
SUBSTITUTE HOUSE BILL 1739

State of Washington 61st Legislature 2009 Regular Session

By House Human Services (originally sponsored by Representatives Wallace, Campbell, Williams, Moeller, Jacks, Pettigrew, and Ormsby)

READ FIRST TIME 02/23/09.

1 AN ACT Relating to promoting accessible communities for persons
2 with disabilities; amending RCW 29A.46.260 and 38.52.070; reenacting
3 and amending RCW 46.16.381 and 43.79A.040; adding a new section to
4 chapter 50.40 RCW; adding a new section to chapter 36.01 RCW; creating
5 new sections; and providing an effective date.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

7 NEW SECTION. **Sec. 1.** The legislature finds that when people who
8 have disabilities are welcomed and included as members of our
9 communities and provided with equal access to the opportunities
10 available to others, their participation enriches those communities,
11 enhances the strength of those communities' diversity, and contributes
12 toward the economic vitality of those communities. The legislature
13 further finds that more than nine hundred thousand Washington state
14 residents with disabilities continue to face barriers to full
15 participation that could be easily eliminated.

16 NEW SECTION. **Sec. 2.** (1) The accessible communities account is
17 created in the custody of the state treasurer. Two hundred dollars

1 from each penalty imposed under RCW 46.16.381 (7), (8), (9), and (11)
2 must be deposited into the account.

3 (2) The account is subject to the allotment procedures under
4 chapter 43.88 RCW, but an appropriation is not required for
5 expenditures. Only the commissioner may authorize expenditures from
6 the account.

7 (3) Expenditures from the account may be used for promoting greater
8 awareness of disability issues and improved access for and acceptance
9 of persons with disabilities in communities in the state of Washington,
10 including:

11 (a) Reimbursing travel, per diem, and reasonable accommodation or
12 meeting expenses for county accessible community advisory committees
13 and for the state and local work group, facilitated by the governor's
14 office, to develop a planning template for local emergency management
15 jurisdictions to identify and respond to the needs of persons with
16 disabilities in disasters as described in RCW 38.52.070;

17 (b) Establishing and maintaining an accessible communities web
18 site;

19 (c) Providing training or technical assistance for county
20 accessible community advisory committees; and

21 (d) A grant program for funding proposals developed and submitted
22 by county accessible community advisory committees to promote greater
23 awareness of disability issues and access for persons with disabilities
24 within the community;

25 (e) Reimbursing the state agency that provides administrative
26 support to the governor's committee on disability and employment for
27 costs associated with implementing this act.

28 NEW SECTION. **Sec. 3.** A new section is added to chapter 50.40 RCW
29 to read as follows:

30 (1) The governor's committee on disability issues and employment
31 shall:

32 (a) Determine eligibility of accessible community advisory
33 committees for reimbursement or for grant funding according to section
34 4(1) of this act; and

35 (b) Solicit proposals from active accessible community advisory
36 committees for projects to improve disability awareness and access for

1 persons with disabilities, and shall select projects for funding from
2 moneys available in the accessible communities account.

3 (2) The commissioner shall adopt rules to administer this section.

4 (3) If funds are available and authorized from the accessible
5 communities account established in section 2 of this act, the
6 governor's committee on disability issues and employment shall
7 establish an accessible communities web site to provide the following
8 information: Guidance, technical assistance, reference materials, and
9 resource identification for local governments, accessible community
10 advisory committees, and public accommodations; examples of best
11 practices for local initiatives and activities to promote greater
12 awareness of disability issues and access for persons with disabilities
13 within the community; and a searchable listing of local public
14 accommodations that have taken steps to be more disability friendly,
15 including information on the specific access features provided.

16 NEW SECTION. **Sec. 4.** A new section is added to chapter 36.01 RCW
17 to read as follows:

18 (1) A county that has an active accessible community advisory
19 committee established under RCW 29A.46.260 may be reimbursed from the
20 accessible communities account created in section 2 of this act for
21 travel, per diem, reasonable accommodation expenses for the
22 participation of that committee's members in committee meetings and
23 sponsored activities, and meeting room costs for the county's
24 accessible community advisory committee meetings.

25 (2) A county establishes that it has an active accessible community
26 advisory committee by submitting annual assurances to the governor's
27 committee on disability issues and employment that:

28 (a) Committee members include persons with a diverse range of
29 disabilities who are knowledgeable in identifying and eliminating
30 attitudinal, programmatic, and physical barriers encountered by persons
31 with disabilities.

32 (b) The committee is actively involved in the following activities:
33 Advising on addressing the needs of persons with disabilities in
34 emergency plans; advising the county and other local governments within
35 the county on access to programs services and activities, new
36 construction or renovation projects, sidewalks, other pedestrian routes

1 of travel, and disability parking enforcement; and developing local
2 initiatives and activities to promote greater awareness of disability
3 issues and access for persons with disabilities within the community.

4 (3) Adjacent counties may form joint accessible community advisory
5 committees, as long as no more than one of the participating counties
6 has a population greater than seventy thousand.

7 (4) A county that is required to establish and maintain an advisory
8 committee under RCW 29A.46.260 may incorporate the functions of that
9 committee into an active accessible community advisory committee.

10 **Sec. 5.** RCW 29A.46.260 and 2006 c 207 s 7 are each amended to read
11 as follows:

12 (1) The legislature finds that the elimination of polling places
13 resulting from the transition to vote by mail creates barriers that
14 restrict the ability of many voters with disabilities from achieving
15 the independence and privacy in voting provided by the accessible
16 voting devices required under the help America vote act. Counties
17 adopting a vote by mail system must take appropriate steps to mitigate
18 these impacts and to address the obligation to provide voters with
19 disabilities an equal opportunity to vote independently and privately,
20 to the extent that this can be achieved without incurring undue
21 administrative and financial burden.

22 (2) Each county shall establish and maintain an accessible
23 community advisory committee that includes persons with diverse
24 disabilities and persons with expertise in providing accommodations for
25 persons with disabilities. The committee shall assist election
26 officials in developing a plan to identify and implement changes to
27 improve the accessibility of elections for voters with disabilities.
28 The plan shall include recommendations for the following:

29 (a) The number of polling places that will be maintained in order
30 to ensure that people with disabilities have reasonable access to
31 accessible voting devices, and a written explanation for how the
32 determination was made;

33 (b) The locations of polling places, drop-off facilities, voting
34 centers, and other election-related functions necessary to maximize
35 accessibility to persons with disabilities;

36 (c) Outreach to voters with disabilities on the availability of
37 disability accommodation, including in-person disability access voting;

1 (d) Transportation of voting devices to locations convenient for
2 voters with disabilities in order to ensure reasonable access for
3 voters with disabilities; and

4 (e) Implementation of the provisions of the help America vote act
5 related to persons with disabilities.

6 Counties must update the plan at least annually. The election
7 review staff of the secretary of state shall review and evaluate the
8 plan in conformance with the review procedure identified in RCW
9 29A.04.570.

10 (3) Counties may form a joint accessible community advisory
11 committee to develop the plan identified in subsection (2) of this
12 section if (~~the total population of the joining counties does not~~
13 ~~exceed thirty thousand, and the counties are geographically adjacent~~)
14 no more than one of the participating counties has a population greater
15 than seventy thousand.

16 **Sec. 6.** RCW 46.16.381 and 2007 c 262 s 1 and 2007 c 44 s 1 are
17 each reenacted and amended to read as follows:

18 (1) The director shall grant special parking privileges to any
19 person who has a disability that limits or impairs the ability to walk
20 or involves acute sensitivity to light and meets one of the following
21 criteria, as determined by a licensed physician, an advanced registered
22 nurse practitioner licensed under chapter 18.79 RCW, or a physician
23 assistant licensed under chapter 18.71A or 18.57A RCW:

24 (a) Cannot walk two hundred feet without stopping to rest;

25 (b) Is severely limited in ability to walk due to arthritic,
26 neurological, or orthopedic condition;

27 (c) Has such a severe disability, that the person cannot walk
28 without the use of or assistance from a brace, cane, another person,
29 prosthetic device, wheelchair, or other assistive device;

30 (d) Uses portable oxygen;

31 (e) Is restricted by lung disease to such an extent that forced
32 expiratory respiratory volume, when measured by spirometry is less than
33 one liter per second or the arterial oxygen tension is less than sixty
34 mm/hg on room air at rest;

35 (f) Impairment by cardiovascular disease or cardiac condition to
36 the extent that the person's functional limitations are classified as

1 class III or IV under standards accepted by the American Heart
2 Association;

3 (g) Has a disability resulting from an acute sensitivity to
4 automobile emissions which limits or impairs the ability to walk. The
5 personal physician, advanced registered nurse practitioner, or
6 physician assistant of the applicant shall document that the disability
7 is comparable in severity to the others listed in this subsection;

8 (h) Is legally blind and has limited mobility; or

9 (i) Is restricted by a form of porphyria to the extent that the
10 applicant would significantly benefit from a decrease in exposure to
11 light.

12 (2) The applications for parking permits for persons with
13 disabilities and parking permits for persons with temporary
14 disabilities are official state documents. Knowingly providing false
15 information in conjunction with the application is a gross misdemeanor
16 punishable under chapter 9A.20 RCW. The following statement must
17 appear on each application form immediately below the physician's,
18 advanced registered nurse practitioner's, or physician assistant's
19 signature and immediately below the applicant's signature: "A parking
20 permit for a person with disabilities may be issued only for a medical
21 necessity that severely affects mobility or involves acute sensitivity
22 to light (RCW 46.16.381). Knowingly providing false information on
23 this application is a gross misdemeanor. The penalty is up to one year
24 in jail and a fine of up to \$5,000 or both."

25 (3) Persons who qualify for special parking privileges are entitled
26 to receive from the department of licensing a removable windshield
27 placard bearing the international symbol of access and an individual
28 serial number, along with a special identification card bearing the
29 name and date of birth of the person to whom the placard is issued, and
30 the placard's serial number. The special identification card shall be
31 issued to all persons who are issued parking placards, including those
32 issued for temporary disabilities, and special parking license plates
33 for persons with disabilities. The department shall design the placard
34 to be displayed when the vehicle is parked by suspending it from the
35 rearview mirror, or in the absence of a rearview mirror the card may be
36 displayed on the dashboard of any vehicle used to transport the person
37 with disabilities. Instead of regular motor vehicle license plates,
38 persons with disabilities are entitled to receive special license

1 plates under this section or RCW 46.16.385 bearing the international
2 symbol of access for one vehicle registered in the name of the person
3 with disabilities. Persons with disabilities who are not issued the
4 special license plates are entitled to receive a second special placard
5 upon submitting a written request to the department. Persons who have
6 been issued the parking privileges and who are using a vehicle or are
7 riding in a vehicle displaying the placard or special license plates
8 issued under this section or RCW 46.16.385 may park in places reserved
9 for persons with physical disabilities. The director shall adopt rules
10 providing for the issuance of special placards and license plates to
11 public transportation authorities, nursing homes licensed under chapter
12 18.51 RCW, boarding homes licensed under chapter 18.20 RCW, senior
13 citizen centers, private nonprofit agencies as defined in chapter 24.03
14 RCW, and vehicles registered with the department as cabulances that
15 regularly transport persons with disabilities who have been determined
16 eligible for special parking privileges provided under this section.
17 The director may issue special license plates for a vehicle registered
18 in the name of the public transportation authority, nursing home,
19 boarding home, senior citizen center, private nonprofit agency, or
20 cabulance service if the vehicle is primarily used to transport persons
21 with disabilities described in this section. Public transportation
22 authorities, nursing homes, boarding homes, senior citizen centers,
23 private nonprofit agencies, and cabulance services are responsible for
24 insuring that the special placards and license plates are not used
25 improperly and are responsible for all fines and penalties for improper
26 use.

27 (4) Whenever the person with disabilities transfers or assigns his
28 or her interest in the vehicle, the special license plates shall be
29 removed from the motor vehicle. If another vehicle is acquired by the
30 person with disabilities and the vehicle owner qualifies for a special
31 plate, the plate shall be attached to the vehicle, and the director
32 shall be immediately notified of the transfer of the plate. If another
33 vehicle is not acquired by the person with disabilities, the removed
34 plate shall be immediately surrendered to the director.

35 (5) The special license plate shall be renewed in the same manner
36 and at the time required for the renewal of regular motor vehicle
37 license plates under this chapter. No special license plate may be
38 issued to a person who is temporarily disabled. A person who has a

1 condition expected to improve within six months may be issued a
2 temporary placard for a period not to exceed six months. If the
3 condition exists after six months a new temporary placard shall be
4 issued upon receipt of a new certification from the person's physician.
5 The permanent parking placard and identification card of a person with
6 disabilities shall be renewed at least every five years, as required by
7 the director, by satisfactory proof of the right to continued use of
8 the privileges. In the event of the permit holder's death, the parking
9 placard and identification card must be immediately surrendered to the
10 department. The department shall match and purge its database of
11 parking permits issued to persons with disabilities with available
12 death record information at least every twelve months.

13 (6) Additional fees shall not be charged for the issuance of the
14 special placards or the identification cards. No additional fee may be
15 charged for the issuance of the special license plates except the
16 regular motor vehicle registration fee and any other fees and taxes
17 required to be paid upon registration of a motor vehicle.

18 (7) Any unauthorized use of the special placard, special license
19 plate issued under this section or RCW 46.16.385, or identification
20 card is a traffic infraction with a monetary penalty of two hundred
21 fifty dollars.

22 (8) It is a parking infraction, with a monetary penalty of ~~((two))~~
23 four hundred fifty dollars for a person to park in, block, or otherwise
24 make inaccessible the access aisle located next to a space reserved for
25 persons with physical disabilities. The clerk of the court shall
26 report all violations related to this subsection to the department.

27 (9) It is a parking infraction, with a monetary penalty of ~~((two))~~
28 four hundred fifty dollars for any person to park a vehicle in a
29 parking place provided on private property without charge or on public
30 property reserved for persons with physical disabilities without a
31 placard or special license plate issued under this section or RCW
32 46.16.385. If a person is charged with a violation, the person shall
33 not be determined to have committed an infraction if the person
34 produces in court or before the court appearance the placard or special
35 license plate issued under this section or RCW 46.16.385 required under
36 this section. A local jurisdiction providing nonmetered, on-street
37 parking places reserved for persons with physical disabilities may
38 impose by ordinance time restrictions of no less than four hours on the

1 use of these parking places. A local jurisdiction may impose by
2 ordinance time restrictions of no less than four hours on the use of
3 nonreserved, on-street parking spaces by vehicles displaying the
4 special parking placards or special license plates issued under this
5 section or RCW 46.16.385. All time restrictions must be clearly
6 posted.

7 (10) (~~The penalties~~) Two hundred dollars from each penalty
8 imposed under subsections (8) and (9) of this section shall be
9 deposited in the accessible communities account created in section 2 of
10 this act. The remaining penalty amounts shall be used by that local
11 jurisdiction exclusively for law enforcement. The court may also
12 impose an additional penalty sufficient to reimburse the local
13 jurisdiction for any costs it may have incurred in removal and storage
14 of the improperly parked vehicle.

15 (11) Except as provided by subsection (2) of this section, it is a
16 traffic infraction with a monetary penalty of two hundred fifty dollars
17 for any person willfully to obtain a special license plate issued under
18 this section or RCW 46.16.385, placard, or identification card in a
19 manner other than that established under this section.

20 (12)(a) A law enforcement agency authorized to enforce parking laws
21 may appoint volunteers, with a limited commission, to issue notices of
22 infractions for violations of this section or RCW 46.61.581.
23 Volunteers must be at least twenty-one years of age. The law
24 enforcement agency appointing volunteers may establish any other
25 qualifications the agency deems desirable.

26 (b) An agency appointing volunteers under this section must provide
27 training to the volunteers before authorizing them to issue notices of
28 infractions.

29 (c) A notice of infraction issued by a volunteer appointed under
30 this subsection has the same force and effect as a notice of infraction
31 issued by a police officer for the same offense.

32 (d) A police officer or a volunteer may request a person to show
33 the person's identification card or special parking placard when
34 investigating the possibility of a violation of this section. If the
35 request is refused, the person in charge of the vehicle may be issued
36 a notice of infraction for a violation of this section.

37 (13) For second or subsequent violations of this section, in

1 addition to a monetary fine, the violator must complete a minimum of
2 forty hours of:

3 (a) Community restitution for a nonprofit organization that serves
4 persons having disabilities or disabling diseases; or

5 (b) Any other community restitution that may sensitize the violator
6 to the needs and obstacles faced by persons who have disabilities.

7 (14) The court may not suspend more than one-half of any fine
8 imposed under subsection (7), (8), (9), or (11) of this section.

9 (15) For the purposes of this section, "legally blind" means a
10 person who: (a) Has no vision or whose vision with corrective lenses
11 is so limited that the individual requires alternative methods or
12 skills to do efficiently those things that are ordinarily done with
13 sight by individuals with normal vision; or (b) has an eye condition of
14 a progressive nature which may lead to blindness.

15 **Sec. 7.** RCW 43.79A.040 and 2008 c 239 s 9, 2008 c 208 s 9, 2008 c
16 128 s 20, and 2008 c 122 s 24 are each reenacted and amended to read as
17 follows:

18 (1) Money in the treasurer's trust fund may be deposited, invested,
19 and reinvested by the state treasurer in accordance with RCW 43.84.080
20 in the same manner and to the same extent as if the money were in the
21 state treasury.

22 (2) All income received from investment of the treasurer's trust
23 fund shall be set aside in an account in the treasury trust fund to be
24 known as the investment income account.

25 (3) The investment income account may be utilized for the payment
26 of purchased banking services on behalf of treasurer's trust funds
27 including, but not limited to, depository, safekeeping, and
28 disbursement functions for the state treasurer or affected state
29 agencies. The investment income account is subject in all respects to
30 chapter 43.88 RCW, but no appropriation is required for payments to
31 financial institutions. Payments shall occur prior to distribution of
32 earnings set forth in subsection (4) of this section.

33 (4)(a) Monthly, the state treasurer shall distribute the earnings
34 credited to the investment income account to the state general fund
35 except under (b) and (c) of this subsection.

36 (b) The following accounts and funds shall receive their
37 proportionate share of earnings based upon each account's or fund's

1 average daily balance for the period: The Washington promise
2 scholarship account, the college savings program account, the
3 Washington advanced college tuition payment program account, the
4 accessible communities account, the agricultural local fund, the
5 American Indian scholarship endowment fund, the foster care scholarship
6 endowment fund, the foster care endowed scholarship trust fund, the
7 students with dependents grant account, the basic health plan self-
8 insurance reserve account, the contract harvesting revolving account,
9 the Washington state combined fund drive account, the commemorative
10 works account, the Washington international exchange scholarship
11 endowment fund, the toll collection account, the developmental
12 disabilities endowment trust fund, the energy account, the fair fund,
13 the family leave insurance account, the food animal veterinarian
14 conditional scholarship account, the fruit and vegetable inspection
15 account, the future teachers conditional scholarship account, the game
16 farm alternative account, the GET ready for math and science
17 scholarship account, the grain inspection revolving fund, the juvenile
18 accountability incentive account, the law enforcement officers' and
19 firefighters' plan 2 expense fund, the local tourism promotion account,
20 the pilotage account, the produce railcar pool account, the regional
21 transportation investment district account, the rural rehabilitation
22 account, the stadium and exhibition center account, the youth athletic
23 facility account, the self-insurance revolving fund, the sulfur dioxide
24 abatement account, the children's trust fund, the Washington horse
25 racing commission Washington bred owners' bonus fund account, the
26 Washington horse racing commission class C purse fund account, the
27 individual development account program account, the Washington horse
28 racing commission operating account (earnings from the Washington horse
29 racing commission operating account must be credited to the Washington
30 horse racing commission class C purse fund account), the life sciences
31 discovery fund, the Washington state heritage center account, the
32 reduced cigarette ignition propensity account, and the reading
33 achievement account. However, the earnings to be distributed shall
34 first be reduced by the allocation to the state treasurer's service
35 fund pursuant to RCW 43.08.190.

36 (c) The following accounts and funds shall receive eighty percent
37 of their proportionate share of earnings based upon each account's or
38 fund's average daily balance for the period: The advanced right-of-way

1 revolving fund, the advanced environmental mitigation revolving
2 account, the city and county advance right-of-way revolving fund, the
3 federal narcotics asset forfeitures account, the high occupancy vehicle
4 account, the local rail service assistance account, and the
5 miscellaneous transportation programs account.

6 (5) In conformance with Article II, section 37 of the state
7 Constitution, no trust accounts or funds shall be allocated earnings
8 without the specific affirmative directive of this section.

9 **Sec. 8.** RCW 38.52.070 and 1997 c 49 s 4 are each amended to read
10 as follows:

11 (1) Each political subdivision of this state is hereby authorized
12 and directed to establish a local organization or to be a member of a
13 joint local organization for emergency management in accordance with
14 the state comprehensive emergency management plan and program:
15 PROVIDED, That a political subdivision proposing such establishment
16 shall submit its plan and program for emergency management to the state
17 director and secure his or her recommendations thereon, and
18 verification of consistency with the state comprehensive emergency
19 management plan, in order that the plan of the local organization for
20 emergency management may be coordinated with the plan and program of
21 the state. Local comprehensive emergency management plans must specify
22 the use of the incident command system for
23 multiagency/multijurisdiction operations. If funds are available and
24 authorized from the accessible communities account established in
25 section 2 of this act, under the guidance and supervision of the
26 governor's emergency management council, the governor's office will
27 facilitate a state and local work group to develop a planning template
28 for local emergency management jurisdictions to identify and respond to
29 the needs of persons with disabilities in disasters concerning issues
30 such as: Notification; medications, refrigeration, and backup power;
31 access to mobility devices and service animals while in transit or at
32 shelters; and access to information. Local emergency management
33 jurisdictions shall then work with accessible community advisory
34 committees or other local disability organizations to complete the
35 planning template and incorporate necessary changes to local
36 comprehensive emergency management plans. The local emergency planning
37 effort must document the participation of accessible community advisory

1 committees or other local disability organizations in developing the
2 responses to these issues. The military department's emergency
3 management division shall provide technical assistance in developing
4 the planning template and in assisting local emergency management
5 jurisdictions in incorporating the template into local comprehensive
6 emergency management plans within existing resources. No political
7 subdivision may be required to include in its plan provisions for the
8 emergency evacuation or relocation of residents in anticipation of
9 nuclear attack. If the director's recommendations are adverse to the
10 plan as submitted, and, if the local organization does not agree to the
11 director's recommendations for modification to the proposal, the matter
12 shall be referred to the council for final action. The director may
13 authorize two or more political subdivisions to join in the
14 establishment and operation of a joint local organization for emergency
15 management as circumstances may warrant, in which case each political
16 subdivision shall contribute to the cost of emergency management upon
17 such fair and equitable basis as may be determined upon by the
18 executive heads of the constituent subdivisions. If in any case the
19 executive heads cannot agree upon the proper division of cost the
20 matter shall be referred to the council for arbitration and its
21 decision shall be final. When two or more political subdivisions join
22 in the establishment and operation of a joint local organization for
23 emergency management each shall pay its share of the cost into a
24 special pooled fund to be administered by the treasurer of the most
25 populous subdivision, which fund shall be known as the
26 emergency management fund. Each local organization or joint local
27 organization for emergency management shall have a director who shall
28 be appointed by the executive head of the political subdivision, and
29 who shall have direct responsibility for the organization,
30 administration, and operation of such local organization for emergency
31 management, subject to the direction and control of such executive
32 officer or officers. In the case of a joint local organization for
33 emergency management, the director shall be appointed by the joint
34 action of the executive heads of the constituent political
35 subdivisions. Each local organization or joint local organization for
36 emergency management shall perform emergency management functions
37 within the territorial limits of the political subdivision within which

1 it is organized, and, in addition, shall conduct such functions outside
2 of such territorial limits as may be required pursuant to the
3 provisions of this chapter.

4 (2) In carrying out the provisions of this chapter each political
5 subdivision, in which any disaster as described in RCW 38.52.020
6 occurs, shall have the power to enter into contracts and incur
7 obligations necessary to combat such disaster, protecting the health
8 and safety of persons and property, and providing emergency assistance
9 to the victims of such disaster. Each political subdivision is
10 authorized to exercise the powers vested under this section in the
11 light of the exigencies of an extreme emergency situation without
12 regard to time-consuming procedures and formalities prescribed by law
13 (excepting mandatory constitutional requirements), including, but not
14 limited to, budget law limitations, requirements of competitive bidding
15 and publication of notices, provisions pertaining to the performance of
16 public work, entering into contracts, the incurring of obligations, the
17 employment of temporary workers, the rental of equipment, the purchase
18 of supplies and materials, the levying of taxes, and the appropriation
19 and expenditures of public funds.

20 NEW SECTION. **Sec. 9.** Section 7 of this act takes effect August 1,
21 2009.

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