

WASHINGTON STATE BAR ASSOCIATION

TO: WSBA Board of Governors
CC: Terra Nevitt, Executive Director
FROM: Sanjay Walvekar, Legislative Affairs Manager
DATE: April 8, 2022
RE: 2022 Legislative Session Report/Wrap-Up

BACKGROUND: The following is provided for the Board's information regarding action taken by the Legislature during the 2022 session.

The 60-day 2022 legislative session began on January 10 and adjourned Sine Die on March 10. Legislators passed a [\\$17 billion transportation package](#) providing funding for [new ferries, roadway maintenance, and public transportation improvements](#) and a [\\$64.1 billion supplemental operating budget](#) that funds [raises for state workers, rental assistance, and further support of the state's mental health system](#).

OVERVIEW:

2022 WSBA Legislative Priorities

Priority# 1: Support Bar-request legislative proposals initiated by WSBA Sections that are approved by the Board.

This year's Bar-request legislation, [Senate Bill \(SB\) 5489](#), passed the Legislature and was signed into law by Governor Inslee. Originating from the Corporate Act Revision Committee and the Partnerships and LLC Law Committee of the Business Law Section, SB 5489 aims to modernize and clarify portions of Washington's Business Corporations Act, Uniform Limited Partnership Act, and Limited Liability Companies Act.

Priority #2: Support non-Bar request legislative proposals approved by the Board under GR 12.

The Board of Governors Legislative Committee monitored bills for potential Bar support, including [Engrossed 4th Substitute House Bill 1412](#) (concerning legal financial obligations) and [Engrossed Substitute Senate Bill 5490](#) (creating the interbranch advisory committee). The Legislative Committee did not approve any non-Bar request legislation for WSBA support this legislative session.

Priority# 3: Monitor and take appropriate action on legislative proposals significant to the practice of law and the administration of justice.

The WSBA Legislative Affairs team monitored several legislative proposals that might have impacted various WSBA entities. The following is a list of some of the key bills that were monitored and involved working collaboratively with relevant WSBA Sections:

- [Substitute Senate Bill 5548](#): Concerning the Uniform Unregulated Child Custody Transfer Act. This legislation prohibits a parent or guardian of a child, as well as an individual with whom a child has been placed for adoption, from transferring custody of a child to someone beyond family members and other specified categories of individuals. The bill was supported by the Family Law Section and passed the Legislature this session.
- [Senate Bill 5788](#): Concerning guardianships of minors. This bill makes several changes to provisions of law related to a minor guardianship, including changes to the definition of “guardianship ad litem” and establishing concurrent jurisdiction between a juvenile court and a probate court over minor guardianship proceedings. The bill was supported by the Family Law Section and passed the Legislature this session.
- [Substitute House Bill 1901](#): Updating laws concerning civil protection orders. This bill is a follow up to last year’s E2SHB 1320, which established a new chapter of law to govern all types of protection orders. This year’s legislation revises provisions governing court jurisdiction over civil protection order proceedings and includes “coercive control” within the definition of domestic violence (and defines the term), among other changes. The bill was supported by the Family Law Section and passed the Legislature this session.
- [Substitute House Bill 1747](#): Supporting relative placements in child welfare proceedings. This bill makes several changes to dependency court proceedings and guardianships, including prohibiting a child who is placed with a relative or other suitable person from being moved unless, under certain criteria, the court finds that a change in circumstances necessitates a change in placement. This bill was supported by the Family Law Section and passed the Legislature this session.
- [Substitute House Bill 2050](#): Repealing requirements for parent payment of the cost of their child’s support, treatment, and confinement. This bill eliminates the requirement for parents or other legally obligated persons to pay a portion of the cost of their child’s support, treatment, and confinement while that child is confined or detained. The bill was supported by the Family Law Section and passed the Legislature this session.

- [Senate Bill 5629](#): Concerning control of the disposition of remains. This bill requires the relinquishment of the right of control for the disposition of human remains if any person has certain convictions or had certain orders issued against the person that are related to the decedent. This legislation was supported by the Real Property, Probate and Trust Section. The bill passed the Senate but did not advance in the House this session.

Session statistics

During the legislative session this year, the WSBA Legislative Affairs team:

- Referred **296** bills to WSBA Sections;
- Monitored approximately **30** committee hearings;
- Testified and/or coordinated testimony for **6** hearings; and
- Participated in approximately **10** meetings with legislators and staff.

Legislative Interim

For bills that did not achieve final passage this year, legislators have already expressed an interest in studying issues for potential reintroduction in 2023. A few bills and issues to watch include:

- [Second Substitute House Bill 1850](#) and [Senate Bill 5813](#): Concerning consumer data privacy rights and protections. These bills were monitored by the Intellectual Property Section.
- [Substitute Senate Bill 5947](#): Concerning property exempt from execution. This bill was monitored by the Creditor Debtor Rights Section.
- [Substitute Senate Bill 5920](#): Concerning parenting plans. This legislation was monitored by the Low Bono Section and opposed by the Family Law Section.
- [Engrossed Second Substitute Senate Bill 5597](#): Concerning the Washington Voting Rights Act. This bill was monitored by the Civil Rights Law Section.
- [Substitute House Bill 1782](#) and [Substitute Senate Bill 5670](#): Concerning multi-family housing in single family zoned neighborhoods.
- [Senate Bill 5909](#) and [House Bill 1772](#): Concerning changes to Washington's emergency powers statute.
- [House Bill 1507](#): Concerning the authority of the attorney general to investigate and prosecute cases involving the use of deadly force by police officers.

The next legislative session will begin in January 2023 and is scheduled for 105 days, marking the first half of the 2023-2024 biennium. Over the interim, the WSBA Legislative Affairs team will work with Section executive committees to share information about the legislative process, set and align legislative goals, and develop best practices for a successful 2023 legislative session.