

## **AAUW WA State Legislative Update 2/11/2021**

**From: Nancy Sapiro nsapiro@nwjustice.net – AAUW WA Lobbyist**

### **Week 5**

The 2021 legislative session is fast-approaching its first official cutoff deadline: policy committee cut-off. February 15<sup>th</sup> is the last day to pass bills out of policy committee. This does not apply to bills before House Appropriations, Senate Ways & Means, or transportation committees. Between February 15 and 22, the fiscal committee members will meet almost daily as they consider all of the policy bills that have fiscal implications. Bills must pass out of their fiscal committee to keep moving forward in the process. [Learn more about the 2021 session cutoff calendar here.](#)

*With legislative session taking place online and over Zoom, there are more ways to engage on the issues you care about. more about [how to access the legislature remotely here](#) and get detailed information about [how to testify remotely here](#).*

## **Updates on AAUW's Legislative Priorities**

### **Capital gains tax ([HB 1496](#))**

The House's proposal for a capital gains tax was heard in the House Finance Committee this week. With over 1,600 people signed-in in support (and 479 against), the hearing was a bold demonstration of strong public support for progressive tax reform. Dozens of people signed in to testify during the hearing. Testifying in support were child care providers, working parents, small business owners, and potential payers of the new tax. A unique feature of HB 1496 is that it dedicates 50% of revenue in the first two years to early learning and child care. In future years, the dedicated revenues for early learning would grow to 60%.

Progressive, new revenue is desperately needed in Washington. Washington has the most unbalanced, broken tax system in the country. Our state's combination of tax loopholes and special deals for the rich means the wealthiest among us get richer while regular working families pay more — as much as 6 times the rate the wealthiest pay. It doesn't have to be this way. New, progressive revenue combined with investments to build thriving communities can turn our upside-down tax code right-side up.

### **Working Families Tax Credit ([HB 1297](#) / [SB 5387](#))**

There have been no big changes on the Working Families Tax Credit since it was heard and voted out of its policy committee last week. It is now awaiting a hearing in House Appropriations. Last week, over 1,100 people signed in PRO to support HB 1297, sponsored by Representative Thai. Powerful testimony was shared by farm workers, child care providers, and anti-hunger advocates in support of the bill. SB 5387, the Senate companion, was heard on Thursday and also saw strong support.

The Working Families Tax Credit would provide a \$500 annual cash payment to low- and moderate-income workers each year with an additional payment for children in the home. The tax credit would be available families who qualify for the EITC. It would also be available to immigrant families who file with an Individual Tax Identification Number (ITIN). This new cash benefit would reach 500,000 Washingtonians and a quarter of all Washington children. The tax credit is modeled off state-based Earned Income Tax Credits, which are some of the [most-studied and best-proven anti-poverty policies](#). You can learn more about the [Working Families Tax Credit from the Washington Budget and Policy Center here](#).

### **Fair Starts for Kids Act (SB 5237/HB 1213)**

[HB 1213](#) and [SB 5237](#) have both been voted out of their respective policy committees and now head to the House and Senate fiscal committees (Appropriations and Ways & Means). HB 1213 will be heard in House Appropriations next week on February 16<sup>th</sup> at 1:30. SB 5237 has not been scheduled for a hearing.

These bills aim to address Washington's child care crisis. Nearly 550,000 children in Washington state do not have access to child care [according to Child Care Aware](#). The Fair Start for Kids Act, HB 1213/SB 5237, looks to address years of underinvestment in early childhood education. This legislation would require substantial new investments in Washington's early learning system.

The legislation addresses a range of investments related to early learning, including:

- Lower co-pays for Working Connections Child Care families (the state's child care subsidy program)
- Increased eligibility for Working Connections Child Care to families at or below 75% of state median income
- Expanded Early Childhood Education and Assistance Program (ECEAP) eligibility
- Expansion of a statewide mental health consultation program

### **Improving Access to Paid Family and Medical Leave (HB 1073 & SB 5097)**

[HB 1073](#) and [SB 5097](#), two proposals to improve access to paid family and medical leave, are continuing to move forward. HB 1073 has been narrowed to primarily address employees whose hours were reduced due to COVID-19 and no longer meet the 820 hours worked requirement for PFML. It also includes an expanded definition of family member to include chosen family. HB 1073 has been referred to Appropriations.

SB 5097 also includes an expanded definition of family member and maintains job protection and health insurance continuation for workers using the leave – current protections are restricted to workers who qualify for the federal Family and Medical Leave Act. Both bills change the definition of family to include chosen family. These protections would go into effect in July 2022. SB 5097 has been referred to Rules and is on second reading, a positive sign of forward progress.

### **Protecting Pregnant Patients Act (SB 5140)**

[SB 5140](#), sponsored by Senator Patty Kuderer, is still in Senate Rules on second reading and is waiting to be pulled to the floor for a vote! SB 5140 will ensure that health care providers can provide pregnant patients who are experiencing complications of pregnancy, miscarriage, or an ectopic pregnancy, the necessary care they need and that their health and lives are not placed at risk. The policy will ensure that providers are able to provide the appropriate standard of care treatment for their patients, without risk of retaliation by their employer. We have been attempting to get this policy passed for many years and are hopeful that this will be the year that we can get it across the finish line.

### **Abortion Coverage in Student Health Plans (HB 1009)**

HB 1009 remains in House Rules Committee for review. This bill sponsored by Rep. My-Linh Thai will require abortion coverage to student health care plans. [House Bill 1009](#) aims to extend the Reproductive Parity Act to student health plans. Under the RPA, health insurance plans in Washington providing coverage for maternity care must provide equivalent coverage for abortion services.

### **Removing proof of marriage in sexual assault cases (SB 5177)**

In Washington statute, the language “and not married to the perpetrator” is used through the law to define who is guilty of a sex offense. Due to this, marriage can be used as a legal defense for rape – creating a loophole allowing sex offenders from out of state to avoid registering in Washington. “Ours is one of only a handful of states where our inconsistency in legal language with other states has enabled certain sex offenders to avoid registration,” [said Senator Cleveland](#), the bill’s prime sponsor. “It’s time for our state to join the rest of the modern world and ensure that sex offenders from other states are registered in our state as well.”

[SB 5177](#) will remove this horrific language from statute. The bill was passed out of committee on January 28<sup>th</sup> and remains in the Senate Rules Committee. It has been placed on second reading which is a positive sign of progress toward a floor vote.

### **Improving care for survivors of non-fatal strangulation (SB 5183)**

[SB 5183](#) was heard this week in Ways & Means – you can [watch the hearing here](#). It now waits to be scheduled for executive session. This bill directs the Office of Crime Victims Advocacy to develop practices that local communities may voluntarily use to create more access to forensic nurse examiners in cases of nonfatal strangulation assault. It also authorizes the Crime Victims Compensation Program to pay the forensic examination costs. This bill would help survivors of domestic violence to get more appropriate care for their injuries. With non-fatal strangulation, injuries may present after the assault or much later and may persist for months and even years post-assault. This bill will help provide new resources for expanding access to trained medical staff to provide appropriate care for these injuries.

**Extending Apple Health to pregnant persons through 12 months postpartum (SB 5068)**  
**Momentum continues to grow for [SB 5068](#)! The bill has been scheduled for a public hearing in Ways & Means on February 15<sup>th</sup> – a great sign of continued momentum for the bill! Members of the public can show support for the bill [by signing-in as PRO for next week's hearing here.](#)**

SB 5068 will extend Medicaid coverage to 12 months postpartum. This policy passed last session with overwhelming support but was unfortunately vetoed by the governor due to the cost of the program, the emergence of the COVID crisis and the looming budgetary shortfall. Senator Randall has re-introduced the bill in 2021, with strong bi-partisan support. SB 5068 would extend postpartum Apple Health coverage from 60 days to 12 months, with the same eligibility standards as the current program (up to 198% FPL). It would also direct HCA to pursue a waiver to draw down federal matching funds. The Maternal Mortality Review Panel's [findings](#) that 30% of all pregnancy-related maternal deaths and the majority of suicides and accidental overdoses occur 43 to 365 days after delivery. There are significant racial [disparities](#) in maternal mortality rates, as well. American Indian and Alaska Native women are six to seven times as likely to die from a pregnancy related cause as white women. At the federal level, there was bipartisan legislation that would have provided federal match to states that chose to extend postpartum Medicaid to 12 months. Unfortunately, action wasn't taken on the bill before Congress adjourned. It is expected that it will be reintroduced with the beginning of the 117<sup>th</sup> session of Congress.