



2023 Legislative Session Recap and Successes

This year's 105-day legislative session commenced on January 9 and concluded on April 23, known as Sine Die. Unlike the previous two years of virtual sessions, this year's session was held in person in Olympia, but with provisions for remote public testimony. The Democratic party held a majority in both the House (58-40 seats) and the Senate (29-20). During the session, 474 bills were presented in the House, out of which 286 were passed with unanimous support.

Session highlights include the passage of significant gun responsibility bills, especially a ban on the sale of assault weapons; abolishing the death penalty in state law; repealing misleading and nonbinding advisory votes from ballots; and updating the Growth Management Act to address climate change. Reproductive rights and gender-affirming care were also protected. Although the Governor's proposed \$4 billion housing bond and rent stabilization bills were rejected, the legislature did pass HB 1110 to increase middle housing and HB 1474, the Covenants Homeownership Account Act, which addresses historical racism in housing. Additionally, \$400 million was allocated to the Housing Trust Fund. Police pursuits were a hotly debated topic, resulting in the passage of SB 5352, which lowers the threshold for police to engage in chases.

Midway through the session, the Washington State Supreme Court upheld the constitutionality of the state's capital gains tax passed in 2021. This modest 7% excise tax on annual capital gains above \$250,000 is paid exclusively by the wealthiest 0.2% of Washingtonians, whose incomes average \$2.6 million per year. The tax generates over \$500 million per year in new revenue dedicated to providing resources for K-12 schools, building new schools across the state, and significantly expanding childcare and early learning supports for young children.

This session's budget was not met with the same level of satisfaction from advocates the previous session's budget. This was due to the State Legislature having to adjust after the Washington State Economic and Revenue Forecast Council released a revised projection in March that showed lower expected revenue for the next two biennia, plus no more federal Covid dollars to fund bills.

Budget highlights include the allocation of climate commitment funds, the creation of mental health facilities, funding for a Medicaid equivalent for undocumented immigrants at 138% of the poverty level, and funding for studies regarding removing the lower Snake River dams.

During the final week of the legislative session, lawmakers focused on reconciling differences in the House and Senate versions of the budgets through concurrences and conferences. The legislature successfully passed all three two-year budgets (operating, capital, and transportation) on time.

The legislature passed a \$69.3 billion, two-year operating budget to fund critical state services, including behavioral health, public schools, affordable housing, and a historic investment to address the climate crisis. This budget includes a significant new investment of \$2.9 billion for K-12 education, the largest investment since the McCleary court decision, and \$417 million for special education. For the first time, funding of more than \$400 million from the Climate Commitment Act will be allocated for projects to reduce carbon emissions and help prepare communities for climate-change-related threats such as

droughts and flooding. The new Working Families Tax Credit will continue to receive funding, offering up to \$1,200 per year to low-income families.

The operating budget also includes \$519 million for housing and immediate shelter needs for people experiencing homelessness across the state, including the Right of Way Safety Initiative, which aims to transition unsheltered people to safer housing and services. Combined with investments from the capital budget, new housing-related investments exceed \$1 billion.

Operating Budget Highlights for Housing, Human Services, and Poverty Reduction (\$69.3 billion):

- \$95 million for food assistance programs.
- \$44 million to fund an 8% increase to Temporary Assistance for Needy Families (TANF); Aged, Blind, & Disabled (ABD); and other cash assistance programs.
- \$35 million to increase support for foster care.
- \$140 million for emergency housing and rental assistance.
- \$150 million for the covenant homeownership program.
- \$60 million for encampment response and outreach.
- \$26 million for increased funding to the Housing and Essential Needs program.
- \$40 million to fund the Working Families Tax Credit.

Capital Budget Highlights (\$8.98 billion):

Housing

- \$400 million for the Housing Trust Fund.

Behavioral Health

- \$613 million to continue construction on the new Western State Hospital, which will provide 350 additional beds to care for forensic patients.
- \$211 million in behavioral health capacity grants for community behavioral health services, including crisis stabilization, substance use disorder, inpatient treatment, and services focused on youth.

LEGISLATIVE AGENDA SUCCESSES

For a briefer summary of FAN's legislative agenda successes, see our [legislative successes summary document](#).

Gun Violence Prevention and Public Safety

FAN and coalition partners celebrated historic victories in gun responsibility this session! Washington has become the 10th state to ban the sale of assault weapons after **HB 1240 Establishing Firearms-Related Safety Measures to Increase Public Safety** (effective date 4/25/23) was successfully passed this year following seven years of efforts. This momentous victory is accompanied by the passing of **HB 1143 Firearms Permit Requirements** (effective date 1/1/24), which mandates a 10-day waiting period and safety training for all firearm purchases, marking a significant step toward creating safer communities. Another significant gun responsibility bill, **SB 5078 Firearm Industry Responsibility & Gun Violence Victims' Access to Justice Act** (effective date 7/23/23) also passed on partisan lines. This bill ensures that firearms manufacturers and sellers will face liability if they fail to establish, implement, and enforce reasonable controls in the manufacture, sale, distribution, and marketing of firearms to keep them out of the hands of dangerous individuals.

These victories were years in the making and a result of tireless efforts by gun violence survivors who shared their experiences with lawmakers. Firearms are the leading cause of death among children in the United States. The passing of these bills is a major win for all Washingtonians and will help ensure responsible gun ownership while reducing the risk of gun violence.

Also notable this session was the passing of **HB 1177 Missing and Murdered Indigenous Women & People (MMIWP) Cold Case Unit**, which passed unanimously and creates a cold case investigations unit within the Office of the Attorney General.

Regrettably, **SB 5427 Bias Incidents Hotline**, which aimed to create a reporting hotline to track hate crimes and bias incidents and establish an assistance fund akin to Oregon, did not clear the Senate Committee on Ways & Means due to budgetary constraints.

Voting Rights and Transparency

This session was remarkable regarding voting rights with updates to automatic voter registration and the passing of **SB 5082 Repeal Statewide Advisory Votes**. This bill abolishes the nonbinding and misleading advisory votes on the ballot that discourage some people from voting. The bill also mandates the creation of a public website that provides summaries of operating, capital, and transportation budgets, as well as graphs and charts that detail state and local expenditures.

Abolishing the Death Penalty

FAN and coalition partners were present at the Governor's signing of **SB 5087 Repealing the Death Penalty and other Unconstitutional State Statutes**. The passage of this bill is the result of decades of advocacy and support in faith communities to abolish the death penalty. As an organization that represents diverse faith traditions that uphold the sacredness of human life, FAN actively supported and testified in favor of the repeal of unconstitutional and unenforceable statutes, including the death penalty and forced sterilization. Such statutes not only mislead the public, but also make it more challenging for people to comprehend the law.

We are particularly overjoyed that the state legislature agreed to repeal the death penalty, which was never in the best interests of our justice system or the safety of our citizens. The death penalty's inevitable application in a racially discriminatory manner made it unconstitutional. This is a significant victory for FAN and our partners who believe in a fair and just society.

Promote Economic Justice

The biggest success in this area is full funding for the **Working Families Tax Credit (WFTC)** and the passage of **HB 1477 WFTC Fixes** to extend eligibility to Married Filing Separately tax filers, which helps survivors of domestic violence; increase the time limit to file claims to 3 years; and create a legislative reporting requirement. About 400,000 households are eligible for the WFTC, and 150,000 applications have already been submitted. Individuals and families may receive up to \$1,200 annually. FAN has been working on statewide outreach, including multiple Letters to the Editor across the state.

Unfortunately, **HB 1045 Statewide Guaranteed Basic Income (GBI) pilot programs** and **SB 5125 Washington Future Fund "Baby Bonds"** died early in the session. **HB 1045** would have established statewide pilot programs to put cash into the pockets of people in communities experiencing economic instability. Instead, the legislature approved further funding to extend the GBI pilot program in Tacoma called GRIT. **SB 5125** would have created funds that every child born under Medicaid could use as an adult for homeownership, education, or entrepreneurship.

FAN is a member of the **Balance Our Tax Code Coalition** that worked this session toward the potential passage of **SB 5486 Extreme Wealth Tax** during the next legislative session. The bill was discussed during a hearing in the Senate Committee on Ways & Means, but did not progress any further this year. If enacted, **SB 5486** would create a targeted property tax on extreme wealth generated through stocks, bonds, and other financial assets. The revenue generated by this tax would be directed toward essential services such as education, housing, disability services, and tax credits for working families. The tax

would only apply to the wealthiest individuals in Washington (less than 0.01% of the population) with the first \$250 million of assessed value being exempted.

Protect and Expand the Social Safety Net

We worked with the Anti-Hunger and Nutrition Coalition and Washington Anti-Poverty Advocates Group to build on the successes of last year's session, which saw record-high funding levels due to federal Covid dollars and increased revenues. Although this year's session presented budgetary challenges, we were still able to make progress on our priority bills through negotiation. While we didn't receive full funding for our budget asks, we were successful in securing free meals for an additional 90,000 students, a significant achievement. Furthermore, we are thrilled to report that all our social safety net bills passed, demonstrating our unwavering commitment to fighting hunger and poverty in Washington.

- **HB 1238 Free School Meals for More Students** expands the subsidized meal program in schools to about 90,000 more students, to provide meals as part of the right to education. This helps create a pathway to ending child hunger and eases the financial burden on families.
- **HB 1559 Hunger Free College Campus** ensures that all students receiving food stamps have a Basic Food, Employment, and Training program (BFET) navigator to help them gain access to food, employment, and training services.
- **HB 1784 Concerning Hunger Relief** provides funding to food banks, supports senior meals, and invests in the fruit and vegetables incentive program, to replace federal pandemic food benefits that have ended.
- **HB 1447 Temporary Aid to Needy Families (TANF) Improvements** strengthens the ability of TANF to meet foundational needs of children and families through various fixes.
- **HB 1260 Aging, Blind, & Disabled (ABD) Program Fix** ends the requirement that extremely low-income disabled people pay back ABD benefits after qualifying for federal assistance, for which they are required to apply.
- Plus Operating Budget investments outlined above.

Protect Healthcare Access and Healthcare Workers

FAN, in solidarity with our union partners, particularly UFCW 3000, celebrates the passage of **SB 5236 Safe Health Care Staffing**, which establishes minimum staffing standards to improve worker safety and patient care.

Last Fall, **Wayside United Church of Christ** hosted an influential press conference attended by the Governor, state legislators, and faith leaders, and proposed bills aimed at protecting reproductive rights and gender-affirming care. Among the bills introduced was **HB 1469 Shield Law**, for which FAN actively advocated and testified during this session. This crucial bill will safeguard healthcare providers and patients in Washington State from out-of-state legal action when they seek or provide reproductive health care services and gender-affirming treatment. We strongly believe that religious freedom is a fundamental pillar of our democracy, and true religious freedom means that individuals seeking essential care can make decisions based on their beliefs and circumstances without interference from other states. With over 270 bills introduced nationwide targeting various aspects of trans lives and even punishing parents, caregivers, and medical providers with felony charges, the passing of this bill is a significant victory in protecting the reproductive rights and healthcare of individuals in Washington State, wherever they come from.

We also celebrate the passage of **HB 1678 Establishing and authorizing the profession of dental therapy**. While not on our official agenda this year, FAN has been part of this work for over a decade and celebrates its passage to enable more people to access dental care, as an essential part of healthcare.

Address Climate Change and Environmental Justice

This legislative session resulted in significant wins for the environment, including the passage of a transformative update to the State's Growth Management Act and an allocation of nearly \$1 billion in Climate Commitment Act (CCA) dollars. The allocation of CCA funds will help reduce pollution, improve public health, and invest in vulnerable communities and tribal nations. With the passing of **HB 1181 Planning for a Climate Friendly Future**, the largest and fastest-growing counties and cities in Washington will be required to reduce greenhouse gas emissions and vehicle miles traveled through land use planning. It requires all counties planning under the Growth Management Act (GMA) to plan for resilience and to address the impacts of climate change in land use plans.

Notable clean energy and environmental investments include:

- \$410 million for salmon habitat protection and restoration programs.
- \$50 million for tribal adaptation grants.
- \$38.6 million for community-directed grants to overburdened communities.
- \$26.3 million for implementing the Healthy Environment for All (HEAL) Act.
- \$120 million for a medium- and heavy-duty vehicle charging program.

In light of climate change impacts, the Legislature also approved **HB 1329 Extreme Heat Utility Shutoff Moratorium**, ensuring access to clean water and electricity during extreme heat to preserve dignity and save lives.

Unfortunately, **HB 1131 The Washington Recycling and Packaging Act**, also known as the WRAP Act, did not pass. The act was designed to enhance recycling outcomes, establish a bottle deposit system and a producer responsibility system for packaging, and reduce excessive packaging. It would have enabled more than 360,000 households in Washington to access recycling services. Although it did not pass during this year's session, a proviso was included in the budget to explore its potential benefits. We remain optimistic about the future passage of this act.

Together with Earth Ministry and in support of our Indigenous communities, we successfully advocated for funding for studies related to removing the **lower Snake River dams**. Restoration of the river is an essential component of the regional strategy for salmon recovery.

- **Freight: The Transportation Budget includes \$5 million** for an analysis of highway, road, and freight rail transportation needs and alternatives to accommodate the remaining freight that still moves by barge through the still waters behind the lower Snake River dams.
- **Energy: The Operating Budget provides \$2 million** in funding, consistent with our state's clean energy goals, to develop a detailed action plan to transition the lower Snake River dams' energy services in a manner that maintains reliability and adequacy, and that diversifies and improves the resilience of the electric power system.
- **Irrigation: The Operating Budget also provides \$500,000** in funding for an analysis to plan for irrigation availability during drawdown of water behind the dams and after the lower Snake River is restored, maintaining important agricultural production and jobs.

Provide Affordable Housing

While there were important victories for low-income people in Washington, lawmakers missed opportunities to make significant, long-term progress to address the affordable housing crisis. Housing was proclaimed the top priority by lawmakers and the public. **Yet bills that would have stabilized rents, provided longer notice of rent increases, and created permanent funding with progressive revenue to build affordable homes were not passed. This includes HB 1124 Addressing Excessive Rent Increases and Fees, HB 1388 Protecting Renters, and HB 1389 Concerning Residential Rent Increases, as well as**

Gov. Inslee's proposed \$4 billion bond for housing construction. Instead, the legislature passed bills to make it easier for developers to build market-rate housing, which will not provide the affordable homes our communities need.

Despite the disappointments, there were significant wins, including in the Capital Budget, which allocates **\$400 million for the Housing Trust Fund** and significant funding for affordable homes, homeless youth, and infrastructure for building new affordable homes. The Operating Budget also includes significant funding for homelessness prevention and assistance programs. We are grateful for the Washington Low Income Housing Alliance (WLIHA) for their leadership in organizing housing advocacy!

Also notable this session is the passage of **HB 1110 Increasing Middle Housing in Areas Traditionally Dedicated to Single-Family Housing** and the pioneering **HB 1474 Covenants Homeownership Account Act**, which provides compensation for victims of restrictive racial covenants that led to housing exclusion and segregation, denying opportunities to BIPOC families for generations. The act creates a covenant homeownership account and program, which will offer down payment and closing cost assistance to eligible first-time homebuyers belonging to groups identified in a covenant homeownership program study. Participants must meet specific criteria, including income limitations.

The Capital Budget made significant investments in affordable homes, including:

- \$400 million for the Housing Trust Fund. (See how the [Housing Trust Fund breaks down here.](#))
- \$40 million for land acquisition to quickly acquire land for affordable housing to be built.
- \$14.5 million for shelter and housing for homeless youth and young adults.
- \$6 million for preservation and investments in manufactured housing communities.
- \$60 million for infrastructure needed when building new affordable homes.

The Operating Budget highlights include:

- An 8% increase in the Aged, Blind & Disabled (ABD) cash grant starting in 2024.
- A permanent ongoing increase of \$26.5 million for the Housing and Essential Needs rental assistance program.
- An ongoing homeless services increase of 6.5% to \$45 million.
- Over \$50 million for **HB 1260 ABD Fix** to eliminate the ABD repayment requirement.
- \$5 million for eviction prevention and increased funding for tenant's right to counsel.
- \$150 million for **HB 1474 Covenant Investment Act** to provide homeownership opportunities for people harmed by racist real estate practices like racially restrictive covenants and redlining.

Support Immigrant Rights

The Health Equity for Immigrants Campaign, which includes **FAN, Washington Immigrant Solidarity Network (WAISN), Northwest Health Law Advocates (NOHLA), ACLU, and other advocacy groups**, has been working tirelessly for several years. In the second half of this legislative session, our main focus was to secure funding for a Medicaid-like program as the Senate had originally allocated zero dollars toward it. We advocated relentlessly for full funding to start in January 2024, in addition to continuing the existing \$110M funding for the Healthplan Finder program. Our efforts paid off, and we are thrilled that a Medicaid-like program will be established in 2024. However, we are disappointed with the program's delayed start to July 2024 and the insufficient funding levels of \$49.5 million, which will leave tens of thousands of people in WA without access to health coverage. Nonetheless, we are proud of the legislature for laying a strong foundation, and we will continue to build on it in the coming years. We would like to extend our gratitude to our legislative champions, Reps. Thai, Macri, and Ricelli, and Sens. Cleveland and Saldaña. While there is more work to be done, we made significant progress this year including:

- **\$110 million** to continue funding for the Exchange's Cascade Care Savings program, some of which will be available to undocumented immigrants under 250% of the Federal Poverty Level (FPL) starting January 2024.
- **\$49.5M** for a new Medicaid-like program for undocumented immigrants under 138% FPL starting July 2024.
- **\$7.7M** in new funds to increase the limited number of low-income immigrants eligible for long-term care support.
- **\$3.7M** in new funds to support outreach, customer assistance, and administration for the new programs.

We are also grateful the Legislature approved **\$8 million for an immigrant legal defense fund**.

Criminal Justice Reform and Policy Accountability

The criminal justice reform and police accountability section of our legislative agenda continued to struggle this session. **HB 1087 Solitary Confinement Reform** was approved by the House Committee on Community Safety, Justice, & Reentry but failed to advance out of the House Appropriations Committee. **HB 1024 Real Labor, Real Wages Act** did pass out of Appropriations, but not the House Rules Committee, despite negotiations to reduce the fiscal note. The initial aim of the bill was for incarcerated workers to be paid minimum wage instead of the current \$0.49/hour average wage. The substitute bill would have mandated that incarcerated persons participating in certain Correctional Industries work programs must be paid no less than \$1.50 an hour. It would also have required that the amount paid to an incarcerated person participating in a Class III work program must be no less than \$200 a month. The Department of Corrections would have also been required to submit a report related to debt incurred by incarcerated persons for the cost of items and services while incarcerated.

FAN is a member of the **WA Coalition for Police Accountability (WCPA)**, which is made up of affected families and their ally advocates. The top priority for WCPA this session was to defend and maintain the meaningful reforms passed in 2021. The **WCPA** had their lobby day at the Capitol mid-session. They were joined by freshman Reps. Dariya Farivar, Sharlett Mena, Juliet Reed, and Chipalo Street, who stated their support for reform. The advocates gathered around the legislative building's rotunda and voiced the names of those who have been killed — including Manny Ellis, Charleena Lyles, and Stonechild Chiefstick — reminding legislators that many lives and families have been impacted. Though the coalition fought hard all through the legislative session, their priority bills unfortunately did not pass:

- **HB 1025 Access to Fairness Act**, which would have authorized victims of police misconduct and their families to sue for violations of state laws, bypassing the federal shield of qualified immunity.
- **HB 1579 Independent Prosecutor**, which would have created a state office to ensure fair and transparent prosecutions.
- **HB 1513 Traffic Safety for All**, which would have ended stops for non-moving violations to reduce disproportionate impacts on communities of color.
- **HB 1445 AG Investigations & Reform**, which would have empowered the Attorney General's office to take action on systemic civil rights violations at law enforcement agencies.

The legislature comprised and passed **SB 5352 Police Pursuits**. This bill lowers the threshold for police to engage in chases from "probable cause" to a "reasonable suspicion" of violent and sex crimes. The bill allows pursuits for domestic violence and vehicular assaults, and suspects can be chased if they pose a "serious risk of harm to others" as opposed to a stricter "imminent threat" standard in the current law.

The Blake Decision regarding Substance Use

On the last day of session, the House intensely debated and failed to pass a major piece of legislation, **SB 5536 the Blake Fix**. The vote was **43-55 with all 40 Republican lawmakers voting "no" along with 15**

Democrats. The legislative debate on drug possession penalties was divided between those advocating for harsher punishment and those calling for a public health-oriented approach to addiction and substance use. SB 5536 would have increased the penalties for drug possession to a gross misdemeanor (up to 364 days in prison) rather than a misdemeanor. Republican lawmakers sought stricter penalties than what was proposed. The bill was intended to create a solution to the Washington State Supreme court's ruling that the state's felony drug possession law was unconstitutional in 2021 (State v. Blake). In response to the ruling, the state legislature implemented a temporary fix that treated drug possession as a misdemeanor, but this expires in the summer. **Thus, the state legislature may have to hold a special session to pass a Blake Fix before the law expires.** Without a legislative fix to Blake, on July 1, 2023, the State of Washington will have no drug possession laws on the books. This opens the door for local governments to create their own solutions when the current law expires, leading to a perplexing assortment of drug possession regulations that differ from one location to another throughout the state.

For more information on any of these bills, please see the state website, <https://leg.wa.gov>.

To connect with FAN Policy Engagement Director Kristin Ang on any of these bills or continuing work with our coalition partners, contact her at ang@fanwa.org, or call us at 206-625-9790.

Thank you for your advocacy during the 2023 session and all year long!