

## AAUW WA State Legislative Update 3/5/2021

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

### Week 8

The House and Senate are working around the clock to consider bills in the House and Senate as both chambers approach house of origin cutoff on Tuesday, March 9. House of origin cutoff is the date by which bills must be passed out of the chamber – the House or the Senate – where they were proposed. Bills considered necessary to implement the budget, or NTIB, are not subject to this cutoff. With floor votes taking place over Zoom, it's taking longer than usual for bills to be voted on, meaning the number of bills that lawmakers will have time to consider may be much more limited than previous years.

*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

#### **Tax on extraordinary wealth from capital gains ([HB 1496/SB 5096](#))**

Two weeks ago, the Senate took an extraordinary vote to advance SB 5096, a proposal to tax extraordinary wealth from capital gains. **The Senate is expected to take up the bill for a vote soon** and a striking amendment by Senator Robinson has been introduced. The amendment would add intent language specifying that revenues should be invested in early learning, child care, and the Working Families Tax Exemption.

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](#) / [SB 5387](#))**

The Working Families Tax Credit was passed out of House Appropriations in a remarkable 28-5 vote with 8 Republicans joining Democrats to support the bill. **The bill is on the House floor calendar**, but since it is related to revenue it could be considered NTIB and passed after cutoff. The Senate companion bill is no longer moving.

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](#))**

**HB 1213 has been pulled from Rules, meaning it is ready for a floor vote while SB 5237 has been placed on second reading, a positive sign of progress.** Both bills will require large, 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](#))**

Victory! Both HB 1073 and SB 5097, two proposals to improve access to paid family and medical leave, have been passed out of their houses of origin and now head to the opposite chambers. 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.

The job protection provisions in SB 5097 were removed in a floor amendment, but the bill retained its expanded definition of family member to include chosen family as well as better data reporting from the state.

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

SB 5140 has moved over to the House for consideration and is **scheduled for a public hearing in House Health Care & Wellness on March 11**. 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 passed the House this week in a 57-40 vote in late February. **It has been referred to Senate Health & Long Term Care.** HB 1009, 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](#))**

There are no new updates on SB 5177, which passed the Senate in a unanimous vote. This is a powerful statement of support as the bill is now in the House Public Safety Committee.

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 passed the Senate in a unanimous 49-0 vote last week and has been **scheduled for a hearing in the House Public Safety Committee on March 11.** 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](#))**

After passing the Senate, SB 5068 has moved to the House. It has been **scheduled for a public hearing on March 10 in House Health Care & Wellness** and is already on the calendar for executive session on March 11 – a promising sign of support.

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.