



WASHINGTON STATE COALITION AGAINST DOMESTIC VIOLENCE

FINAL LEGISLATIVE REPORT 2004 LEGISLATIVE SESSION

MARCH 17, 2004

Here is our final legislative report from Olympia for 2004. This legislative session proved to be short and intense session with bills moving quickly. Following is a summary of the status of WSCADV's legislative priorities for the 2004 legislative session.

The State Budget/Funding for DV Programs

ESHB 2459: The Supplemental Operating Budget Highlights

- Increases funding for domestic violence shelter and advocacy programs by \$2 million for FY 2005.
- Increases Civil Indigent Legal Services by approximately \$2 million for FY 2005, with \$100,000 of that going to support an alternative dispute resolution project between farmers and farmworkers.
- Invests \$2 million in a matching fund in the Dept. of Community, Trade, and Economic Development to provide housing-based services for homeless families.
- Maintains current funding in the General Assistance-Unemployable (GAU) program

Status: Passed both the House and Senate on March 11, 2004, and awaiting signature by the Governor.

HB 2481 Increasing Marriage License Fees to Fund Domestic Violence Programs

Prime Sponsor: Representative Marylou Dickerson

- This bill provided for a \$10.00 increase in marriage license fees to be deposited in a newly created "Domestic Violence Prevention Account" in the DSHS budget, established to support funding for non-shelter based domestic violence services.

Status: HB 2481 passed out of the House and was passed out of the Senate Judiciary Committee but failed to pass out of Senate Ways and Means Committee by the end of the legislative session.

SSB 6384 (HB 2397)-Allowing local courts to assess convicted DV offenders to provide for DV services

Prime Sponsors: Senator Luke Esser, Rep. Dave Upthegrove

- This bill allows courts to impose an assessment of up to \$100.00 on any person convicted of a domestic violence crime, with the revenue to go to city or county domestic violence prevention or prosecution programs. Where cities or counties do not have such programs, they may use the revenue collected to contract with community based domestic violence programs.

Status: **SSB 6384** was signed by the Governor on March 15, 2004.

Legislation supported by WSCADV that passed

Housing

2ESHB 1645 (SB 5524) Protecting DV and SA Survivors in Rental Housing

Prime Sponsors: Representative Lynn Kessler and Senator Don Benton

- Prohibits discrimination against domestic violence, sexual assault, and stalking victims in the context of residential housing,
- Makes it easier for survivors to move from their current rental housing when necessary,
- Provides a method for victims who face eviction due to the violent acts perpetrated against them to assert a defense in an eviction proceeding.

Status: 2ESHB 1645 passed unanimously out of the House on February, and unanimously passed the Senate on. The Governor signed this bill on March 15, 2004.

Criminal Justice

ESHB 2771 Prohibiting cyberstalking

Prime Sponsor: Representative Helen Sommers

- Creates a new crime of cyberstalking, if an individual uses electronic mail or the internet to harass, intimidate, torment, or embarrass a victim.

Status: ESHB 2771 has passed both houses of the legislature and awaits the Governor's signature.

Law Enforcement

SSB 6161 (HB 2392)-Requiring law enforcement agencies to adopt policies concerning domestic violence by sworn employees

Prime Sponsors: Senator Debbie Regala and Representative Pat Lantz

- Requires that the WA State Association of Sheriffs and Police Chiefs, in collaboration with representatives from law enforcement agencies, domestic violence advocates, and other appropriate groups, draft a model policy concerning the issue of domestic violence perpetrated by law enforcement.
- The model policy must address, among other things: pre-hire screening, mandatory, immediate responses to DV allegations, self-reporting by employees who are alleged to have committed domestic violence or who know of other employees who have been accused of domestic violence, appropriate investigations and response to DV allegations against employees, appropriate information and referral for DV victims, training on the policy, and procedures to refer to relevant batterer intervention programs.
- Requires that all law enforcement agencies statewide either adopt the model policy or write its own, meeting the minimum standards in the law, and this must be done in collaboration with relevant public and private domestic violence advocates and other appropriate organizations.

Status: Signed by the Governor on March 15, 2004.

HB 2473- Restricting possession of weapons in courthouse buildings

Prime Sponsors: Representatives Judy Clibborn and Beverly Woods

- ❑ Prohibits law enforcement officers from carrying their firearms into courthouse building if they are a party to a domestic violence or unlawful harassment matter.

Status: The Governor signed this bill on March 15, 2004.

Legislation supported by WSCADV that failed

Funding

HB 2818- Creating the homeless families services fund

Prime Sponsors: Representatives Ruth Kagi and Boldt

- ❑ Creates a matching fund in DCTED to fund housing-based supportive services for homeless families.

Status: Failed, but this program was included and funded in the amount of \$2 million in the state budget.

Protective Orders

HB 1949- Providing for Financial Support in Protection Orders

Prime Sponsor: Representative Toby Nixon

- ❑ Clarifies that judges can order temporary financial support in a protection order where the respondent customarily provides for the support of the petitioner or family member. This bill clarifies that judges can order a respondent to pay a petitioner reasonable expenses related to abuse in a protection order hearing.

Status: This bill unanimously passed the House of Representatives but failed to pass out of the Senate Judiciary Committee after concerns were raised concerning the cost of implementation. WSCADV will continue to work with stakeholders on this issue.

HB 2398-Relating to Providing Notice of a Modification or Termination of a Protection Order

Prime Sponsor: Representative Dave Upthegrove

- ❑ This bill would RCW 26.50.130 to clarify that when a respondent petitions to modify or terminate a protection order he or she meet the same notice requirements that the petitioner was required to meet in filing for the protection order.

Status: This bill unanimously passed the House but failed to pass out of the Senate by the March 5th cutoff because the Senate did not have an opportunity to vote on it when the Senate adjourned early to avoid a vote on HB 1809.

Anti-Trafficking in Persons

HB 3056, 6443, Relating to Creating Protocols in Working with Victims of Trafficking

- ❑ Though not companion bills, these bills would have directed that written protocols for state agencies be developed in working with victims of trafficking.

Prime Sponsors: Representative Velma Veloria and Senator Jeanne Kohl-Welles

Status: Neither bill received a hearing in either policy committee in the House or Senate

Legislation opposed by WSCADV that failed

Economic Services

SB 6559-Revising Temporary Assistance for Needy Families

Prime Sponsors: Senators Val Stevens and Jim Hargrove

- ❑ Delays receipt of cash assistance by 30 days to TANF applicants if they are able to engage in jobsearch and automatically sanctions TANF recipients at 40% of their grants and implements a protective payee for those failing to participate in Workfirst

Status: This bill passed out of the Senate but failed to pass out of the House Children and Family Services Committee.

Housing

5553-Providing for immediate eviction from rental housing for certain criminal activity

Prime Sponsor: Senator Joyce Mulliken

- ❑ This bill allowed a landlord or neighbor to petition for the *immediate* eviction of a tenant in rental housing if the tenant is engaged in certain criminal activity, including acts of domestic violence, though the tenant could have a defense if s/he was the victim of the criminal activity

Status: This bill passed out of the Senate Financial Services, Housing and Insurance Committee and was passed to the Senate Ways and Means Committee but failed to pass that committee.

Firearms

HB 2310-Changing provisions relating to temporary emergency concealed pistol licenses

Prime Sponsors: Representatives Mike Carrell, Pat Lantz

- ❑ This bill defined “good cause” to obtain a temporary emergency concealed weapons permit while the application for a permanent license is pending to include anyone protected by a protection, no-contact, or anti-harassment order.

Status: This bill failed to pass out of the House Judiciary Committee.

To review a more detailed summary of issues the Coalition worked on during the Session, go to www.wscadv.org/Legislative/index.htm.

To get the full text of the new laws or legislation, log on to the Washington State Legislature webpage at www.leg.wa.gov.

Thank you to all of you for your hard work during the legislative session. Special thanks to those who participated in WSCADV's capitol to testify or to talk to the media.

For more information on these and other Washington State Legislative Issues, Please Contact: [grace\(at\)wscadv.org](mailto:grace(at)wscadv.org)