Chapter 43.63A RCW
DEPARTMENT OF COMMERCE

(Formerly: Department of Community, Trade, and Economic Development)

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RCW 43.63A.066 Child abuse and neglect prevention training for participants in head start or early childhood education assistance

programs—Duties of department of children, youth, and families. The department of children, youth, and families shall have primary responsibility for providing child abuse and neglect prevention training to preschool age children participating in the federal head start program or the early childhood education and assistance program established under RCW 28A.215.010 through 28A.215.050, 43.216.500 through 43.216.550, 43.216.900, and 43.216.901. [2018 c 58 s 4; 2006 c 265 s 212; 1993 c 280 s 58; 1990 c 33 s 579; 1987 c 489 s 4.]

Effective date—2018 c 58: See note following RCW 28A.655.080.

Effective date—2006 c 265: See RCW 43.216.902.

Effective date—1993 c 280: See RCW 43.330.902.

Purpose—Statutory references—Severability—1990 c 33: See RCW 28A.900.100 through 28A.900.102.

Intent—1987 c 489: See note following RCW 28A.300.150.

RCW 43.63A.068 Advisory committee on policies and programs for children and families with incarcerated parents—Funding for programs and services. (1)(a) The department of commerce shall establish an advisory committee to monitor, guide, and report on recommendations relating to policies and programs for children and families with incarcerated parents.

(b) The advisory committee shall include representatives of the department of corrections, the department of social and health services, the department of children, youth, and families, the office of the superintendent of public instruction, representatives of the private nonprofit and business sectors, child advocates, representatives of Washington state Indian tribes as defined under the federal Indian welfare act (25 U.S.C. Sec. 1901 et seq.), court administrators, the administrative office of the courts, the Washington association of sheriffs and police chiefs, jail administrators, the office of the governor, and others who have an interest in these issues.

(c) The advisory committee shall:

(i) Gather the data collected by the departments as required in RCW 72.09.495, 74.04.800, 43.216.060, and 28A.300.520;

(ii) Monitor and provide consultation on the implementation of recommendations contained in the 2006 children of incarcerated parents report;

(iii) Identify areas of need and develop recommendations for the legislature, the department of social and health services, the department of corrections, the department of children, youth, and families, and the office of the superintendent of public instruction to better meet the needs of children and families of persons incarcerated in department of corrections facilities; and

(iv) Advise the department of commerce regarding community programs the department should fund with moneys appropriated for this purpose in the operating budget. The advisory committee shall provide recommendations to the department regarding the following:

(A) The goals for geographic distribution of programs and funding;

(B) The scope and purpose of eligible services and the priority of such services;

(C) Grant award funding limits;

(D) Entities eligible to apply for the funding;

(E) Whether the funding should be directed towards starting or supporting new programs, expanding existing programs, or whether the funding should be open to all eligible services and providers; and

(F) Other areas the advisory committee determines appropriate.

(d) The children of incarcerated parents advisory committee shall update the legislature and governor biennially on committee activities, with the first update due by January 1, 2010.

(2) The department of commerce shall select community programs or services to receive funding that focus on children and families of inmates incarcerated in a department of corrections facility and sustaining the family during the period of the inmate's incarceration.

(a) Programs or services which meet the needs of the children of incarcerated parents should be the greatest consideration in the programs that are identified by the department.

(b) The department shall consider the recommendations of the advisory committee regarding which services or programs the department should fund.

(c) The programs selected shall collaborate with an agency, or agencies, experienced in providing services to aid families and victims of sexual assault and domestic violence to ensure that the programs identify families who have a history of sexual assault or domestic violence and ensure the services provided are appropriate for the children and families. [2018 c 58 s 3; 2009 c 518 s 18; 2007 c 384 s 6.]

Effective date—2018 c 58: See note following RCW 28A.655.080.

Intent—Finding—2007 c 384: See note following RCW 72.09.495.

RCW 43.63A.075 Community development finance program. The department shall establish a community development finance program. Pursuant to this program, the department shall, in cooperation with the local economic development council: (1) Develop expertise in federal, state, and local community and economic development programs; and (2) assist communities and businesses to secure available financing. To the extent permitted by federal law, the department is encouraged to use federal community block grant funds to make urban development action grants to communities which have not been eligible to receive such grants prior to June 30, 1984. [1999 c 108 s 1; 1993 c 280 s 59; 1985 c 466 s 53; 1984 c 125 s 6.]

Effective date—1993 c 280: See RCW 43.330.902.

Effective date—Severability—1985 c 466: See notes following RCW 43.31.125.

RCW 43.63A.105 Considerations in designating local community action and community service agencies. In designating local community action agencies or local community service agencies, the department shall give special consideration to (1) agencies previously funded

under any community services or antipoverty program; (2) agencies meeting state and federal program and fiscal requirements; and (3) successors to such agencies. [1984 c 125 s 10.]

RCW 43.63A.115 Community action agency network—Delivery system for federal and state antipoverty programs. (1) The community action agency network, established initially under the federal economic opportunity act of 1964 and subsequently under the federal community services block grant program of 1981, as amended, shall be a delivery system for federal and state antipoverty programs in this state, including but not limited to the community services block grant program, the low-income energy assistance program, and the federal department of energy weatherization program.

(2) Local community action agencies comprise the community action agency network. The community action agency network shall serve low-income persons in the counties. Each community action agency and its service area shall be designated in the state federal community service block grant plan as prepared by the department of commerce.

(3) Funds for antipoverty programs may be distributed to the community action agencies by the department of commerce and other state agencies in consultation with the authorized representatives of community action agency networks. [2023 c 470 s 2047; 1993 c 280 s 60; 1990 c 156 s 1.]

Explanatory statement—2023 c 470: See note following RCW 10.99.030.

Effective date—1993 c 280: See RCW 43.330.902.

RCW 43.63A.125 Nonresidential social services facilities—Building communities fund program—Assistance to nonprofit organizations—Competitive process—Recommendations to legislature for funding. (1) The department shall establish the building communities fund program. Under the program, capital and technical assistance grants may be made to nonprofit organizations for acquiring, constructing, or rehabilitating facilities used for the delivery of nonresidential community services, including social service centers and multipurpose community centers, including those serving a distinct or ethnic population. Such facilities must be located in a distressed community or serve a substantial number of low-income or disadvantaged persons.

(2) The department shall establish a competitive process to solicit, evaluate, and rank applications for the building communities fund program as follows:

(a) The department shall conduct a statewide solicitation of project applications from nonprofit organizations.

(b) The department shall evaluate and rank applications in consultation with a citizen advisory committee using objective criteria. To be considered qualified, applicants must demonstrate that the proposed project:

(i) Will increase the range, efficiency, or quality of the services provided to citizens;

(ii) Will be located in a distressed community or will serve a substantial number of low-income or disadvantaged persons;

(iii) Will offer three or more distinct activities that meet a single community service objective or offer a diverse set of activities that meet multiple community service objectives, including but not limited to: Providing social services; expanding employment opportunities for or increasing the employability of community residents; or offering educational or recreational opportunities separate from the public school system or private schools, as long as recreation is not the sole purpose of the facility;

(iv) Reflects a long-term vision for the development of the community, shared by residents, businesses, leaders, and partners;

(v) Requires state funding to accomplish a discrete, usable phase of the project;

(vi) Is ready to proceed and will make timely use of the funds;

(vii) Is sponsored by one or more entities that have the organizational and financial capacity to fulfill the terms of the grant agreement and to maintain the project into the future;

(viii) Fills an unmet need for community services;

(ix) Will achieve its stated objectives; and

(x) Is a community priority as shown through tangible commitments of existing or future assets made to the project by community residents, leaders, businesses, and government partners.

(c)(i) The evaluation and ranking process shall also include an examination of existing assets that applicants may apply to projects. Grant assistance under this section shall not exceed 25 percent of the total cost of the project, except as provided in (c)(ii) and (iii) of this subsection (2).

(ii) For project lists submitted during the 2021-2023 fiscal biennium, grant assistance under this section may not exceed:

(A) One hundred percent of the total cost for projects up to $100,000;

(B) Seventy-five percent of the total cost for projects that exceed $100,000, up to $250,000;

(C) Fifty percent of the total cost for projects that exceed $250,000, up to $500,000.

(iii) Under exceptional circumstances, the department may reduce the amount of nonstate match required. However, during the 2019-2021 biennium, the legislature may waive the match required for the projects specified in section 1009, chapter 413, Laws of 2019. No more than 10 percent of the total granted amount may be awarded to qualified eligible projects that meet the definition of exceptional circumstances defined in this subsection. For project lists submitted during the 2021-2023 fiscal biennium, there is no limit to the total granted amount awarded to qualified eligible projects that meet the definition of exceptional circumstances defined in this subsection. For purposes of this subsection, exceptional circumstances include but are not limited to: Natural disasters affecting projects; emergencies beyond an applicant's control, such as a fire or an unanticipated loss of a lease where services are currently provided; or a delay that could result in a threat to public health or safety. The nonstate portion of the total project cost may include cash, the value of real property when acquired solely for the purpose of the project, and in-kind contributions.

(d) The department may not set a monetary limit to funding requests.

(3) The department shall submit biennially to the governor and the legislature in the department's capital budget request a ranked list of the qualified eligible projects for which applications were

received. The list must include a description of each project, its total cost, and the amount of state funding requested. The appropriate fiscal committees of the legislature shall use this list to determine building communities fund projects that may receive funding in the capital budget. The total amount of state capital funding available for all projects on the biennial list shall be determined by the capital budget beginning with the 2009-2011 biennium and thereafter. In addition, if cash funds have been appropriated, up to $3,000,000 may be used for technical assistance grants. The department shall not sign contracts or otherwise financially obligate funds under this section until the legislature has approved a specific list of projects.

(4) In addition to the list of ranked qualified eligible projects, the department shall submit to the appropriate fiscal committees of the legislature a summary report that describes the solicitation and evaluation processes, including but not limited to the number of applications received, the total amount of funding requested, issues encountered, if any, and any recommendations for process improvements.

(5) After the legislature has approved a specific list of projects in law, the department shall develop and manage appropriate contracts with the selected applicants; monitor project expenditures and grantee performance; report project and contract information; and exercise due diligence and other contract management responsibilities as required.

(6) In contracts for grants authorized under this section the department shall include provisions which require that capital improvements shall be held by the grantee for a specified period of time appropriate to the amount of the grant and that facilities shall be used for the express purpose of the grant. If the grantee is found to be out of compliance with provisions of the contract, the grantee shall repay to the state general fund the principal amount of the grant plus interest calculated at the rate of interest on state of Washington general obligation bonds issued most closely to the date of authorization of the grant. [2022 c 296 s 7005; 2019 c 413 s 7030; 2011 1st sp.s. c 48 s 7027; 2008 c 327 s 15; 2006 c 371 s 233; 2005 c 160 s 1; 1999 c 295 s 3; 1997 c 374 s 2.]

Effective date—2022 c 296: "This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately [March 31, 2022]." [2022 c 296 s 7014.]

Effective date—2019 c 413: See note following RCW 28B.15.210.

Effective date—2011 1st sp.s. c 48: See note following RCW 39.35B.050.

Effective date—2006 c 371: See note following RCW 27.34.330.

Findings—1997 c 374: "The legislature finds that nonprofit organizations provide a variety of social services that serve the needs of the citizens of Washington, including many services implemented under contract with state agencies. The legislature also finds that the efficiency and quality of these services may be enhanced by the provision of safe, reliable, and sound facilities, and

that, in certain cases, it may be appropriate for the state to assist in the development of these facilities." [1997 c 374 s 1.]

RCW 43.63A.135 Nonresidential youth services facilities—Competitive process—Recommendations to legislature for funding. (1) The department of commerce must establish a competitive process to solicit proposals for and prioritize projects whose primary objective is to assist nonprofit youth organizations in acquiring, constructing, or rehabilitating facilities used for the delivery of nonresidential services, excluding outdoor athletic fields.

(2) The department of commerce must establish a competitive process to prioritize applications for the assistance as follows:

(a) The department of commerce must conduct a statewide solicitation of project applications from local governments, nonprofit organizations, and other entities, as determined by the department of commerce. The department of commerce must evaluate and rank applications in consultation with a citizen advisory committee using objective criteria. Projects must have a major recreational component, and must have either an educational or social service component. At a minimum, applicants must demonstrate that the requested assistance will increase the efficiency or quality of the services it provides to youth. The evaluation and ranking process must also include an examination of existing assets that applicants may apply to projects. Grant assistance under this section may not exceed twenty-five percent of the total cost of the project. The nonstate portion of the total project cost may include cash, the value of real property when acquired solely for the purpose of the project, and in-kind contributions.

(b) The department of commerce must submit a prioritized list of recommended projects to the governor and the legislature in the department of commerce's biennial capital budget request beginning with the 2005-2007 biennium and thereafter. The list must include a description of each project, the amount of recommended state funding, and documentation of nonstate funds to be used for the project. The total amount of recommended state funding for projects on a biennial project list must not exceed eight million dollars. The department of commerce may not sign contracts or otherwise financially obligate funds under this section until the legislature has approved a specific list of projects.

(c) In contracts for grants authorized under this section the department of commerce must include provisions that require that capital improvements be held by the grantee for a specified period of time appropriate to the amount of the grant and that facilities be used for the express purpose of the grant. If the grantee is found to be out of compliance with provisions of the contract, the grantee must repay to the state general fund the principal amount of the grant plus interest calculated at the rate of interest on state of Washington general obligation bonds issued most closely to the date of authorization of the grant. [2023 c 470 s 2048; 2006 c 371 s 234; 2005 c 160 s 4; 2003 1st sp.s. c 7 s 2.]

Explanatory statement—2023 c 470: See note following RCW 10.99.030.

Effective date—2006 c 371: See note following RCW 27.34.330.

Findings—2003 1st sp.s. c 7: "The legislature finds that nonprofit youth organizations provide a variety of services for the youth of Washington state, including many services that enable young people, especially those facing challenging and disadvantaged circumstances, to realize their full potential as productive, responsible, and caring citizens. The legislature also finds that the efficiency and quality of these services may be enhanced by the provision of safe, reliable, and sound facilities, and that, in certain cases, it may be appropriate for the state to assist in the development of these facilities." [2003 1st sp.s. c 7 s 1.]

RCW 43.63A.155 Local government bond information—Publication—Rules. The department of commerce shall retain the bond information it receives under RCW 39.44.210 and 39.44.230 and shall publish summaries of local government bond issues at least once a year.

The department of commerce shall adopt rules under chapter 34.05 RCW to implement RCW 39.44.210 and 39.44.230. [2023 c 470 s 2049; 1993 c 280 s 61; 1989 c 225 s 5; 1985 c 130 s 6.]

Explanatory statement—2023 c 470: See note following RCW 10.99.030.

Effective date—1993 c 280: See RCW 43.330.902.

RCW 43.63A.190 Distribution of funds for border areas. Funds appropriated by the legislature as supplemental resources for border areas must be distributed by the state treasurer pursuant to the formula for distributing funds to border areas, and expenditure requirements for such distributions, under RCW 66.08.196. [2012 2nd sp.s. c 5 s 12; 1995 c 159 s 5; 1984 c 125 s 11; 1981 c 269 s 2.]

Effective date—2012 2nd sp.s. c 5: See note following RCW 82.08.160.

Effective date—1995 c 159: See note following RCW 66.08.190.

Legislative declaration—1981 c 269: "The legislature finds and declares that certain counties and municipalities near international borders are subjected to a constant volume and flow of travelers and visitors for whom local government services must be provided. The legislature further finds that it is in the public interest and for the protection of the health, property, and welfare of the residents and visitors to provide supplemental resources to augment and maintain existing levels of police protection in these areas." [1981 c 269 s 1.]

RCW 43.63A.230 Employee ownership and self-management—Technical assistance and educational programs. The department of commerce shall provide technical assistance to cooperatives authorized under chapter 23.78 RCW and conduct educational programs on employee ownership and self-management. The department shall include information on the option of employee ownership wherever appropriate in its various

programs. [2023 c 470 s 2050; 2005 c 136 s 2; 1993 c 280 s 63; 1988 c 186 s 17; 1987 c 457 s 15.]

Explanatory statement—2023 c 470: See note following RCW 10.99.030.

Savings—Effective date—2005 c 136: See notes following RCW 43.168.020.

Effective date—1993 c 280: See RCW 43.330.902.

Effective date—1988 c 186 s 17: "Section 17 of this act shall take effect June 30, 1993." [1988 c 186 s 18.]

RCW 43.63A.275 Retired senior volunteer programs (RSVP)—Funds distribution. (1) Each biennium the department of commerce shall distribute such funds as are appropriated for retired senior volunteer programs (RSVP) as follows:

(a) At least sixty-five percent of the moneys may be distributed according to formulae and criteria to be determined by the department of commerce in consultation with the RSVP directors association.

(b) Up to twenty percent of the moneys may be distributed by competitive grant process to develop RSVP projects in counties not presently being served, or to expand existing RSVP services into counties not presently served.

(c) Ten percent of the moneys may be used by the department of commerce for administration, monitoring of the grants, and providing technical assistance to the RSVP projects.

(d) Up to five percent of the moneys may be used to support projects that will benefit RSVPs statewide.

(2) Grants under subsection (1) of this section shall give priority to programs in the areas of education, tutoring, English as a second language, combating of and education on drug abuse, housing and homeless, and respite care, and shall be distributed in accordance with the following:

(a) None of the grant moneys may be used to displace any paid employee in the area being served.

(b) Grants shall be made for programs that focus on:

(i) Developing new roles for senior volunteers in nonprofit and public organizations with special emphasis on areas targeted in section 1, chapter 65, Laws of 1992. The roles shall reflect the diversity of the local senior population and shall respect their life experiences;

(ii) Increasing the expertise of volunteer managers and RSVP managers in the areas of communication, recruitment, motivation, and retention of today's over-sixty population;

(iii) Increasing the number of senior citizens recruited, referred, and placed with nonprofit and public organizations; and

(iv) Providing volunteer support such as: Mileage to and from the volunteer assignment, recognition, and volunteer insurance. [2023 c 470 s 2051; 1993 c 280 s 67; 1992 c 65 s 2.]

Explanatory statement—2023 c 470: See note following RCW 10.99.030.

Effective date—1993 c 280: See RCW 43.330.902.

Findings—1992 c 65: "The legislature finds that there is a growing number of citizens in the state over the age of sixty who have much to offer their fellow citizens and communities through volunteer service. The legislature further finds that public programs for education, at-risk youth, adult literacy, and combating drug abuse have benefited from and are still in need of the assistance of skilled retired senior volunteer programs volunteers. In addition the legislature further finds that public programs for developmentally disabled, environmental protection, corrections, crime prevention, mental health, long-term and respite care, and housing and homeless, among others, are also in need of volunteer assistance from the retired senior volunteer program.

Therefore, the legislature intends to encourage the increased involvement of senior volunteers by providing funding throughout Washington to promote the development and enhancement of such programs." [1992 c 65 s 1.]

RCW 43.63A.305 Independent youth housing program—Created—Collaboration with the department of social and health services—Duties of subcontractor organizations. (1) The independent youth housing program is created in the department to provide housing stipends to eligible youth to be used for independent housing. In developing a plan for the design, implementation, and operation of the independent youth housing program, the department shall:

(a) Adopt policies, requirements, and procedures necessary to administer the program;

(b) Contract with one or more eligible organizations described under RCW 43.185A.040 to provide services and conduct administrative activities as described in subsection (3) of this section;

(c) Establish eligibility criteria for youth to participate in the independent youth housing program, giving priority to youth who have been dependents of the state for at least one year;

(d) Refer interested youth to the designated subcontractor organization administering the program in the area in which the youth intends to reside;

(e) Develop a method for determining the amount of the housing stipend, first and last month's rent, and security deposit, where applicable, to be dedicated to participating youth. The method for determining a housing stipend must take into account a youth's age, the youth's total income from all sources, the fair market rent for the area in which the youth lives or intends to live, and a variety of possible living situations for the youth. The amount of housing stipends must be adjusted, by a method and formula established by the department, to promote the successful transition for youth to complete housing self-sufficiency over time;

(f) Ensure that the independent youth housing program is integrated and aligned with other state rental assistance and case management programs operated by the department, as well as case management and supportive services programs, including the independent living program, the transitional living program, and other related programs offered by the department of social and health services; and

(g) Consult with the department of social and health services and other stakeholders involved with dependent youth, homeless youth, and homeless young adults, as appropriate.

(2) The department of social and health services shall collaborate with the department in implementing and operating the independent youth housing program including, but not limited to, the following:

(a) Refer potential eligible youth to the department before the youth's eighteenth birthday, if feasible, to include an indication, if known, of where the youth plans to reside after aging out of foster care;

(b) Provide information to all youth aged fifteen or older, who are dependents of the state under chapter 13.34 RCW, about the independent youth housing program, encouraging dependents nearing their eighteenth birthday to consider applying for enrollment in the program;

(c) Encourage organizations participating in the independent living program and the transitional living program to collaborate with independent youth housing program providers whenever possible to capitalize on resources and provide the greatest amount and variety of services to eligible youth;

(d) Annually provide to the department data reflecting changes in the percentage of youth aging out of the state dependency system each year who are eligible for state assistance, as well as any other data and performance measures that may assist the department to measure program success; and

(e) Annually, beginning by December 31, 2007, provide to the appropriate committees of the legislature and the interagency council on homelessness as described under RCW 43.185C.170 recommendations of strategies to reach the goals described in RCW 43.63A.311(2)(g).

(3) Under the independent youth housing program, subcontractor organizations shall:

(a) Use moneys awarded to the organizations for housing stipends, security deposits, first and last month's rent stipends, case management program costs, and administrative costs. When subcontractor organizations determine that it is necessary to assist participating youth in accessing and maintaining independent housing, subcontractor organizations may also use moneys awarded to pay for professional mental health services and tuition costs for court-ordered classes and programs;

(i) Administrative costs for each subcontractor organization may not exceed twelve percent of the estimated total annual grant amount to the subcontractor organization;

(ii) All housing stipends, security deposits, and first and last month's rent stipends must be payable only to a landlord or housing manager of any type of independent housing;

(b) Enroll eligible youth who are referred by the department and who choose to reside in their assigned service area;

(c) Enter eligible youth program participants into the [Washington] homeless client management information system as described in RCW 43.185C.180;

(d) Monitor participating youth's housing status;

(e) Evaluate participating youth's eligibility and compliance with department policies and procedures at least twice a year;

(f) Assist participating youth to develop or update an independent living plan focused on obtaining and retaining independent housing or collaborate with a case manager with whom the youth is

already involved to ensure that the youth has an independent living plan;

(g) Educate participating youth on tenant rights and responsibilities;

(h) Provide support to participating youth in the form of general case management and information and referral services, when necessary, or collaborate with a case manager with whom the youth is already involved to ensure that the youth is receiving the case management and information and referral services needed;

(i) Connect participating youth, when possible, with individual development account programs, other financial literacy programs, and other programs that are designed to help young people acquire economic independence and self-sufficiency, or collaborate with a case manager with whom the youth is already involved to ensure that the youth is receiving information and referrals to these programs, when appropriate;

(j) Submit expenditure and performance reports, including information related to the performance measures in RCW 43.63A.311, to the department on a time schedule determined by the department; and

(k) Provide recommendations to the department regarding program improvements and strategies that might assist the state to reach its goals as described in RCW 43.63A.311(2)(g). [2009 c 148 s 1; 2007 c 316 s 3.]

Finding—2007 c 316: "(1) The legislature finds that providing needy youth aging out of the state dependency system with safe and viable options for housing to avoid homelessness confers a valuable benefit on the public that is intended to improve public health, safety, and welfare.

(2) It is the goal of this state to:

(a) Ensure that all youth aging out of the state dependency system have access to a decent, appropriate, and affordable home in a healthy safe environment to prevent such young people from experiencing homelessness; and

(b) Reduce each year the percentage of young people eligible for state assistance upon aging out of the state dependency system." [2007 c 316 s 1.]

RCW 43.63A.307 Independent youth housing program—Definitions. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Department" means the department of commerce.

(2) "Eligible youth" means an individual who:

(a) On or after September 1, 2006, is at least eighteen, was a dependent of the state under chapter 13.34 RCW at any time before his or her eighteenth birthday, and has not yet reached the age of 25;

(b) Except as provided in RCW 43.63A.309(2)(a), has a total income from all sources, except for temporary sources that include, but are not limited to, overtime wages, bonuses, or short-term temporary assignments, that does not exceed fifty percent of the area median income;

(c) Complies with other eligibility requirements the department may establish.

(3) "Fair market rent" means the fair market rent in each county of the state, as determined by the United States department of housing and urban development.

(4) "Independent housing" means a housing unit that is not owned by or located within the home of the eligible youth's biological parents or any of the eligible youth's former foster care families or dependency guardians. "Independent housing" may include a unit in a transitional or other supportive housing facility.

(5) "Individual development account" or "account" means an account established by contract between a low-income individual and a sponsoring organization for the benefit of the low-income individual and funded through periodic contributions by the low-income individual that are matched with contributions by or through the sponsoring organization.

(6) "Subcontractor organization" means an eligible organization described under RCW 43.185A.040 that contracts with the department to administer the independent youth housing program. [2022 c 154 s 1; 2009 c 148 s 2; 2007 c 316 s 2.]

Finding—2007 c 316: See note following RCW 43.63A.305.

RCW 43.63A.309 Independent youth housing program—Eligible youth—Participation. (1) An eligible youth participating in the independent youth housing program must:

(a) Sign a program compliance agreement stating that the youth agrees to:

(i) Timely pay his or her portion of the independent housing cost;

(ii) Comply with an independent living plan; and

(iii) Comply with other program requirements and policies the department may establish; and

(b) Maintain his or her status as an eligible youth, except as provided in subsection (2) of this section.

(2) The department shall establish policies and procedures to allow the youth to remain in the program and continue to receive a housing stipend if the youth's total income exceeds fifty percent of the area median income during the course of his or her participation in the program. The policies must require the youth to:

(a) Participate in the individual development account program established under RCW 43.31.460 and invest a portion, to be determined by the department, of his or her income that exceeds fifty percent of the area median income in an individual development account; or

(b) If the youth is unable to participate in the individual development account program due to the program's capacity limits or eligibility requirements, participate in an alternate supervised savings program approved by the department, as long as the youth qualifies for and may participate in this savings program.

(3) An eligible youth may participate in the independent youth housing program for any duration of time and may apply to enroll in the program with the department at any time.

(4)(a) A youth may be terminated from the independent youth housing program for a violation of department policies.

(b) Youth who are terminated from the program may apply to the department for reenrollment in the program through a procedure to be developed by the department. The department shall establish criteria

to evaluate a reenrollment application and may accept or deny a reenrollment application based on the department's evaluation. [2007 c 316 s 4.]

Finding—2007 c 316: See note following RCW 43.63A.305.

RCW 43.63A.311 Independent youth housing program—Subcontractor organization performance review and report. Beginning in 2007, the department must annually review and report on the performance of subcontractor organizations participating in the independent youth housing program, as well as the performance of the program as a whole.

(1) Reporting should be within the context of the state homeless housing strategic plan under RCW 43.185C.040 and any other relevant state or local homeless or affordable housing plans. The outcomes of the independent youth housing program must be included in the measurement of any performance measures described in chapter 43.185C RCW.

(2) The independent youth housing program report must include, at a minimum, an update on the following program performance measures, as well as any other performance measures the department may establish, for enrolled youth in consultation with the department of social and health services, to be measured statewide and by county:

(a) Increases in housing stability;

(b) Increases in economic self-sufficiency;

(c) Increases in independent living skills;

(d) Increases in education and job training attainment;

(e) Decreases in the use of all state-funded services over time;

(f) Decreases in the percentage of youth aging out of the state dependency system each year who are eligible for state assistance as reported to the department by the department of social and health services; and

(g) Recommendations to the legislature and to the interagency council on homelessness as described under RCW 43.185C.170 on program improvements and on departmental strategies that might assist the state to reach its goals of:

(i) Ensuring that all youth aging out of the state dependency system have access to a decent, appropriate, and affordable home in a healthy safe environment to prevent such youth from experiencing homelessness; and

(ii) Reducing each year the percentage of young people eligible for state assistance upon aging out of the state dependency system. [2007 c 316 s 5.]

Finding—2007 c 316: See note following RCW 43.63A.305.

RCW 43.63A.313 Independent youth housing program—Limitations. Chapter 316, Laws of 2007 does not create:

(1) An entitlement to services;

(2) Judicial authority to (a) extend the jurisdiction of juvenile court in a proceeding under chapter 13.34 RCW to a youth who has reached the age of eighteen or (b) order the provision of services to the youth; or

(3) A private right of action or claim on the part of any individual, entity, or agency against the department, the department

of social and health services, or any contractor of the departments. [2007 c 316 s 6.]

Finding—2007 c 316: See note following RCW 43.63A.305.

RCW 43.63A.315 Independent youth housing account. The independent youth housing account is created in the state treasury. All revenue directed to the independent youth housing program must be deposited into this account. Moneys in the account may be spent only after appropriation. Expenditures from the account may only be used for the independent youth housing program as described in RCW 43.63A.305. [2007 c 316 s 7.]

Finding—2007 c 316: See note following RCW 43.63A.305.

RCW 43.63A.400 Grants to public broadcast stations. The department of commerce shall distribute grants to eligible public radio and television broadcast stations under RCW 43.63A.410 and 43.63A.420 to assist with programming, operations, and capital needs. [2023 c 470 s 2052; 1993 c 280 s 72; 1987 c 308 s 2.]

Explanatory statement—2023 c 470: See note following RCW 10.99.030.

Effective date—1993 c 280: See RCW 43.330.902.

Legislative findings—1987 c 308: "The legislature finds that public broadcasting creates a cultural and educational environment that is important to the citizens of the state. The legislature also finds that it is in the public interest to provide state support to bring cultural, educational, and public affairs broadcasting services to the citizens of the state." [1987 c 308 s 1.]

RCW 43.63A.410 Grants to broadcast stations eligible for grants from corporation for public broadcasting—Formula—Annual financial statements. (1) Eligibility for grants under this section shall be limited to broadcast stations which are:

(a) Licensed to Washington state organizations, nonprofit corporations, or other entities under section 73.621 of the regulations of the federal communications commission; and

(b) Qualified to receive community service grants from the federally chartered corporation for public broadcasting. Eligibility shall be established as of February 28th of each year.

(2) The formula in this subsection shall be used to compute the amount of each eligible station's grant under this section.

(a) Appropriations under this section shall be divided into a radio fund, which shall be twenty-five percent of the total appropriation under this section, and a television fund, which shall be seventy-five percent of the total appropriation under this section. Each of the two funds shall be divided into a base grant pool, which shall be fifty percent of the fund, and an incentive grant pool, which shall be the remaining fifty percent of the fund.

(b) Each eligible participating public radio station shall receive an equal share of the radio base grant pool, plus a share of the radio incentive grant pool equal to the proportion its nonfederal financial support bears to the sum of all participating radio stations' nonfederal financial support as most recently reported to the corporation for public broadcasting.

(c) Each eligible participating public television station shall receive an equal share of the television base grant pool, plus a share of the television incentive grant pool equal to the proportion its nonfederal financial support bears to the sum of all participating television stations' nonfederal financial support as most recently reported to the corporation for public broadcasting.

(3) Annual financial reports to the corporation for public broadcasting by eligible stations shall also be submitted by the stations to the department of commerce. [2023 c 470 s 2053; 1993 c 280 s 73; 1987 c 308 s 3.]

Explanatory statement—2023 c 470: See note following RCW 10.99.030.

Effective date—1993 c 280: See RCW 43.330.902.

Legislative findings—1987 c 308: See note following RCW 43.63A.400.

RCW 43.63A.420 Grants to other broadcast stations—Eligibility—Amounts. (1) Eligibility for grants under this section shall be limited to broadcast stations that:

(a) Have a noncommercial educational license granted by the federal communications commission;

(b) Are not eligible under RCW 43.63A.410;

(c) Have a permanent employee who is assigned operational management responsibility for the station and who is not compensated with moneys granted under this section;

(d) Meet the operating schedule requirements of the station's federal broadcast license;

(e) Have facilities and equipment that allow for program origination and production;

(f) Have a daily broadcast schedule devoted primarily to serving the educational, informational, and cultural needs of the community within its primary service area. The programming shall be intended for a general audience and not designed to further a particular religious philosophy or political organization;

(g) Originate a locally produced program service designed to serve the community;

(h) Maintain financial records in accordance with generally accepted accounting principles; and

(i) Complete an eligibility criteria statement and annual financial survey pursuant to rules adopted by the *department of community development.

(2)(a) A grant of up to ten thousand dollars per year may be made under this section to those eligible stations operating at least twelve hours per day, three hundred sixty-five days each year, with transmitting facilities developed to the maximum combination of

effective radiated power and antenna height possible under the station's federal communications commission license.

(b) A grant of up to eight thousand dollars per year may be made under this section to those eligible stations operating at least twelve hours per day, three hundred sixty-five days each year, with transmitting facilities not fully developed under federal communications commission rules.

(c) A grant of up to five thousand dollars per year may be made under this section to those eligible stations operating less than twelve hours per day, three hundred sixty-five days each year, with transmitting facilities developed to the maximum combination of effective radiated power and antenna height possible under the station's federal communications commission license.

(d) A grant of up to one thousand five hundred dollars per year may be made under this section to those eligible stations not meeting the requirements of (a), (b), or (c) of this subsection.

(3) Funding received under this section is specifically for the support of public broadcast operations and facilities improvements which benefit the general community. No funds received under this section may be used for any other purposes by licensees of eligible stations.

(4) Any portion of the appropriation not expended under this section shall be transferred for expenditure under RCW 43.63A.410. [1987 c 308 s 4.]

*__Reviser's note:__ Powers, duties, and functions of the department of community development and the department of trade and economic development were transferred to the department of community, trade, and economic development by 1993 c 280, effective July 1, 1994. The "department of community, trade, and economic development" was renamed the "department of commerce" by 2009 c 565.

__Legislative findings—1987 c 308:__ See note following RCW 43.63A.400.

RCW 43.63A.470 Manufactured housing—Inspections, investigations. ***(Contingent expiration date.)*** (1) The director or the director's authorized representative shall conduct such inspections and investigations as may be necessary to implement or enforce manufactured housing rules adopted under the authority of this chapter or to carry out the director's duties under this chapter.

(2) For the purposes of enforcement of this chapter, persons duly designated by the director upon presenting appropriate credentials to the owner, operator, or agent in charge shall:

(a) At reasonable times and without advance notice enter any factory, warehouse, or establishment in which manufactured homes are manufactured, stored, or held for sale; and

(b) At reasonable times, within reasonable limits, and in a reasonable manner inspect any factory, warehouse, or establishment as required to comply with the standards adopted by the secretary of housing and urban development under the National Manufactured Housing Construction and Safety Standards Act of 1974 (800 Stat. 700; 42 U.S.C. Secs. 5401-5426). Each inspection shall be commenced and completed with reasonable promptness.

(3) For the purpose of carrying out the provisions of this chapter, the director or the director's authorized representative is authorized:

(a) To require, by general or special orders, any factory, warehouse, or establishment in which manufactured homes are manufactured, to file, in such form as prescribed, reports or answers in writing to specific questions relating to any function of the department under this chapter. Such reports and answers shall be made under oath or otherwise, and shall be filed with the department within such reasonable time periods as prescribed by the department; and

(b) To hold such hearings, take such testimony, sit and act at such times and places, administer such oaths, and require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, papers, correspondence, memorandums, contracts, agreements, or other records, as the director or such officer or employee deems advisable.

(4) In carrying out the inspections authorized by this section the director shall establish by rule, under chapter 34.05 RCW, and impose on manufactured home manufacturers, distributors, and dealers such reasonable fees as may be necessary to offset the expenses incurred by the director in conducting the inspections, provided these fees are set in accordance with guidelines established by the United States secretary of housing and urban development. [1993 c 124 s 5.]

Contingent expiration date—RCW 43.22A.030 and 43.63A.470 through 43.63A.490: See RCW 43.63A.490.

RCW 43.63A.475 Manufactured housing—Rules. ***(Contingent expiration date.)*** The department shall adopt all rules under chapter 34.05 RCW necessary to implement chapter 124, Laws of 1993, giving due consideration to standards and regulations adopted by the secretary of housing and urban development under the National Manufactured Housing Construction and Safety Standards Act of 1974 (800 Stat. 700; 42 U.S.C. Secs. 5401-5426) for manufactured housing construction and safety standards. [1993 c 124 s 2.]

Contingent expiration date—RCW 43.22A.030 and 43.63A.470 through 43.63A.490: See RCW 43.63A.490.

RCW 43.63A.480 Manufactured housing—Hearing procedures. ***(Contingent expiration date.)*** The department shall adopt appropriate hearing procedures under chapter 34.05 RCW for the holding of formal and informal presentation of views, giving due consideration to hearing procedures adopted by the secretary of housing and urban development under the National Manufactured Housing Construction and Safety Standards Act of 1974 (800 Stat. 700; 42 U.S.C. Secs. 5401-5426). [1993 c 124 s 3.]

Contingent expiration date—RCW 43.22A.030 and 43.63A.470 through 43.63A.490: See RCW 43.63A.490.

RCW 43.63A.485 Manufactured housing—Violations—Fines. ***(Contingent expiration date.)*** (1) A person who violates any of the

provisions of the National Manufactured Housing Construction and Safety Standards Act of 1974 (800 Stat. 700; 42 U.S.C. Secs. 5401-5426) applicable to RCW 43.22A.030, 43.63A.470, 43.63A.475, and 43.63A.480 or any rules adopted under RCW 43.22A.030, 43.63A.470, 43.63A.475, and 43.63A.480 is liable to the state of Washington for a civil penalty of not to exceed one thousand dollars for each such violation. Each violation of the provisions of the National Manufactured Housing Construction and Safety Standards Act of 1974 (800 Stat. 700; 42 U.S.C. Secs. 5401-5426) applicable to RCW 43.22A.030, 43.63A.470, 43.63A.475, and 43.63A.480 or any rules adopted under RCW 43.22A.030, 43.63A.470, 43.63A.475, and 43.63A.480, shall constitute a separate violation with respect to each manufactured home or with respect to each failure or refusal to allow or perform an act required thereby, except that the maximum civil penalty may not exceed one million dollars for any related series of violations occurring within one year from the date of the first violation.

(2) An individual or a director, officer, or agent of a corporation who knowingly and willfully violates any of the provisions of RCW 43.22A.030, 43.63A.470, 43.63A.475, and 43.63A.480 or any rules adopted under RCW 43.22A.030, 43.63A.470, 43.63A.475, and 43.63A.480, in a manner that threatens the health or safety of any purchaser, shall be fined not more than one thousand dollars or imprisoned up to three hundred sixty-four days, or both.

(3) Any legal fees, court costs, expert witness fees, and staff costs expended by the state in successfully pursuing violators of RCW 43.22A.030, 43.63A.470, 43.63A.475, and 43.63A.480 shall be reimbursed in full by the violators. [2011 c 96 s 29; 1993 c 124 s 4.]

Findings—Intent—2011 c 96: See note following RCW 9A.20.021.

Contingent expiration date—RCW 43.22A.030 and 43.63A.470 through 43.63A.490: See RCW 43.63A.490.

RCW 43.63A.490 Manufactured housing—Contingent expiration date. RCW *43.63A.465 through 43.63A.490 shall expire and be of no force and effect on January 1 in any year following the failure of the United States department of housing and urban development to reimburse the state for the duties described in RCW *43.63A.465 through 43.63A.490. [1993 c 124 s 6.]

***Reviser's note:** RCW 43.63A.465 was recodified as RCW 43.22A.030 pursuant to 2007 c 432 s 13.

RCW 43.63A.500 Farmworker housing construction manuals and plans. The department shall develop, and make available to the public, model or prototype construction plans and manuals for several types of farmworker housing, including but not limited to seasonal housing for individuals and families, campgrounds, and recreational vehicle parks. Any person or organization intending to construct farmworker housing may adopt one or more of these models as the plan for the proposed housing. [1990 c 253 s 5.]

Legislative finding and purpose—1990 c 253: See note following RCW 43.70.340.

RCW 43.63A.505 Agricultural employee housing—One-stop clearinghouse. The department shall establish and administer a "one-stop clearinghouse" to coordinate state assistance for growers and nonprofit organizations in developing housing for agricultural employees. Growers, housing authorities, and nonprofit organizations shall have direct access to the one-stop clearinghouse. The department one-stop clearinghouse shall provide assistance on planning and design, building codes, temporary worker housing regulations, financing options, and management to growers and nonprofit organizations interested in farmworker construction. The department one-stop clearinghouse shall also provide educational materials and services to local government authorities on Washington state law concerning farmworker housing. [1999 c 164 s 202.]

Findings—Intent—Part headings and subheadings not law—Effective date—Severability—1999 c 164: See notes following RCW 43.160.010.

RCW 43.63A.510 Affordable housing—Inventory of state-owned land. (1) The department must work with the designated agencies to identify, catalog, and recommend best use of under-utilized, state-owned land and property suitable for the development of affordable housing for very low-income, low-income or moderate-income households. The designated agencies must provide an inventory of real property that is owned or administered by each agency and is vacant or available for lease or sale. The department must work with the designated agencies to include in the inventories a consolidated list of any property transactions executed by the agencies under the authority of RCW 39.33.015, including the property appraisal, the terms and conditions of sale, lease, or transfer, the value of the public benefit, and the impact of transaction to the agency. The inventories with revisions must be provided to the department by November 1st of each year.

(2) The department must consolidate inventories into two groups: Properties suitable for consideration in affordable housing development; and properties not suitable for consideration in affordable housing development. In making this determination, the department must use industry accepted standards such as: Location, approximate lot size, current land use designation, and current zoning classification of the property. The department shall provide a recommendation, based on this grouping, to the office of financial management and appropriate policy and fiscal committees of the legislature by December 1st of each year.

(3) Upon written request, the department shall provide a copy of the inventory of state-owned and publicly owned lands and buildings to parties interested in developing the sites for affordable housing.

(4) As used in this section:

(a) "Affordable housing" means residential housing that is rented or owned by a person who qualifies as a very low-income, low-income, or moderate-income household or who is from a special needs population, and whose monthly housing costs, including utilities other than telephone, do not exceed thirty percent of the household's monthly income.

(b) "Very low-income household" means a single person, family, or unrelated persons living together whose income is at or below fifty

percent of the median income, adjusted for household size, for the county where the affordable housing is located.

(c) "Low-income household" means a single person, family, or unrelated persons living together whose income is more than fifty percent but is at or below eighty percent of the median income where the affordable housing is located.

(d) "Moderate-income household" means a single person, family, or unrelated persons living together whose income is more than eighty percent but is at or below one hundred fifteen percent of the median income where the affordable housing is located.

(e) "Affordable housing development" means state-owned real property appropriate for sale, transfer, or lease to an affordable housing developer capable of:

(i) Receiving the property within one hundred eighty days; and

(ii) Creating affordable housing units for occupancy within thirty-six months from the time of transfer.

(f) "Designated agencies" means the Washington state patrol, the state parks and recreation commission, and the departments of natural resources, social and health services, corrections, and enterprise services. [2018 c 217 s 1; 1993 c 461 s 2; 1990 c 253 s 6.]

Finding—1993 c 461: "(1) The legislature finds that:

(a) The lack of affordable housing for very low-income, low-income, or moderate-income households and special needs populations is intensified by the rising cost of land and construction; and

(b) There are publicly owned land and buildings which may be suitable to be marketed, sold, leased, or exchanged for the development of affordable housing.

(2) The legislature declares that the purpose of this act is to:

(a) Provide for an analysis of the inventory of state-owned lands and buildings prepared by the departments of natural resources, transportation, corrections, and *general administration;

(b) Identify other publicly owned land and buildings that may be suitable for the development of affordable housing for very-low income, low-income, or moderate-income households and special needs populations;

(c) Provide a central location of inventories of state and publicly owned land and buildings that may be suitable to be marketed, sold, leased, or exchanged for the development of affordable housing; and

(d) Encourage an effective use of publicly owned surplus and underutilized land and buildings suitable for the development of affordable housing for very low-income, low-income, or moderate-income households and special needs populations." [1993 c 461 s 1.]

***Reviser's note:** The "department of general administration" was renamed the "department of enterprise services" by 2011 1st sp.s. c 43 s 107.

Legislative finding and purpose—1990 c 253: See note following RCW 43.70.340.

RCW 43.63A.550 Growth management—Inventorying and collecting data. (1) The department shall assist in the process of inventorying and collecting data on public and private land for the acquisition of data describing land uses, demographics, infrastructure, critical

areas, transportation corridors physical features, housing, and other information useful in managing growth throughout the state. For this purpose the department may contract with Washington technology solutions and shall form an advisory group consisting of representatives from state, local, and federal agencies, colleges and universities, and private firms with expertise in land planning, and geographic information systems.

(2) The department shall establish a sequence for acquiring data, giving priority to rapidly growing areas. The data shall be retained in a manner to facilitate its use in preparing maps, aggregating with data from multiple jurisdictions, and comparing changes over time. Data shall further be retained in a manner which permits its access via computer.

(3) The department shall work with other state agencies, local governments, and private organizations that are inventorying public and private lands to ensure close coordination and to ensure that duplication of efforts does not occur. [2024 c 54 s 45; 2011 1st sp.s. c 43 s 814; 1998 c 245 s 71; 1990 1st ex.s. c 17 s 21.]

Effective date—Purpose—2011 1st sp.s. c 43: See notes following RCW 43.19.003.

Severability—Part, section headings not law—1990 1st ex.s. c 17: See RCW 36.70A.900 and 36.70A.901.

RCW 43.63A.610 Emergency mortgage assistance—Guidelines. Emergency mortgage assistance shall be provided under the following general guidelines:

(1) Loans provided under the program shall not exceed an amount equal to twenty-four months of mortgage payments.

(2) The maximum loan amount allowed under the program shall not exceed twenty thousand dollars.

(3) Loans shall be made to applicants who meet specific income guidelines established by the department.

(4) Loan payments shall be made directly to the mortgage lender.

(5) Loans shall be granted on a first-come, first-served basis.

(6) Repayment of loans provided under the program shall be made to eligible local organizations, and must not take more than twenty years. Funds repaid to the program shall be used as grants or loans under the provisions of RCW *43.63A.600 through 43.63A.640. [1994 c 114 s 2; 1991 c 315 s 24.]

***Reviser's note:** RCW 43.63A.600 was repealed by 1995 c 226 s 35, effective June 30, 2001.

Effective date—1994 c 114: "This act shall take effect July 1, 1994." [1994 c 114 s 6.]

Intent—1991 c 315: See note following RCW 28B.50.030.

Conflict with federal requirements—1991 c 315: See RCW 50.70.901.

RCW 43.63A.620 Emergency rental assistance—Guidelines. Emergency rental assistance shall be provided under the following general guidelines:

(1) Rental assistance provided under the program may be in the form of loans or grants and shall not exceed an amount equal to twenty-four months of rental payments.

(2) Rental assistance shall be made to applicants who meet specific income guidelines established by the department.

(3) Rental payments shall be made directly to the landlord.

(4) Rental assistance shall be granted on a first-come, first-served basis. [1994 c 114 s 3; 1991 c 315 s 25.]

Effective date—1994 c 114: See note following RCW 43.63A.610.

Intent—1991 c 315: See note following RCW 28B.50.030.

Conflict with federal requirements—1991 c 315: See RCW 50.70.901.

RCW 43.63A.630 Emergency mortgage and rental assistance program—Eligibility. To be eligible for assistance under the program, an applicant must:

(1) Be unable to keep mortgage or rental payments current, due to a loss of employment, and shall be at significant risk of eviction;

(2) Have his or her permanent residence located in an eligible community;

(3) If requesting emergency mortgage assistance, be the owner of an equitable interest in the permanent residence and intend to reside in the home being financed;

(4) Be actively seeking new employment or be enrolled in a training program approved by the director; and

(5) Submit an application for assistance to an organization eligible to receive funds under *RCW 43.63A.600. [1994 c 114 s 4; 1991 c 315 s 26.]

***Reviser's note:** RCW 43.63A.600 was repealed by 1995 c 226 s 35, effective June 30, 2001.

Effective date—1994 c 114: See note following RCW 43.63A.610.

Intent—1991 c 315: See note following RCW 28B.50.030.

Conflict with federal requirements—1991 c 315: See RCW 50.70.901.

RCW 43.63A.640 Emergency mortgage and rental assistance program—Duties—Interest rate, assignment, eligibility. The department shall carry out the following duties:

(1) Administer the program;

(2) Identify organizations eligible to receive funds to implement the program;

(3) Develop and adopt the necessary rules and procedures for implementation of the program and for dispersal [disbursal] of program funds to eligible organizations;

(4) Establish the interest rate for repayment of loans at two percent below the market rate;

(5) Work with lending institutions and social service providers in the eligible communities to assure that all eligible persons are informed about the program;

(6) Utilize federal and state programs that complement or facilitate carrying out the program;

(7) Ensure that local eligible organizations that dissolve or become ineligible assign their program funds, rights to loan repayments, and loan security instruments, to the government of the county in which the local organization is located. If the county government accepts the program assets described in this subsection, it shall act as a local eligible organization under the provisions of RCW *43.63A.600 through 43.63A.640. If the county government declines to participate, the program assets shall revert to the department. [1994 c 114 s 5; 1991 c 315 s 27.]

***Reviser's note:** RCW 43.63A.600 was repealed by 1995 c 226 s 35, effective June 30, 2001.

Effective date—1994 c 114: See note following RCW 43.63A.610.

Intent—1991 c 315: See note following RCW 28B.50.030.

Conflict with federal requirements—1991 c 315: See RCW 50.70.901.

RCW 43.63A.645 Emergency housing programs—Rules. The department shall, by rule, establish program standards, eligibility standards, eligibility criteria, and administrative rules for emergency housing programs and specify other benefits that may arise in consultation with providers. [1999 c 267 s 5.]

Findings—Intent—Severability—1999 c 267: See notes following RCW 43.20A.790.

RCW 43.63A.650 Housing—Department's responsibilities. (1) The department shall be the principal state department responsible for coordinating federal and state resources and activities in housing, except for programs administered by the Washington state housing finance commission under chapter 43.180 RCW, and for evaluating the operations and accomplishments of other state departments and agencies as they affect housing.

(2) The department shall work with local governments, tribal organizations, local housing authorities, nonprofit community or neighborhood-based organizations, and regional or statewide nonprofit housing assistance organizations, for the purpose of coordinating federal and state resources with local resources for housing.

(3) The department shall be the principal state department responsible for providing shelter and housing services to homeless families with children. The department shall have the principal responsibility to coordinate, plan, and oversee the state's activities for developing a coordinated and comprehensive plan to serve homeless families with children. The plan shall be developed collaboratively with the department of social and health services. The department

shall include community organizations involved in the delivery of services to homeless families with children, and experts in the development and ongoing evaluation of the plan. The department shall follow professionally recognized standards and procedures. The plan shall be implemented within amounts appropriated by the legislature for that specific purpose in the operating and capital budgets. The department shall submit the plan to the appropriate committees of the senate and house of representatives no later than September 1, 1999, and shall update the plan and submit it to the appropriate committees of the legislature by January 1st of every odd-numbered year through 2007. The plan shall address at least the following: (a) The need for prevention assistance; (b) the need for emergency shelter; (c) the need for transitional assistance to aid families into permanent housing; (d) the need for linking services with shelter or housing; and (e) the need for ongoing monitoring of the efficiency and effectiveness of the plan's design and implementation. [1999 c 267 s 3; 1993 c 478 s 13.]

Findings—Intent—Severability—1999 c 267: See notes following RCW 43.20A.790.

RCW 43.63A.660 Housing—Technical assistance and information, affordable housing. The department shall provide technical assistance and information to state agencies and local governments to assist in the identification and removal of regulatory barriers to the development and placement of affordable housing. In providing assistance the department may:

(1) Analyze the costs and benefits of state legislation, rules, and administrative actions and their impact on the development and placement of affordable housing;

(2) Analyze the costs and benefits of local legislation, rules, and administrative actions and their impact on the development and placement of affordable housing;

(3) Assist state agencies and local governments in determining the impact of existing and anticipated actions, legislation, and rules on the development and placement of affordable housing;

(4) Investigate techniques and opportunities for reducing the life-cycle housing costs through regulatory reform;

(5) Develop model standards and ordinances designed to reduce regulatory barriers to affordable housing and assisting in their adoption and use at the state and local government level;

(6) Provide technical assistance and information to state agencies and local governments for implementation of legislative and administrative reform programs to remove barriers to affordable housing;

(7) Prepare state regulatory barrier removal strategies;

(8) Provide staffing to the affordable housing advisory board created in RCW 43.185B.020; and

(9) Perform other activities as the director deems necessary to assist the state, local governments, and the housing industry in meeting the affordable housing needs of the state. [1993 c 478 s 14.]

RCW 43.63A.670 Home-matching program—Finding, purpose. (1) The legislature finds that:

(a) The trend toward smaller household sizes will continue into the foreseeable future;

(b) Many of these households are in housing units that contain more bedrooms than occupants;

(c) There are older homeowners on relatively low, fixed income who are experiencing difficulties maintaining their homes; and

(d) There are single parents, recently widowed persons, people in the midst of divorce or separation, and persons with disabilities that are faced with displacement due to the high cost of housing.

(2) The legislature declares that the purpose of RCW 43.63A.680 is to develop a pilot program designed to:

(a) Provide home-matching services that can enable people to continue living in their homes while promoting continuity of homeownership and community stability; and

(b) Counter the problem of displacement among people on relatively low, fixed incomes by linking people offering living space with people seeking housing. [2020 c 274 s 24; 1993 c 478 s 18.]

RCW 43.63A.680 Home-matching program—Pilot programs. (1) The department may develop and administer a home-matching program for the purpose of providing grants and technical assistance to eligible organizations to operate local home-matching programs. For purposes of this section, "eligible organizations" are those organizations eligible to receive assistance through the Washington housing trust fund, chapter 43.185A RCW.

(2) The department may select up to five eligible organizations for the purpose of implementing a local home-matching program. The local home-matching programs are designed to facilitate: (a) Intergenerational homesharing involving older homeowners sharing homes with younger persons; (b) homesharing arrangements that involve an exchange of services such as cooking, housework, gardening, or babysitting for room and board or some financial consideration such as rent; and (c) the more efficient use of available housing.

(3) In selecting local pilot programs under this section, the department shall consider:

(a) The eligible organization's ability, stability, and resources to implement the local home-matching program;

(b) The eligible organization's efforts to coordinate other support services needed by the individual or family participating in the local home-matching program; and

(c) Other factors the department deems appropriate.

(4) The eligible organizations shall establish criteria for participation in the local home-matching program. The eligible organization shall make a determination of eligibility regarding the individuals' or families' participation in the local home-matching program. The determination shall include, but is not limited to a verification of the individual's or family's history of making rent payments in a consistent and timely manner. [2023 c 275 s 17; 1993 c 478 s 19.]

RCW 43.63A.690 Minority and women-owned business enterprises—Linked deposit program. (1) The department shall provide technical assistance and loan packaging services that enable minority and women-

owned business enterprises to obtain financing under the linked deposit program created under RCW 43.86A.060.

(2) The department, in consultation with the office of minority and women's business enterprises, shall develop indicators to measure the performance of the linked deposit program in the areas of job creation or retention and providing access to capital to minority or women's business enterprises. [2005 c 302 s 6; 2002 c 305 s 3; 1993 c 512 s 31.]

Intent—2005 c 302: See note following RCW 43.86A.030.

Finding—Intent—1993 c 512: See note following RCW 43.86A.060.

RCW 43.63A.720 Prostitution prevention and intervention services—Grant program. There is established in the department of commerce a grant program to enhance funding for prostitution prevention and intervention services. Activities that can be funded through this grant program shall provide effective prostitution prevention and intervention services, such as counseling, parenting, housing relief, education, and vocational training, that:

(1) Comprehensively address the problems of persons who are prostitutes; and

(2) Enhance the ability of persons to leave or avoid prostitution. [2023 c 470 s 2054; 1995 c 353 s 7.]

Explanatory statement—2023 c 470: See note following RCW 10.99.030.

RCW 43.63A.725 Prostitution prevention and intervention grants—Eligibility. (1) Applications for funding under this chapter must:

(a) Meet the criteria in RCW 43.63A.720; and

(b) Contain evidence of active participation of the community and its commitment to providing effective prevention and intervention services for prostitutes through the participation of local governments, tribal governments, networks under chapter 70.190 RCW, human service and health organizations, and treatment entities and through meaningful involvement of others, including citizen groups.

(2) Local governments, networks under chapter 70.190 RCW, nonprofit community groups, and nonprofit treatment providers including organizations that provide services, such as emergency housing, counseling, and crisis intervention shall, among others, be eligible for grants established under RCW 43.63A.720. [1995 c 353 s 8.]

RCW 43.63A.730 Prostitution prevention and intervention grants—Applications, contents. At a minimum, grant applications must include the following:

(1) The proposed geographic service area;

(2) A description of the extent and effect of the needs for prostitution prevention and intervention within the relevant geographic area;

(3) An explanation of how the funds will be used, their relationship to existing services available within the community, and the need that they will fulfill;

(4) An explanation of what organizations were involved in the development of the proposal; and

(5) The methods that will be employed to measure the success of the program. [1995 c 353 s 9.]

RCW 43.63A.735 Prostitution prevention and intervention grants—Award and use. (1) Subject to funds appropriated by the legislature, including funds in the prostitution prevention and intervention account, the department of commerce shall make awards under the grant program established by RCW 43.63A.720.

(2) Awards shall be made competitively based on the purposes of and criteria in RCW 43.63A.720 through 43.63A.730.

(3) Activities funded under this section may be considered for funding in future years, but shall be considered under the same terms and criteria as new activities. Funding of a program or activity under this chapter shall not constitute an obligation by the state of Washington to provide ongoing funding.

(4) The department of commerce may receive such gifts, grants, and endowments from public or private sources as may be made from time to time, in trust or otherwise, for the use and benefit of the purposes of the grant program established under RCW 43.63A.720 and expend the same or any income from these sources according to the terms of the gifts, grants, or endowments.

(5) The department of commerce may expend up to five percent of the funds appropriated for the grant program for administrative costs and grant supervision. [2023 c 470 s 2055; 1995 c 353 s 10.]

Explanatory statement—2023 c 470: See note following RCW 10.99.030.

RCW 43.63A.740 Prostitution prevention and intervention account. The prostitution prevention and intervention account is created in the state treasury. Expenditures from the account may be used in the following order of priority:

(1) Funding the statewide coordinating committee on sex trafficking;

(2) Programs that provide mental health and substance abuse counseling, parenting skills training, housing relief, education, and vocational training for youth who have been diverted for a prostitution or prostitution loitering offense pursuant to RCW 13.40.213;

(3) Funding for services provided to sexually exploited children as defined in RCW 13.32A.030 in secure and semi-secure crisis residential centers with access to staff trained to meet their specific needs;

(4) Funding for services specified in RCW *74.14B.060 and 74.14B.070 for sexually exploited children; and

(5) Funding the grant program to enhance prostitution prevention and intervention services under RCW 43.63A.720. [2013 c 121 s 3; 2010 c 289 s 18; 2009 c 387 s 2; 1995 c 353 s 11.]

***Reviser's note:** RCW 74.14B.060 was repealed by 2012 c 29 s 14.

Intent—Finding—2013 c 121: "The legislature recognizes there are many state agencies and private organizations that might be called on to provide services to victims of sex trafficking. Victims of human trafficking are often in need of services such as emergency medical attention, food and shelter, vocational and English language training, mental health counseling, and legal support. The state intends to improve the response of state, local, and private entities to incidents of trafficking of humans. Victims would be better served if there is an established, coordinated system of identifying the needs of sex trafficking victims, training of service delivery agencies and staff, timely and appropriate delivery of services, and better investigations and prosecutions of trafficking.

Leadership in providing services to victims of sex trafficking also extends beyond government efforts and is grounded in the work of highly dedicated individuals and community-based groups. Without these efforts the struggle against human trafficking will be very difficult to win. The legislature, therefore, finds that such efforts merit regular public recognition and appreciation. Such recognition and appreciation will encourage the efforts of all persons to end sex trafficking, and provide the public with information and education about the necessity of its involvement in this struggle." [2013 c 121 s 1.]

RCW 43.63A.750 Performing arts, art museums, cultural facilities—Competitive grant program for nonprofit organizations. (1) A competitive grant program to assist nonprofit organizations in acquiring, constructing, or rehabilitating performing arts, art museums, and cultural facilities is created.

(2)(a) The department shall submit a list of recommended performing arts, art museum projects, and cultural organization projects eligible for funding to the governor and the legislature in the department's biennial capital budget request beginning with the 2001-2003 biennium and thereafter. The list, in priority order, shall include a description of each project, the amount of recommended state funding, and documentation of nonstate funds to be used for the project. The total amount of recommended state funding for projects on a biennial project list shall not exceed $18,000,000.

(b) The department shall establish a competitive process to prioritize applications for state assistance as follows:

(i) The department shall conduct a statewide solicitation of project applications from nonprofit organizations, local governments, and other entities, as determined by the department. For applications submitted during the 2023-2025 and 2025-2027 fiscal biennia, nonprofit organizations that are certified by the association of zoos and aquariums and that have long-term operating or management agreements are eligible to apply. The department shall evaluate and rank applications in consultation with a citizen advisory committee, including a representative from the state arts commission, using objective criteria. The evaluation and ranking process shall also consider local community support for projects and an examination of existing assets that applicants may apply to projects.

(ii) The department may establish the amount of state grant assistance for individual project applications but the amount shall not exceed 33.33 percent of the estimated total capital cost or actual cost of a project, whichever is less. The remaining portions of the

project capital cost shall be a match from nonstate sources. The nonstate match may include cash, the value of real property when acquired solely for the purpose of the project, and in-kind contributions. The department is authorized to set matching requirements for individual projects. State assistance may be used to fund separate definable phases of a project if the project demonstrates adequate progress and has secured the necessary match funding.

(iii) The department shall not sign contracts or otherwise financially obligate funds under this section until the legislature has approved a specific list of projects. In contracts for grants authorized under this section, the department shall include provisions requiring that capital improvements be held by the grantee for a specified period of time appropriate to the amount of the grant and that facilities be used for the express purpose of the grant. If the grantee is found to be out of compliance with provisions of the contract, the grantee shall repay to the state general fund the principal amount of the grant plus interest calculated at the rate of interest on state of Washington general obligation bonds issued most closely to the date of authorization of the grant. [2025 c 414 s 8046; 2024 c 375 s 8014; 2022 c 121 s 1; 2021 c 332 s 7042; 2020 c 356 s 7008; 2006 c 371 s 235; 2005 c 160 s 2; 1999 c 295 s 1.]

Effective date—2025 c 414: See note following RCW 79A.25.210.

Effective date—2024 c 375: See note following RCW 70A.65.305.

Effective date—2021 c 332: See note following RCW 43.19.501.

Effective date—2020 c 356: See note following RCW 43.19.501.

Effective date—2006 c 371: See note following RCW 27.34.330.

RCW 43.63A.764 Building communities fund program—Definitions. The definitions in this section apply throughout RCW 43.63A.125, this section, and RCW *43.63A.766 and 43.63A.768 unless the context clearly requires otherwise.

(1) "Department" means the department of commerce.

(2) "Distressed community" means: (a) A county that has an unemployment rate that is twenty percent above the state average for the immediately previous three years; (b) an area within a county that the department determines to be a low-income community, using as guidance the low-income community designations under the community development financial institutions fund's new markets tax credit program of the United States department of the treasury; or (c) a school district in which at least fifty percent of local elementary students receive free and reduced-price meals.

(3) "Nonprofit organization" means an organization that is tax exempt, or not required to apply for an exemption, under section 501(c)(3) of the federal internal revenue code of 1986, as amended.

(4) "Technical assistance" means professional services provided under contract to nonprofit organizations for feasibility studies, planning, and project management related to acquiring, constructing, or rehabilitating nonresidential community services facilities. [2023 c 470 s 2056; 2008 c 327 s 13.]

***Reviser's note:** RCW 43.63A.766 was repealed by 2025 c 399 s 1.

Explanatory statement—2023 c 470: See note following RCW 10.99.030.

RCW 43.63A.768 Building communities fund program—Accountability and reporting standards—Annual report. (1) The department shall develop accountability and reporting standards for grant recipients. At a minimum, the department shall use the criteria listed in RCW 43.63A.125(2)(b) to evaluate the progress of each grant recipient.

(2) Beginning January 1, 2011, the department shall submit an annual report to the appropriate committees of the legislature, including:

(a) A list of projects currently under contract with the department under the building communities fund program; a description of each project, its total cost, the amount of state funding awarded and expended to date, the project status, the number of low-income people served, and the extent to which the project has met the criteria in RCW 43.63A.125(2)(b); and

(b) Recommendations, if any, for policy and programmatic changes to the building communities fund program to better achieve program objectives. [2008 c 327 s 16.]

RCW 43.63A.770 Renewable energy development local investment distribution program—Qualifying energy projects—Application. ***(Effective January 1, 2028.)*** (1) The department shall establish the renewable energy development local investment distribution program.

(a) Subject to the availability of amounts appropriated for this purpose, the department must provide funds through the program to each county that hosts a qualifying energy project under this section. The total distribution under this subsection must be in a proportion equal to the amount of state excise tax under RCW 82.96.040 attributable to a county during the previous tax reporting period.

(b)(i) Except for a rural county as defined in RCW 82.14.370, each county must distribute funds received from the department to the local taxing districts within the county in which each qualifying energy project is located, according to the taxing district's relative share of the local property tax levy.

(ii) For distributions for qualifying energy projects in a rural county, as defined in RCW 82.14.370, the rural county may elect to retain the full amount provided by the department, without distribution to local taxing districts.

(2)(a) In order for a county to be eligible to receive funds in a proportion equal to the amount of state excise tax under RCW 82.96.040 attributable to a county, the department must determine that:

(i) The qualifying energy project is located in the county, and the project was operating before January 1, 2029;

(ii) The qualifying energy project is located in the county, and the project submitted a completed application under chapter 43.21C RCW as of November 2025; or

(iii) The qualifying energy project is located in the county, and the county has adopted or substantially adopted the model ordinance published by the department under RCW 43.63A.772. For the purposes of this section, "substantially adopted" means, in the opinion of the

department, the county has adopted development regulations that achieve the intent of the model ordinance published by the department, are not more restrictive or burdensome than the model ordinance, and do not unnecessarily impede the development of renewable energy projects within the county.

(b) In order for a county to be determined to be eligible to receive funds under this subsection (2) for a project that applies to and completes the county's process for development approval and files an environmental policy checklist pursuant to chapter 43.21C RCW after January 1, 2028, a county must include in its development regulations that:

(i) A qualifying energy project developer must:

(A) Initiate and document the offer to conduct early and meaningful engagement, before the submission of an environmental policy checklist under chapter 43.21C RCW, related to the qualifying energy project with each federally recognized Indian tribe within whose ceded territory and usual and accustomed area the qualifying energy project is proposed to be located in a manner that recognizes the sovereignty and legal rights of the tribe, with the objective of agreeing on a plan for protecting the archaeological and cultural resources that are potentially affected by the project;

(B) Notify, and offer to meet with, the department of archaeology and historic preservation regarding the geographical location, detailed scope of the proposed project, preliminary application details available to federal, state, or local jurisdictions, and all publicly available materials, with the objective of agreeing on a plan for protecting the archaeological and cultural resources that are potentially affected by the project; and

(C) Survey the proposed project site in a manner that reflects input solicited from the department of archaeology and historic preservation and each federally recognized Indian tribe whose lands described in this section are impacted, if any such input is received by the project developer within 60 days of the notification in (b)(i)(B) of this subsection (2); and

(ii) The county may condition an application by a qualifying energy project developer in accordance with a plan agreement between the qualifying energy project developer and either the federally recognized Indian tribe or the department of archaeology and historic preservation, or both, for protecting the archaeological cultural resources that are potentially affected by the project.

(3) A qualifying energy project may be eligible under this section if the project has received applicable permits under the energy facility site evaluation council process established in chapter 80.50 RCW, the clean energy coordinated permit process pursuant to RCW 43.394.020, or through permit processes overseen by the city or county.

(4)(a) The department must establish an application process for the program.

(b) The department may charge a reasonable fee for administrative costs. Fees must be deposited in the local investment distribution account created in RCW 82.96.080.

(5) Beginning in fiscal year 2029, the legislature intends to dedicate at least 75 percent of the local investment distribution account appropriations each biennium to the funding of the local investment distribution program described in this section. It is the intent of the legislature to apply any balance in the local investment distribution account that is in excess of the eligible expenses for

the local investment distribution program under this section first to the tribal capacity grant program in RCW 43.21A.608 and second to the general fund.

(6) Nothing in this section limits the authority of a county or city to administratively object to or legally appeal a qualifying energy project or component thereof or to be eligible for grant funds under this section if they file such an objection or appeal.

(7) For purposes of this section, the following definitions apply:

(a)(i) "Energy storage system" means commercially available technology that is capable of retaining electricity, storing the energy for a period of time, and delivering the electricity after storage by chemical, thermal, mechanical, or other means.

(ii) "Energy storage system" does not include a solar or wind energy production facility.

(b) "Qualifying energy project" means an energy storage system, a wind or solar energy production facility, associated facilities, or any combination thereof, constructed after January 1, 2028. [2026 c 260 s 202.]

Intent—2026 c 260: "It is the intent of the legislature to create favorable conditions that result in investments in communities hosting renewable energy project development. Encouraging such developments, including by increasing revenues for local governments, will help achieve state clean energy goals under the clean energy transformation act, achieve energy reliability and affordability, and ensure that the economic benefits of these projects accrue to the benefit of the local community." [2026 c 260 s 201.]

Effective date—2026 c 260: See note following RCW 82.96.005.

RCW 43.63A.772 Qualifying energy projects—Model ordinance. ***(Effective January 1, 2028.)*** (1)(a) The department shall provide technical assistance and ongoing liaison support to local governments, including methods and best practices for siting qualifying energy projects specified in RCW 43.63A.770, for use by local governments.

(b) As part of this work, the department must develop and publish a model ordinance applicable to the siting of qualifying energy projects specified in RCW 43.63A.770 by July 1, 2028. The model ordinance must include, but is not limited to, standards for the decommissioning of and provision of financial assurance for wind energy facilities and means to avoid detrimental impact to natural resources and cultural resource areas. The model ordinance must also consider local government compliance with the growth management act. The department must consider whether the model ordinance should specify or encourage expedited timelines for permit review that are adhered to by the county or city. The department must develop the model ordinance in consultation with qualifying energy project developers, qualifying energy project owners, counties where at least one energy storage system or wind or solar energy production facility is located, federally recognized tribes, and other interested stakeholders.

(2) Effective six months after the department's publication of a model ordinance under subsection (1) of this section, to be eligible for the grant program in RCW 43.63A.770, a county or city ordinance or

other restriction that limits the siting of a qualifying energy project may not contain standards that are more restrictive or burdensome than the applicable model ordinance published by the department under subsection (1) of this section.

(3)(a) The department must review the model ordinance created in this section under the provisions of chapter 43.21C RCW. To the maximum extent appropriate consistent with WAC 197-11-600 as it existed as of January 1, 2028, the department must use the nonproject environmental impact statements prepared by the department of ecology under RCW 43.21C.535 and by the energy facility site evaluation council under RCW 43.21C.405.

(b) A county that adopts the model ordinance under this section that has been reviewed by the department under the provisions of chapter 43.21C RCW is not required to review the ordinance under the provisions of chapter 43.21C RCW.

(4) Nothing in this section renders qualifying energy projects ineligible for the grant program in RCW 43.63A.770 on the basis of:

(a) Being located in a jurisdiction that imposes requirements, standards, or restrictions on qualifying energy projects that are consistent with the permit requirements, guidelines, or best practices for the siting, development, or operation of qualifying energy facilities imposed by a state agency or otherwise required under state law; or

(b) Mitigation being imposed as a result of environmental review under chapter 43.21C or 80.50 RCW to address a probable significant adverse environmental impact.

(5) For purposes of this section, "qualifying energy project" has the same meaning as in RCW 43.63A.770. [2026 c 260 s 203.]

Intent—2026 c 260: See note following RCW 43.63A.770.

Effective date—2026 c 260: See note following RCW 82.96.005.