each participating local government in creating and executing a local homeless housing plan which meets the requirements of this chapter.~~

~~To increase the effectiveness of the report, the department must develop a process to ensure consistent presentation, analysis, and explanation in the report, including year-to-year comparisons, highlights of~~

~~program successes and challenges, and information that supports recommended strategy or operational changes.~~

~~The report may include performance measures such as:~~

~~(a) The reduction in the number of homeless individuals and families from the initial count of homeless persons;~~

~~(b) The reduction in the number of unaccompanied homeless youth.~~

~~"Unaccompanied homeless youth" has the same meaning as in RCW 43.330.702;~~

~~(c) The number of new units available and affordable for homeless families by housing type;~~

~~(d) The number of homeless individuals identified who are not offered suitable housing within thirty days of their request or identification as homeless;~~

~~(e) The number of households at risk of losing housing who maintain it due to a preventive intervention;~~

~~(f) The transition time from homelessness to permanent housing;~~

~~(g) The cost per person housed at each level of the housing continuum;~~

~~(h) The ability to successfully collect data and report performance;~~

~~P-~~

~~11 SSB 6160 (i) The extent of collaboration and coordination among public bodies, as well as community stakeholders, and the level of community support and participation;~~

~~(j) The quality and safety of housing provided;~~

~~and (k) The effectiveness of outreach to homeless persons, and their satisfaction with the program.~~

~~Sec.~~

~~105.~~

~~RCW 43.185C.045 and 2023 c 277 s 3 are each amended to read as follows:~~

~~(1) By ((December)) January 1st of each year, the department must provide an update on the state's homeless housing strategic plan and its activities for the prior fiscal year.~~

~~The report must include, but not be limited to, the following information:~~

~~(a) An assessment of the current condition of homelessness in Washington state and the state's performance in meeting the goals in the state homeless housing strategic plan;~~

~~(b) A report on the results of the annual homeless point-in-time census conducted statewide under RCW 43.185C.030;~~

~~(c) The amount of federal, state, local, and private funds spent on homelessness assistance, categorized by funding source and the following major assistance types:~~

~~(i) Emergency shelter;~~

~~(ii) Homelessness prevention and rapid rehousing;~~

~~(iii) Permanent housing;~~

~~(iv) Permanent supportive housing;~~

~~(v) Transitional housing;~~

~~(vi) Services only;~~

~~and (vii) Any other activity in which more than five hundred thousand dollars of category funds were expended;~~

~~(d) A report on the expenditures, performance, and outcomes of state funds distributed through the consolidated homeless grant program, including the grant recipient, award amount expended, use of the funds, counties served, and households served;~~

~~(e) A report on state and local homelessness document recording fee expenditure by county, including the total amount of fee spending, percentage of total spending from fees, and number of people served by major assistance type;~~

~~(f) A report on the expenditures, performance, and outcomes of the essential needs and housing support program meeting the requirements of RCW 43.185C.220;~~

~~P-~~

~~12 SSB 6160 (g) ((A report on the expenditures, performance, and outcomes of the independent youth housing program meeting the requirements of RCW 43.63A.311;~~

~~(h))) A county-level report on the expenditures, performance, and outcomes of the eviction prevention rental assistance program under RCW 43.185C.185.~~

~~The report must include, but is not limited to:~~

~~(i) The number of adults without minor children served in each county;~~

~~(ii) The number of households with adults and minor children served in each county;~~

~~and (iii) The number of unaccompanied youth and young adults who are being served in each county;~~

~~and ((i))) (h) A county-level report on the expenditures, performance, and outcomes of the rapid rehousing, project-based vouchers, and housing acquisition programs under RCW 36.22.250.~~

~~The report must include, but is not limited to:~~

~~(i) The number of persons who are unsheltered receiving shelter through a project-based voucher in each county;~~

~~(ii) The number of units acquired or built via rapid rehousing and housing acquisition in each county;~~

~~((and)) (iii) The number of adults without minor children, households with adults and minor children, unaccompanied youth, and young adults who are being served by the programs under RCW 36.22.250 in each county;~~

~~and (iv) A report on the transitional housing operating and rent program and its reporting requirements under RCW 43.185C.210.~~

~~(2) The report required in subsection (1) of this section must be posted to the department's website and may include links to updated or revised information contained in the report.~~

~~(3) Any local government receiving state funds for homelessness assistance or state or local homelessness document recording fees under RCW 36.22.250 must provide an annual report on the current condition of homelessness in its jurisdiction, its performance in meeting the goals in its local homeless housing plan, and any significant changes made to the plan.~~

~~The annual report must be posted on the department's website.~~

~~Along with each local government annual report, the department must produce and post information on the local government's homelessness spending from all sources by project during the prior state fiscal year in a format similar to the department's report under subsection (1)(c) of this section.~~

~~If a p.~~

~~13 SSB 6160 local government fails to report or provides an inadequate or incomplete report, the department must take corrective action, which may include withholding state funding for homelessness assistance to the local government to enable the department to use such funds to contract with other public or nonprofit entities to provide homelessness assistance within the jurisdiction.~~

~~Sec.~~

~~106.~~

~~RCW 47.56.880 and 2010 c 421 s 11 are each amended to read as follows:~~

~~(1) The imposition of tolls for express toll lanes on Interstate 405 between Interstate 5 on the north end in the city of Lynnwood and Interstate 5 on the south end in the city of Tukwila, and for state route number 167 between Interstate 405 on the north end and state route number 512 on the south end is authorized.~~

~~Interstate 405 and state route number 167 are designated an eligible toll facility, and toll revenue generated in the corridor must only be expended on the Interstate 405 and state route number 167 projects as identified in each corridor's master plan and as allowed under RCW 47.56.820.~~

~~(2) Tolls for the express toll lanes must be set as follows:~~

~~(a) The schedule of toll rates must be set by the tolling authority pursuant to RCW 47.56.850.~~

~~Toll rates may vary in amount by time of day, level of traffic congestion within the highway facility, or other criteria, as the tolling authority deems appropriate.~~

~~(b) In those locations with two express toll lanes in each direction, the toll rate must be the same in both lanes.~~

~~(c) Toll charges may not be assessed on transit buses and vanpools.~~

~~(d) The department shall establish performance standards for travel time, speed, and reliability for the express toll lanes project.~~

~~The department must automatically adjust the toll rate within the schedule established by the tolling authority, using dynamic tolling, to maintain the goal that average vehicle speeds in the lanes remain above forty-five miles per hour at least ninety percent of the time during peak hours.~~

~~(e) The tolling authority shall periodically review the toll rates against traffic performance of all lanes to determine if the toll rates are effectively maintaining travel time, speed, and reliability on the highway facilities.~~

~~(f)(i) Toll charges may not be assessed on carpools with two or more people in the vehicle on the portion of Interstate 405 between p.~~

~~14 SSB 6160 Bellevue and state route number 167 for at least the first year following the initial imposition of tolls on that portion of the express toll lanes, contingent upon the analysis described in (f)(ii) of this subsection.~~

~~(ii) The department must analyze the effect of (f)(i) of this subsection utilizing forecasting and modeling data and present the results of the analysis to the tolling authority.~~

~~If the analysis indicates that the express toll lanes on the portion of Interstate 405 between Bellevue and state route number 167 will not cover the financial obligations outlined in RCW 47.56.884(4), then the restriction on toll charges in (f)(i) of this subsection will not be implemented and the department must provide the transportation committees of the legislature with a report, within thirty days, that~~

~~provides options for not assessing toll charges on carpools with two or more people in the vehicle, which also meet the financial obligations outlined in RCW 47.56.884(4).~~

~~(g) After the bonds issued pursuant to RCW 47.10.896(1)(a) are retired, the tolling authority must reduce the toll rates commensurate with this reduction in the amount of toll revenues required from the express toll lanes.~~

~~(3) The department shall work with local jurisdictions to minimize and monitor impacts to local streets and, after consultation with local jurisdictions, recommend mitigation measures to the legislature in those locations where it is appropriate.~~

~~(4) The department shall monitor the express toll lanes and shall ((annually)) biennially report to the transportation commission and the legislature on the impacts from the project on the following performance measures:~~

~~(a) Whether the express toll lanes maintain speeds of forty-five miles per hour at least ninety percent of the time during peak periods, and any alternate metric determined by the department in conjunction with the federal highway administration;~~

~~(b) Whether the average traffic speed changed in the general purpose lanes;~~

~~(c) Whether transit ridership changed;~~

~~(d) Whether the actual use of the express toll lanes is consistent with the projected use;~~

~~(e) Whether the express toll lanes generated sufficient revenue to pay for all express toll lane-related operating costs;~~

~~and p.~~

~~15 SSB 6160 (f) Whether travel times and volumes have increased or decreased on adjacent local streets and state highways.~~

~~(5) The department, in consultation with the transportation commission, shall consider making operational changes necessary to fix any unintended consequences of implementing the express toll lanes.~~

~~(6) A violation of the lane restrictions applicable to the express toll lanes established under this section is a traffic infraction.~~

~~Sec.~~

~~107.~~

~~RCW 47.66.120 and 2025 c 416 s 717 are each amended to read as follows:~~

~~(1)(a) The department's public transportation division shall establish a green transportation capital grant program.~~

~~The purpose of the grant program is to aid any transit authority in funding cost-effective capital projects to reduce the carbon intensity of the Washington transportation system, examples of which include:~~

~~Electrification of vehicle fleets, including battery and fuel cell electric vehicles;~~

~~modification or replacement of capital facilities in order to facilitate fleet electrification and/or hydrogen refueling;~~

~~necessary upgrades to electrical transmission and distribution systems;~~

~~and construction of charging and fueling stations.~~

~~The department's public transportation division shall identify projects and shall submit a prioritized list of all projects requesting funding to the legislature and the office of financial management by ((December)) November 1st of each even-numbered year.~~

~~(b) The department's public transportation division shall select projects based on a competitive process that considers the following criteria:~~

~~(i) The cost-effectiveness of the reductions in carbon emissions provided by the project;~~

~~and (ii) The benefit provided to transitioning the entire state to a transportation system with lower carbon intensity.~~

~~(c) During the 2023-2025 and 2025-2027 fiscal biennia, the department must incorporate principles into the grant selection process with the goal of increasing the distribution of funding to communities based on addressing environmental harms and providing environmental benefits for overburdened communities, as defined in RCW 70A.02.010, and vulnerable populations.~~

~~P-~~

~~16 SSB 6160 (2) The department's public transportation division must establish an advisory committee to assist in identifying projects under subsection (1) of this section.~~

~~The advisory committee must include representatives from the department of ecology, the department of commerce, the utilities and transportation commission, and at least one transit authority.~~

~~(3) In order to receive green transportation capital grant program funding for a project, a transit authority must provide matching funding at the level deemed appropriate by the department.~~

~~(4) The department's public transportation division must report annually to the transportation~~

~~committees of the legislature on the status of any grant projects funded by the program created under this section.~~

~~(5) For purposes of this section, "transit authority" means a city transit system under RCW 35.58.2721 or chapter 35.95A RCW, a county public transportation authority under chapter 36.57 RCW, a metropolitan municipal corporation transit system under chapter 36.56 RCW, a public transportation benefit area under chapter 36.57A RCW, an unincorporated transportation benefit area under RCW 36.57.100, a regional transit authority under chapter 81.112 RCW, or any special purpose district formed to operate a public transportation system.~~

~~(6) During the 2021-2023 fiscal biennium, the department may provide up to 20 percent of the total green transportation capital grant program funding for zero emissions capital transition planning projects. During the 2023-2025 fiscal biennium, the department may provide up to 10 percent of the total green transportation capital grant program funding for zero emissions capital transition planning projects. During the 2025-2027 fiscal biennium, the department may provide up to five percent of the total green transportation capital grant program funding for zero emissions capital transition planning projects.~~

~~Sec.~~

~~108.~~

~~RCW 54.16.425 and 2021 c 204 s 4 are each amended to read as follows:~~

~~(1) Property owned by a public utility district that is exempt from property tax under RCW 84.36.010 is subject to an annual payment in lieu of property taxes if the property consists of a broadband infrastructure used in providing retail telecommunications services.~~

~~(2)(a) The amount of the payment must be determined jointly and in good faith negotiation between the public utility district that p-~~

~~17 SSB 6160 owns the property and the county or counties in which the property is located.~~

~~(b) The amount agreed upon may not exceed the property tax amount that would be owed on the property comprising the broadband infrastructure used in providing retail telecommunications services as calculated by the department of revenue.~~

~~The public utility district must provide information necessary for the department of revenue to make the required valuation under this subsection.~~

~~The department of revenue must provide the amount of property tax that would be owed on the property to the county or counties in which the broadband infrastructure is located on an annual basis.~~

~~(c) If the public utility district and a county cannot agree on the amount of the payment in lieu of taxes, either party may invoke binding arbitration by providing written notice to the other party.~~

~~In the event that the amount of payment in lieu of taxes is submitted to binding arbitration, the arbitrators must consider the government services available to the public utility district's broadband infrastructure used in providing retail telecommunications services.~~

~~The public utility district and county must each select one arbitrator, the two of whom must pick a third arbitrator.~~

~~Costs of the arbitration, including compensation for the arbitrators' services, must be borne equally by the parties participating in the arbitration.~~

~~(3) By April 30th of each year, a public utility district must remit the annual payment to the county treasurer of each county in which the public utility district's broadband infrastructure used in providing retail telecommunications services is located in a form and manner required by the county treasurer.~~

~~(4) The county must distribute the amounts received under this section to all property taxing districts, including the state, in appropriate tax code areas in the same proportion as it would distribute property taxes from taxable property.~~

~~(5) By December 1, ((2010)) 2026, and ((annually)) biennially thereafter, the department of revenue must submit a report to the appropriate legislative committees detailing the amount of payments made under this section and the amount of property tax that would be owed on the property comprising the broadband infrastructure used in providing retail telecommunications services.~~

~~P-~~

~~18 SSB 6160 Sec.~~

~~109.~~

~~RCW 70A.02.090 and 2021 c 314 s 17 are each amended to read as follows:~~

~~(1) By September 1st of each year, each covered agency must annually update the council on the development and implementation of environmental justice in agency strategic plans pursuant to RCW 70A.02.040, budgeting and funding criteria for making budgeting and funding decisions pursuant to RCW 70A.02.080, and community engagement plans pursuant to RCW 70A.02.050.~~

~~(2)(a) Beginning in 2024, as part of each covered agency's annual update to the council under subsection (1) of this section, each covered agency must include updates on the agency's implementation status with~~

~~respect to the environmental justice assessments under RCW 70A.02.060.~~

~~(b) By ((September 1st)) November 30th of each year ((beginning in 2024)), each covered agency must publish or update a dashboard report, in a uniform dashboard format on the office of financial management's website, describing the agency's progress on:~~

~~(i) Incorporating environmental justice in its strategic plan;~~

~~(ii) The obligations of agencies relating to budgets and funding under RCW 70A.02.080;~~

~~and (iii) Its environmental justice assessments of proposed significant agency actions, including logistical metrics related to covered agency completion of environmental justice assessments.~~

~~(3) Each covered agency must file a notice with the office of financial management of significant agency actions for which the agency is initiating an environmental justice assessment under RCW 70A.02.060.~~

~~The office of financial management must prepare a list of all filings received from covered agencies each week and must post the list on its website and make it available to any interested parties.~~

~~The list of filings must include a brief description of the significant agency action and the methods for providing public comment for agency consideration as part of the environmental justice assessment.~~

~~(4) Each covered agency must identify overburdened communities, as required by RCW 70A.02.050, in such a way that the performance effectiveness of the duties created by this chapter can be measured, including the effectiveness of environmental justice assessments required by RCW 70A.02.060.~~

~~Each covered agency may identify and prioritize overburdened communities as needed to accomplish the purposes of this chapter.~~

~~p-~~

~~19 SSB 6160 Sec.~~

~~110.~~

~~(c) The fueling of battery or fuel cell electric vehicles by a commercial, nonprofit, or public entity that is not an electric utility, which may include, but is not limited to, the fueling of ~~vehicles~~ p. using electricity certified by the department to have a carbon intensity of zero;~~

2 SB 6160 vehicles using electricity certified by the department to have a carbon intensity of zero;

~~(e) p-transit grants;~~

20 SSB 6160 transit grants;

~~(5)(a) In coordination with the department, the Washington state department of transportation must immediately begin work on identifying the amount of credit revenues likely to be generated under subsection (3) of this section from the state transportation investments funded in an omnibus transportation appropriations act, including p. the move ahead WA transportation package.~~

3 SB 6160 including the move ahead WA transportation package.

~~111, 102.~~

RCW ~~74.00.888~~ 70A.02.090 and ~~2022~~ 2021 c ~~216~~ 314 s ~~417~~ are each amended to read as follows:

~~(1) To~~ By ~~establish~~ September 1st of each year, each covered agency must annually update the council on the development and administer implementation of environmental justice in agency strategic plans pursuant to RCW 74.00.886, 70A.02.040, the budgeting authority and shall funding criteria for making budgeting and funding decisions pursuant to RCW 70A.02.080, and community engagement plans pursuant to RCW 70A.02.050.

~~(a)(i)(2)(a) Establish~~ Beginning or in amend 2024, as contract part of each covered agency's annual update to the council under subsection (1) of this section, each covered agency must include updates on the agency's implementation status with a respect coordinating to entity the to environmental justice assessments under RCW 70A.02.060.

(b) By ((September 1st)) November 30th of each year ((beginning in 2024)), each covered agency must publish or update a dashboard report, in a uniform dashboard format on the office of financial management's website, describing the agency's progress on:

(i) Incorporating environmental justice in its strategic plan;

(ii) The obligations of agencies relating to budgets and funding under RCW 70A.02.080;

and (iii) Its environmental justice assessments of proposed significant agency actions, including logistical metrics related to covered agency completion of environmental justice assessments.

(3) Each covered agency must file a notice with the office of financial management of significant agency actions for which the agency is initiating an environmental justice assessment under RCW p.

4 SB 6160 70A.02.060.

The office of financial management must prepare a list of all filings received from covered agencies each week and must post the list on its website and make it available to any interested parties.

The list of filings must include a brief description of the significant agency action and the methods for providing public comment for agency consideration as part of the environmental justice assessment.

(4) Each covered agency must identify overburdened communities, as required by RCW 70A.02.050, in such a way that the performance effectiveness of the duties created by this chapter can be measured, including

the effectiveness of environmental justice assessments required by RCW 70A.02.060.

Each covered agency may identify and prioritize overburdened communities as needed to accomplish the purposes of this chapter.

Sec.

103.

RCW 70A.02.110 and 2024 c 54 s 59 are each amended to read as follows:

(1) The environmental justice council is established to advise covered agencies on incorporating environmental justice into agency activities.

(2) The council consists of 14 members, except as provided in RCW 70A.65.040(3), appointed by the governor.

The councilmembers must be persons who are well-informed regarding and committed to the principles of environmental justice and who, to the greatest extent practicable, represent diversity in race, ethnicity, age, and gender, urban and rural areas, and different regions of the state.

The members of the council shall elect two members to serve as cochairs for two-year terms.

The council must include:

(a) Seven community representatives, including one youth representative, the nominations of which are based upon applied and demonstrated work and focus on environmental justice or a related field, such as racial or economic justice, and accountability to vulnerable populations and overburdened communities;

(i) The youth representative must be between the ages of 18 and 25 at the time of appointment;

(ii) The youth representative serves a two-year term.

All other community representatives serve four-year terms, with six representatives initially being appointed to four-year terms and five being initially appointed to two-year terms, after which they will be appointed to four-year terms;

245 SSB SB 6160 (A)(b) AssureTwo themembers availabilityrepresenting oftribal accesscommunities, toone eligibilityfrom determinationeastern servicesWashington forand communityone supportfrom serviceswestern benefitsWashington, andappointed permanentby supportivehousinggovernor, benefits;plus two tribal members as specified in RCW 70A.65.040.

(B)The Verifygovernor thatshall personsolicit meetand theconsider eligibilitynominees standardsfrom each of RCWthe 74.09.886(2);federally recognized tribes in Washington state.

(C)The Coordinategovernor enrollmentshall incollaborate medicalwith assistancefederally programsrecognized fortribes personson who meet the eligibilityselection standards of RCWtribal 74.09.886(2);representatives. except for actual enrollment in a medical assistance program under this chapter;

andThe (D)tribal Coordinatorepresentatives withserve afour-year networkterms. of community support services providers to arrange with local housing providers for the placement of an eligible person in permanent supportive housing appropriate to the person's needs and assure that community support services are provided to the person by a community support services provider.

(iii)One Therepresentative primarymust rolebe ofinitially theappointed coordinating entity or entities is administrative and operational, while the authority shall establish the general policy parameters for thea workfour-year ofterm. the coordinating entity or entities.

(iii)The Inanother selectingrepresentative themust coordinatingbe entityinitially orappointed entities,for thea authoritytwo- shall:year term, after which, that representative must be appointed for a four-year term;

Choose(c) oneTwo orrepresentatives morewho organizations that are capableenvironmental ofjustice coordinatingpractitioners accessor academics to bothserve communityas supportenvironmental servicesjustice andexperts, permanentthe supportivehousingof serviceswhich teare eligiblebased personsupon underapplied RCWand 74.09.886;demonstrated work and focus on environmental justice;

and(d)(i) selectOne norepresentative moreof thana onebusiness coordinatingthat entityis perregulated regionby whicha iscovered servedagency and whose ordinary business conditions are significantly affected by medicaidthe managedactions careof organizations;at least one other covered agency;

(b)and Report(ii) toOne therepresentative officewho foris thea ongoingmember monitoringor officer of a union representing workers in the program;building and construction trades;

and (c)(e) AdoptOne anyrepresentative rulesat necessarylarge, tothe implementnomination theof program-which is based upon applied and demonstrated work and focus on environmental justice.

(2)(3) TheCovered authorityagencies shall establishserve as worknonvoting, grouplex toofficio provide liaisons feedback to the agencycouncil. on its foundational community supports program as it aligns with the work of the housing benefit.

TheEach workcovered groupagency maymust includeidentify representativesan ofexecutive stateteam agencies, level behavioralstaff healthperson administrative to servicesparticipate organizations, on thebehalf coordinatingof entitythe oragency. entities, and contracted agencies providing foundational

~~community support services.~~

~~Topics (4) may include, but are not limited to, best practices in eligibility screening processes and case reimbursement rate in billing accordance for foundational community supports housing, regional cost differentials, costs consistent with specialized RCW needs, 43.03.050, improved 43.03.060, data access and data 43.03.220, sharing with foundational community supports providers, and requirements related to the use of a common practice tool among community support services providers to integrate social p.~~

~~22(5) SSB The 6160 department determinants of health must: service delivery.~~

~~The (a) authority, Hire in a consultation manager with who foundational is community responsible supports for providers overseeing and all their staffing stakeholders, shall engage each region on case management tools and programs, administrative evaluated duties effectiveness, in and support inform the appropriate committees of the legislature council; on the use of case management tools.~~

~~Case and management (b) shall provide also all be administrative and regular staff item support or for engagement in the work council. group.~~

~~The (6) authority In shall collaboration convene with the work office group of a equity, least the once office each of quarter financial and management, may the expand council, upon, and but covered not agencies, duplicate, existing work groups or advisory councils at the authority department or of other health state must: agencies.~~

~~(3) p. To support the goals of the program and the goals of other statewide initiatives to identify and address social needs, including efforts within the 1115 waiver renewal to advance health equity and health-related supports, the authority shall work with the office and the department of social and health services to research, identify, and implement statewide universal measures to identify and consider social determinants of health domains, including housing, food security, transportation, financial strain, and interpersonal safety.~~

~~The 6 authority SB shall 6160 select (a) an Establish accredited standards or nationally vetted tool, including criteria for prioritization, for the community collection, support analysis, services and provider reporting to of use disaggregated when data making as determinations it about pertains housing options and other support services to offer tracking individuals population eligible level for outcomes the of program communities;~~

~~This (b) screening Create statewide and prioritization agency-specific process may and not outcome exclude measures clients to transitioning show from performance: inpatient or other behavioral health residential treatment settings.~~

~~The (i) authority Using shall outcome-based inform methodology the to governor determine and the appropriate effectiveness committees of the agency legislature programs on and progress services to on this reducing end environmental disparities;~~

~~(4) (a) and The (ii) authority Taking and into the consideration department community may feedback seek from and the accept council funds on from whether private the and performance federal measures sources established to accurately support measure the purposes effectiveness of covered agency programs and services in the program communities served;~~

~~(b) and The (c) authority Create shall an seek online approval performance from dashboard the to federal publish department performance of measures health and outcomes as referenced in RCW 70A.02.090 for the state and humaneach services covered to agency.~~

~~(i) (7) Receive The federal department matching of funds health for must administrative coordinate costs with and Washington services technology provided solutions under to the address program cybersecurity to and persons data enrolled protection in for medicaid; all data collected by the department.~~

~~(ii) (8) (a) Align With the input eligibility and benefit assistance standards from of the foundational council, community supports program established pursuant to the waiver, department entitled of "medicaid health transformation must project" establish and an initially interagency approved work November group 2017, to between assist the covered authority agencies and in the incorporating federal environmental centers justice for into medicare agency and decision medicaid making. services, as amended and reauthorized, with the standards of the program, including extending the duration of the p.~~

~~23 The SSB work 6160 group benefits must under include the staff foundational from community each supports covered program agency directed to not implement less environmental than justice 12 provisions months; under this chapter and may include members from the council.~~

~~and The (iii) department Implement of a health medical shall and provide psychiatric assistance respite to care the benefit interagency for work certain group persons by: enrolled in medicaid.~~

~~(5) (a) (i) By Facilitating December information 1, sharing 2022, among the covered authority agencies and the office shall report to the governor and the legislature on preparedness environmental for justice the issues first year of program implementation, including the estimated enrollment, estimated program costs, estimated supportive housing unit availability, funding availability for the program from all sources, efforts to improve billing and administrative between burdens agencies for foundational community supports providers, efforts to streamline continuity of care and system connection for persons who are~~

~~potentially eligible for foundational community supports, and any statutory or budgetary needs to successfully implement the first council; year of the program.~~

~~(b)(ii) By Developing December and 1, providing 2023, assessment the tools authority for and covered the agencies officeto shall use report in to the governor development and the evaluation legislature on the progress of the agency first programs, year services, of policies, program implementation and preparedness budgets; for the second year of program implementation.~~

~~(c)(iii) By Providing December technical 1, assistance 2024, the authority and the compiling office shall report to the governor and the creating legislature resources on the progress of the first two years of program implementation and preparedness for ongoing covered housing agencies acquisition to and use; development.~~

~~(d) By December 1, 2026, the authority and the (iv) office Training shall covered report agency to staff the governor and the legislature on the effectively full using implementation data of the program, including the number of persons served by the program, available permanent supportive housing units, estimated unmet demand for the program, ongoing funding requirements for the program, and funding tools availability for the environmental program justice from assessments. all sources.~~

~~Beginning (b) December The 1, duties 2027, of the authority interagency and work the group office include: shall provide ((annual)) biennial updates to the governor and the legislature on the status of the program.~~

~~(i) Providing technical assistance to support agency compliance with the implementation of environmental justice into their strategic plans, environmental justice obligations for budgeting and funding criteria and decisions, environmental justice assessments, and community engagement plans;~~

D.

7 SB 6160 (ii) Assisting the council in developing a suggested schedule and timeline for sequencing the types of:

(A) Funding and expenditure decisions subject to rules;

and (B) criteria incorporating environmental justice principles;

(iii) Identifying other policies, priorities, and projects for the council's review and guidance development;

(iv) Identifying goals and metrics that the council may use to assess agency performance in meeting the requirements of chapter 314, Laws of 2021 for purposes of communicating progress to the public, the governor, and the legislature;

and (v) Developing the guidance under subsection (9)(c) of this section in coordination with the council.

(9) The council has the following powers and duties:

(a) To provide a forum for the public to:

(i) Provide written or oral testimony on their environmental justice concerns;

(ii) Assist the council in understanding environmental justice priorities across the state in order to develop council recommendations to agencies for issues to prioritize;

and (iii) Identify which agencies to contact with their specific environmental justice concerns and questions;

(b)(i) The council shall work in an iterative fashion with the interagency work group to develop guidance for environmental justice implementation into covered agency strategic plans pursuant to RCW 70A.02.040, environmental justice assessments pursuant to RCW 70A.02.060, budgeting and funding criteria for making budgeting and funding decisions pursuant to RCW 70A.02.080, and community engagement plans pursuant to RCW 70A.02.050;

(ii) The council and interagency work group shall regularly update its guidance;

(c) In consultation with the interagency work group, the council:

(i) Shall provide guidance to covered agencies on developing environmental justice assessments pursuant to RCW 70A.02.060 for significant agency actions;

(ii) Shall make recommendations to covered agencies on which agency actions may cause environmental harm or may affect the equitable distribution of environmental benefits to an overburdened community or a vulnerable population and therefore should be considered significant agency actions that require an environmental justice assessment under RCW 70A.02.060;

D.

8 SB 6160 (iii) Shall make recommendations to covered agencies:

(A) On the identification and prioritization of overburdened communities under this chapter;

and (B) Related to the use by covered agencies of the environmental and health disparities map in agency efforts to identify and prioritize overburdened communities;

(iv) May make recommendations to a covered agency on the timing and sequencing of a covered agencies' efforts to implement RCW 70A.02.040 through 70A.02.080;

and (v) May make recommendations to the governor and the legislature regarding ways to improve agency

compliance with the requirements of this chapter;

(d) By ((December 1, 2023, and biennially thereafter)) February 28th of each even-numbered year, and with consideration of the information shared on ((September 1st)) November 30th each year in covered agencies' annual updates to the council required under RCW 70A.02.090, the council must:

(i) Evaluate the progress of each agency in applying council guidance, and update guidance as needed; and (ii) Communicate each covered agency's progress to the public, the governor, and the legislature.

This communication is not required to be a report and may take the form of a presentation or other format that communicates the progress of the state and its agencies in meeting the state's environmental justice goals in compliance with chapter 314, Laws of 2021, and summarizing the work of the council pursuant to (a) through (d) of this subsection, and subsection (11) of this section;

and (e) To fulfill the responsibilities established for the council in RCW 70A.65.040.

(10) By November 30, 2023, and in compliance with RCW 43.01.036, the council must submit a report to the governor and the appropriate committees of the house of representatives and the senate on:

(a) The council's recommendations to covered agencies on the identification of significant agency actions requiring an environmental justice assessment under subsection (9)(c)(ii) of this section;

(b) The summary of covered agency progress reports provided to the council under RCW 70A.02.090(1), including the status of agency plans for performing environmental justice assessments required by RCW 70A.02.060;

and p.

9 SB 6160 (c) Guidance for environmental justice implementation into covered agency strategic plans, environmental justice assessments, budgeting and funding criteria, and community engagement plans under subsection (9)(c)(i) of this section.

(11) The council may:

(a) Review incorporation of environmental justice implementation plans into covered agency strategic plans pursuant to RCW 70A.02.040, environmental justice assessments pursuant to RCW 70A.02.060, budgeting and funding criteria for making budgeting and funding decisions pursuant to RCW 70A.02.080, and community engagement plans pursuant to RCW 70A.02.050;

(b) Make recommendations for amendments to this chapter or other legislation to promote and achieve the environmental justice goals of the state;

(c) Review existing laws and make recommendations for amendments that will further environmental justice;

(d) Recommend to specific agencies that they create environmental justice-focused, agency-requested legislation;

(e) Provide requested assistance to state agencies other than covered agencies that wish to incorporate environmental justice principles into agency activities;

and (f) Recommend funding strategies and allocations to build capacity in vulnerable populations and overburdened communities to address environmental justice.

(12) The role of the council is purely advisory and council decisions are not binding on an agency, individual, or organization.

(13) The department of health must convene the first meeting of the council by January 1, 2022.

(14) All council meetings are subject to the open public meetings requirements of chapter 42.30 RCW and a public comment period must be provided at every meeting of the council.

112-104.

RCW ~~74.09.495~~70A.65.300 and ~~2019~~2025 c ~~325~~424 s ~~400~~2975 are each amended to read as follows:

~~(1) ToThe betterdepartment assureshall andprepare, understandpost issueson relatedthe todepartment networkwebsite, adequacy and accesssubmit to services, the authority shall report to the appropriate committees of the legislature byan Decemberannual 1-report ((2017))that 2026-identifies andall ((annually))distributions bienniallyof thereafter,moneys onfrom the statusaccounts ofcreated accessin p-RCW 70A.65.240 through 70A.65.280.~~

~~24(2) SSBThe 6160report tomust behavioralidentify, healthat servicesa forminimum, childrenthe fromrecipient birthof throughthe agefunding, seventeen the usingamount dataof collectedthe pursuantfunding, tothe RCWpurpose 70-320-050, of the funding, the p.~~

~~(2)10 AtSB a6160 minimum,actual end result or use of the reportfunding, mustwhether include the project that received the followingfunding componentsproduced brokenany downverifiable byreduction age,in gender,greenhouse gas emissions or other long-term impact to emissions, and raceif so, the quantity of reduced greenhouse gas emissions, the cost per carbon dioxide equivalent metric ton of reduced greenhouse gas emissions, and ethnicity;a comparison to other greenhouse gas emissions reduction projects in order to facilitate the development of cost-benefit ratios for greenhouse gas emissions reduction projects.~~

~~(a)(3) The percentagedepartment ofshall dischargesrequire forby patientsrule ages that sixrecipients throughof seventeenfunds whofrom had a visit to the emergencyaccounts roomcreated within aRCW~~

~~primary 70A.65.240 diagnosis through of 70A.65.280 mental report health to or alcohol or other drug dependence during the measuring department, year in and who had a follow-up form visit and with manner any prescribed provider by with the a department, corresponding the primary information diagnosis required off or mental the health department or to alcohol carry or out other the drug department's dependence duties within established thirty in days this of section. discharge;~~

~~(b)(4) The percentage department of shall health update plan its members website with an the identified information mental described health in needs subsection who (2) received of mental this health section services as during appropriate the but reporting no period; less frequently than once per calendar year.~~

~~(c)(5) The percentage department shall submit its report to the appropriate committees of children the served legislature by with behavioral the health information administrative described services in organizations subsection and (2) managed of care this organizations, section including no the later types than ((September 30)) December 31st of services each provided; year.~~

~~((For The fiscal number year of 2025, children's mental health providers available in the previous report ((year)) must two be years, submitted the no languages later spoken than by November those 30, providers, 2024. and the overall percentage of children's mental health providers who were actively accepting new patients;~~

~~and During ((e)) the Data 2025-2027 related fiscal to biennium, mental the health report and must medical be services submitted for no eating later disorder than treatment November in 30 children of and each youth fiscal by year.) county, Sec. including the number of:~~

~~(i) 105. Eating disorder diagnoses;~~

~~(ii) RCW Patients 28A.710.250 treated and in 2020 outpatient, c residential, 49 emergency, s and 3 inpatient are care each settings; amended to read as follows:~~

~~and (1) ((iii)) By Contracted ((March)) providers December specializing 1st of ((each)) every odd-numbered year beginning in eating the disorder first treatment year and after there have been charter schools operating for a full school year, the overall state percentage board of those education, providers in who collaboration were with actively the accepting commission, now must patients issue a report on the performance of the state's charter schools during the reporting preceding period, school year to the governor, the legislature, and the public at large.~~

~~(2) The ((annual)) report must be based on the reports submitted by each authorizer as well as any additional relevant data compiled by the state board of education.~~

~~The report must include a comparison of the performance of charter school students with the performance of academically, ethnically, and economically comparable groups of students in other public schools.~~

~~In addition, the annual report must include the state board of education's assessment of the successes, p.~~

~~11 SB 6160 challenges, and areas for improvement in meeting the purposes of this chapter, including the board's assessment of the sufficiency of funding for charter schools, the efficacy of the formula for authorizer funding, and any suggested changes in state law or policy necessary to strengthen the state's charter schools.~~

~~(3) Together with the issuance of the annual report following the fifth year after there have been charter schools operating for a full school year, the state board of education, in collaboration with the commission, shall submit a recommendation regarding whether or not the legislature should authorize the establishment of additional charter public schools.~~

~~113. 106.~~

~~RCW 74.39A.275 70A.300.310 and 2018 2020 c 278 20 s 21 1295 are each amended to read as follows:~~

~~In (1) order The to department monitor shall quality develop, of care and safety shall of ((update consumers, at employment least conditions once of every individual five providers, years)) and review compliance biennially with the provisions of payment of hours in excess of forty hours each workweek for any single individual provider, the department must provide ((annual)) biennial expenditure reports to the legislative fiscal committees and joint revise legislative executive as overtime necessary, oversight a task state force hazardous created waste under management RCW plan. -74.39A.525-~~

~~The report plan must shall contain include, but shall not be limited to, the following information: elements:~~

~~(a) A state inventory and assessment of the capacity of existing facilities to treat, store, dispose, or otherwise manage hazardous waste;~~

~~(b) A forecast of future hazardous waste generation;~~

~~(c) A description of the plan or program required by RCW 70A.300.270 to promote the waste management priorities established in RCW 70A.300.260;~~

~~(d) Siting criteria as appropriate for hazardous waste management facilities, including such criteria as may be appropriate for the designation of eligible zones for designated zone facilities.~~

~~However, these criteria shall not prevent the continued operation, at or below the present level of waste management activity, of existing facilities on the basis of their location in areas other than~~

those designated as eligible zones pursuant to RCW 70A.300.370;

(e) Siting policies as deemed appropriate by the department;

and (f) A plan or program to provide appropriate public information and education relating to hazardous waste management.

The department shall ensure to the maximum degree practical that these plans or programs are coordinated with public education programs carried out by local government under RCW 70A.300.350.

(2) The department shall seek, encourage, and assist participation in the development, revision, and implementation of the p.

12 SB 6160 state hazardous waste management plan by interested citizens, local government, business and industry, environmental groups, and other entities as appropriate.

(3) Siting criteria shall be completed by December 31, 1986.

Other plan components listed in subsection (1) of this section shall be completed by June 30, 1987.

(4) The department shall incorporate into the state hazardous waste management plan those elements of the local hazardous waste management plans that it deems necessary to assure effective and coordinated programs throughout the state.

Sec.

107.

RCW 90.90.040 and 2011 c 83 s 6 are each amended to read as follows:

(1) To support the development of new water supplies in the Columbia river and to protect instream flow, the department of ecology shall work with all interested parties, including interested county legislative authorities and watershed planning groups in the Columbia river basin, and affected tribal governments, to develop a Columbia river water supply inventory and a long-term water supply and demand forecast.

The inventory must include:

(a) A list of conservation projects that have been implemented under this chapter and the amount of water conservation they have achieved;

and (b) A list of potential water supply and storage projects in the Columbia river basin, including estimates of:

(i) Cost per acre-foot;

(ii) Benefit to fish and other instream needs;

(iii) Benefit to out-of-stream needs;

and (iv) Environmental and cultural impacts.

(2) The department of ecology shall complete the first Columbia river water supply inventory by November 15, 2006, and shall update the inventory ((annually)) biennially thereafter.

(3) The department of ecology shall complete the first Columbia river long-term water supply and demand forecast by November 15, 2006, and shall update the report every five years thereafter.

Sec.

108.

RCW 90.38.100 and 2013 2nd sp.s.

c 11 s 9 are each amended to read as follows:

(1) By ((December 1, 2015)) September 1, 2026, and by ((December 1st of every odd-numbered)) September 1st of each successive even- p.

13 SB 6160 numbered year thereafter, and in compliance with RCW 43.01.036, the department, in consultation with the United States bureau of reclamation, the Yakama Nation, Yakima river basin local governments, and key basin stakeholders, shall provide a Yakima river basin integrated water resource management plan implementation status report to the legislature and to the governor that includes:

A description of measures that have been funded and implemented in the Yakima river basin and their effectiveness in meeting the objectives of chapter 11, Laws of 2013 2nd sp.

sess., a project funding list that represents the state's percentage cost share to implement the integrated plan measures for the current biennium and cost estimates for subsequent biennia, a description of progress toward concurrent realization of the integrated plan's fish passage, watershed enhancement, and water supply goals, and an annual summary of all associated costs to develop and implement projects within the framework of the integrated water resource management plan for the Yakima river basin.

(2) The status report required in this section for December 1, 2021, must include a statement of progress in achieving the water supply facility permit and funding milestone, as defined in RCW 90.38.010.

If, after a good faith effort to achieve the water supply facility permit and funding milestone, it appears that the milestone cannot or may not be met, the department, in consultation with the United

States bureau of reclamation, the Yakama Nation, Yakima river basin local governments, and key basin stakeholders, shall provide a detailed description of the impediments to achieving the milestone, describe the strategy for resolving the identified impediments, and, if necessary, recommend modifications to the milestone.

(3) This section expires December 31, 2045.

Sec.

109.

RCW 47.66.120 and 2025 c 416 s 717 are each amended to read as follows:

(1)(a) The department's public transportation division shall establish a green transportation capital grant program.

The purpose of the grant program is to aid any transit authority in funding cost-effective capital projects to reduce the carbon intensity of the Washington transportation system, examples of which include:

Electrification of vehicle fleets, including battery and fuel cell electric vehicles;

modification or replacement of capital facilities in order to facilitate fleet electrification and/or hydrogen p.

14 SB 6160 refueling;

necessary upgrades to electrical transmission and distribution systems;

and construction of charging and fueling stations.

The department's public transportation division shall identify projects and shall submit a prioritized list of all projects requesting funding to the legislature and the office of financial management by ((December)) November 1st of each even-numbered year.

(b) The department's public transportation division shall select projects based on a competitive process that considers the following criteria:

(i) The cost-effectiveness of the reductions in carbon emissions provided by the project;

and (ii) The benefit provided to transitioning the entire state to a transportation system with lower carbon intensity.

(c) During the 2023-2025 and 2025-2027 fiscal biennia, the department must incorporate principles into the grant selection process with the goal of increasing the distribution of funding to communities based on addressing environmental harms and providing environmental benefits for overburdened communities, as defined in RCW 70A.02.010, and vulnerable populations.

(2) The department's public transportation division must establish an advisory committee to assist in identifying projects under subsection (1) of this section.

The advisory committee must include representatives from the department of ecology, the department of commerce, the utilities and transportation commission, and at least one transit authority.

(3) In order to receive green transportation capital grant program funding for a project, a transit authority must provide matching funding at the level deemed appropriate by the department.

(4) The department's public transportation division must report annually to the transportation committees of the legislature on the status of any grant projects funded by the program created under this section.

(5) For purposes of this section, "transit authority" means a city transit system under RCW 35.58.2721 or chapter 35.95A RCW, a county public transportation authority under chapter 36.57 RCW, a metropolitan municipal corporation transit system under chapter 36.56 RCW, a public transportation benefit area under chapter 36.57A RCW, an unincorporated transportation benefit area under RCW 36.57.100, a regional transit authority under chapter 81.112 RCW, or any special purpose district formed to operate a public transportation system.

~~2515 SSB SB 6160 (1)(6) The During number the of 2021-2023 individual fiscal providers biennium, receiving the payment department for may more provide than up forty to hours 20 in percent a of workweek, the specifying total how green many transportation of capital these grant individual program providers funding were eligible for those zero hour emissions due capital to transition meeting planning the projects. conditions of RCW 74.39A.525.~~

~~(2) During The the number 2023-2025 of fiscal hours biennium, paid and the amount department paid may for provide hours up into excess 10 of percent forty hours in a workweek, specifying how many of those the hour total and green payments transportation were capital for grant individual program providers funding eligible for those zero hour emissions and capital payments transition due planning to projects. meeting the conditions of RCW 74.39A.525 (1) or (2).~~

~~(3) During In the reporting 2025-2027 fiscal biennium, the information department required may in provide subsections up (1) to and five (2) percent of this section, the department total must green provide transportation total capital amounts, grant averages, program and funding a for display zero of emissions the capital distribution transition of planning the projects. amounts.~~

~~(4) NEW The SECTION. information required must be provided by department region and county of client,~~

~~department program, and must be specified for individual providers by the number of clients they serve.~~
~~(5) Sec. Any personally identifiable information of consumers and individual providers used to develop this report is confidential under RCW 43.17.410 and exempt from public disclosure, inspection, or copying in accordance with chapter 42.56 RCW.~~

~~However, 110. information may be released in aggregate form, with any personally identifiable information redacted, for the purpose of statistical analysis and oversight of agency performance and actions.~~

A new section is added to chapter 28B.77 RCW to read as follows:

The council shall report to the legislature by December 1, 2026, and each year thereafter, on the impacts of chapter 323, Laws of 2024 on degree completion outcomes, including any increase in the number of students using the extended eligibility provided under chapter 323, Laws of 2024.

RCW 10.77.520 71.24.061 and 2015 2024 c 253 358 s 1 are each amended to read as follows:

~~((1)) (1) If The the authority secretary shall determine provide inflexibility writing that a person committed to the encourage custody licensed of for the certified secretary community for behavioral treatment health as agencies criminally to insane subcontract presents with an unreasonable adequate, safety culturally risk competent, which, based on behavior, clinical history, and facility qualified security children's is mental no health manageable provider in network. a state hospital setting, and the secretary has given consideration to reasonable alternatives that would be effective to manage the behavior, the secretary may place the person in any secure facility operated by the secretary or the secretary of the department of corrections.~~

The (2) secretary's To written the decision extent and that reasoning funds must are specifically appropriated for this purpose or that nonstate funds are available, a children's mental health evidence-based practice institute shall be documented established in at the patient's University medical of file. Washington department of psychiatry and behavioral sciences.

Any The person institute affected shall by closely this collaborate provision with shall entities receive currently appropriate engaged in evaluating and promoting the use of evidence-based, research-based, promising, or consensus-based practices in children's mental health treatment treatment, governed including p- but not limited to the University of Washington department of psychiatry and behavioral sciences, Seattle children's hospital, the University of Washington school of nursing, the University of Washington school of social work, and the Washington state institute for public policy.
~~26 To SSB p. 6160 by a formalized treatment plan targeted at mental health rehabilitation needs and shall be afforded his or her rights under RCW 10.77.545, 10.77.550, and 10.77.595.~~

The 16 secretary SB of 6160 the ensure department that offunds social appropriated and are health used services to shall the retain greatest legal extent custody possible of for any their person intended placed purpose, under the this University section of and Washington's review indirect any costs placement outside of a administration department shall mental not health exceed hospital ten every percent three of months, appropriated or funding. sooner if warranted by the person's mental health status, to determine if the placement remains appropriate.

~~((2) The Beginning institute December shall: 1, 2010, and every six months thereafter, the secretary shall report to the governor and the appropriate committees of the legislature regarding the use of the authority under this section to transfer persons to a secure facility.~~

The (a) report Improve shall the include implementation information of related evidence-based to and the research-based number practices of by persons providing who sustained have and been effective placed training in and a consultation secure to facility licensed operated children's by mental the health secretary providers or and the child-serving secretary agencies of who the are department implementing of evidence-based corrections, or and researched-based the practices length for treatment of time children's that emotional each or such behavioral person disorders, has or been who are interested in the adapting secure these facility.)) practices Sec. to better serve ethnically or culturally diverse children.

Efforts under this subsection should include a focus on appropriate oversight of implementation of evidence-based practices to ensure fidelity to these practices and thereby achieve positive outcomes;

(b) Continue the successful implementation of the "partnerships for success" model by consulting with communities so they may select, implement, and continually evaluate the success of evidence-based practices that are relevant to the needs of children, youth, and families in their community;

(c) Partner with youth, family members, family advocacy, and culturally competent provider organizations to develop a series of information sessions, literature, and online resources for families to become informed and engaged in evidence-based and research-based practices;

(d) Participate in the identification of outcome-based performance measures under RCW 71.36.025(2) and partner in a statewide effort to implement statewide outcomes monitoring and quality improvement processes;

and (e) Serve as a statewide resource to the authority and other entities on child and adolescent evidence-based, research-based, promising, or consensus-based practices for children's mental health treatment, maintaining a working knowledge through ongoing review of academic and professional literature, and knowledge of other evidence-based practice implementation efforts in Washington and

other states.

(3)(a) To the extent that funds are specifically appropriated for this purpose, the authority in collaboration with the University of Washington department of psychiatry and behavioral sciences and p. 17 SB 6160 Seattle children's hospital shall implement the following access lines:

(i) The partnership access line to support primary care providers in the assessment and provision of appropriate diagnosis and treatment of children with mental and behavioral health disorders and track outcomes of this program;

(ii) The partnership access line for moms to support obstetricians, pediatricians, primary care providers, mental health professionals, and other health care professionals providing care to pregnant women and new mothers through same-day telephone consultations in the assessment and provision of appropriate diagnosis and treatment of depression in pregnant women and new mothers;

(iii) The mental health referral service for children and teens to facilitate referrals to children's mental health services and other resources for parents and guardians with concerns related to the mental health of the parent or guardian's child.

Facilitation activities include assessing the level of services needed by the child;

within an average of seven days from call intake processing with a parent or guardian, identifying mental health professionals who are in-network with the child's health care coverage who are accepting new patients and taking appointments;

coordinating contact between the parent or guardian and the mental health professional;

and providing postreferral reviews to determine if the child has outstanding needs.

In conducting its referral activities, the program shall collaborate with existing databases and resources to identify in-network mental health professionals;

and (iv) The first approach skills training program to provide brief, evidence-based behavioral therapy for youth and families with common mental health concerns.

(b) The program activities described in (a) of this subsection shall be designed to promote more accurate diagnoses and treatment through timely case consultation between primary care providers and child psychiatric specialists, and focused educational learning collaboratives with primary care providers.

(4) ((The authority, in collaboration with the University of Washington department of psychiatry and behavioral sciences and Seattle children's hospital, shall report on the following:

(a) The number of individuals who have accessed the resources described in subsection (3) of this section;

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