

## **AAUW WA State Legislative Update 3/19/2021**

**From: Nancy Sapiro nsapiro@nwjustice.net – AAUW WA Lobbyist  
Week 10**

The tenth week of legislative session brought the return of busy hearing schedules and exciting committee activity. Policy bills have until March 26 to pass out of policy committees in the opposite chamber. This week also brought big news from the Washington Economic and Revenue Forecast Council: with revenues forecasted to be [up \\$1.9 billion through 2023](#). But as [this analysis from the Washington Budget and Policy Center explains](#), these rebounding numbers do not reflect the lived realities of Washington families: more than a quarter of households are having a hard time paying for basic needs, one in ten households and one in three small businesses are behind on rent, and one third of Washingtonians are going hungry, 60% of those households include children.

As the analysis points out, lawmakers made billions of dollars worth of cuts to services during the Great Recession that were never restored. While that state forecast may look positive, it is critical that advocates are pointing out that the numbers on a balance sheet don't tell the full story for communities across the state. The Senate and House use the revenue forecast to inform their proposed budgets which could be released as early as next week.

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

#### **Tax on extraordinary wealth from capital gains ([SB 5096](#))**

**On Monday, March 15<sup>th</sup>, the House Finance Committee heard SB 5096.** During the hearing, advocates heard robust testimony in support of the bill from tax experts, child care providers, wealthy individuals, and advocates. Over 2,000 people signed in PRO on the bill, out-performing CON sign-ins two-to-one. The bill previously passed the Senate in a narrow 25-24 vote.

This bill would put a new 7% tax on extraordinary wealth from capital gains. The first \$250,000 a year in capital gains would be exempt as would all real estate transactions. The revenues from the tax would be allocated to the Education Legacy Trust Account and a newly created Taxpayer Relief Account. SB 5096 would be the most progressive reform to Washington's tax code in decades. It would also jumpstart Washington's economic recovery. According to [analysis from the Washington Budget & Policy Center](#), this proposal would generate nearly 20,000 new jobs each year, more than half of which would be in the private sector. Investments enabled by the tax would increase state GDP by nearly \$2 billion each year and increase consumer spending at small businesses by \$1.2 billion a year.

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

After passing the House with an overwhelming 94-2 vote, **HB 1297 was heard in the Senate Human Services Committee on Tuesday. It was voted out of committee unanimously on March 18<sup>th</sup>.**

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 ([HB 1213](#)/[SB 5237](#))**

**SB 5237 was heard in the House Children, Youth, and Families Committee on Thursday, March 18<sup>th</sup>** where legislators heard strong statements of support from parents and childcare providers as well as the Association of Washington Business. **HB 1213 is scheduled for a hearing in the Senate Early Learning Committee on March 22** and is scheduled for executive session on March 24<sup>th</sup>. Both bills will require historic, new investments in early learning. 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, continue to move forward in their respective opposite chambers. **HB 1073** was heard in Senate Labor on March 11 and **voted out of committee on March 17<sup>th</sup>**. It's been referred to Ways & Means. **SB 5097** was heard in House Labor on March 16<sup>th</sup> and **moved out of committee on March 19<sup>th</sup>**. HB 1073 has been narrowed to solely address employees whose work hours were reduced due to COVID-19 and are no longer able to meet the 820 hours worked requirement for PFML. SB 5097 expands the definition of family member for family leave to include chosen family.

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

SB 5140 continues to move forward in the House. **The bill was voted out of House Health Care on March 17<sup>th</sup>** with an amendment that removed the provision that entitled the prevailing party to recover costs of litigation but instead gives the court discretion in allowing for the recovery of legal costs. 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.

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

HB 1009, sponsored by Rep. My-Linh Thai, will require abortion coverage to student health care plans. The bill was heard in Senate Health on March 17<sup>th</sup> and was **exec'd out of committee on March 19<sup>th</sup>**. This legislation 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](#))**

After passing the Senate in a unanimous vote, SB 5177 **will be heard in House Public Safety on March 19<sup>th</sup>**. It is scheduled for executive session on March 25 and 26 – a positive sign of committee support.

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.

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

SB 5183 was heard in House Public Safety on March 11 and is **scheduled for executive action on March 23**. 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. It passed the Senate unanimously.

### **Extending Apple Health to pregnant persons through 12 months postpartum ([SB 5068](#))**

This critical health care access bill continues to make forward progress in the legislature. SB 5068 was heard in House Appropriations on March 18 and **is scheduled for executive session on March 22.**

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. The new federal COVID relief package (the American Relief Plan Act) includes a five-year option for states to elect to extend postpartum coverage. Starting in April 2022 states will be able to receive federal matching funds at the standard match rate.

### **Keep Our Care Act ([SB 5335](#))**

There are no updates on the Keep Our Care Act. The bill has not moved since its introduction which means it is unlikely to move forward this session.

This bill was proposed to address the rapid series of hospital mergers across the state that could threaten access to reproductive, end-of-life, and gender-affirming health care. In July of last year, Virginia Mason Health System and CHI Franciscan, a Catholic hospital system, announced plan to merge their 12 hospitals and more than 250 treatment clinics in the Puget Sound, Yakima, and central Washington regions. This merger follows the merger of Swedish Medical Center with Providence Health & Services, a Catholic hospital, in 2012 after which Swedish stopped providing most abortion care. Patients at Catholic and religious hospitals also report lack of access to end-of-life care and gender affirming surgery. If this latest merger succeeds, Bellingham, Centralia, Walla Walla, and Yakima will only have Catholic hospitals.