

**SENATE BILL 5322**

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**State of Washington**

**52nd Legislature**

**1991 Regular Session**

**By** Senators Conner, Rasmussen, Snyder, Pelz and McCaslin.

Read first time January 28, 1991. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to emergency exemptions from building codes and  
2 construction standards for housing for indigent persons; adding new  
3 sections to chapter 19.27 RCW; adding new sections to chapter 43.22  
4 RCW; and declaring an emergency.

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

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 19.27 RCW  
7 to read as follows:

8 Whenever the county executive or chairman of the county legislative  
9 authority declares that an emergency exists with respect to housing  
10 availability for indigent persons within any portion of that county,  
11 the county executive or chairman of the county legislative authority  
12 may seek an exemption from the requirements of the state building code  
13 by requesting an exemption from the director of community development.

1        NEW SECTION.    **Sec. 2.**    A new section is added to chapter 19.27 RCW  
2 to read as follows:

3        (1) Whenever a request for an exemption is made to the director of  
4 community development under section 1 of this act, the director shall  
5 authorize the requested exemption when all of the following conditions  
6 are met:

7        (a) The exemption is limited to existing housing stock located in  
8 this state;

9        (b) The code deficiencies to be exempted pose no threat to human  
10 safety;

11       (c) The housing exempted under this section is owned or  
12 administered by a public agency or nonprofit corporation;

13       (d) When the public agency or nonprofit corporation purchases  
14 exempted housing, the purchase price of the exempted housing must be no  
15 greater than market price less the cost of meeting all building code  
16 requirements;

17       (e) The exemption is authorized for no more than five years on any  
18 building;

19       (f) The use of the exempted housing must include a guarantee that  
20 a prospective tenant will be informed in writing of the code  
21 deficiencies and must require a signed acknowledgement from the tenant  
22 of receipt of that information.

23       (2) No building exempted under this section may be sold by the  
24 public agency or nonprofit corporation to private parties as housing  
25 until it is brought into compliance with all existing building codes at  
26 the time of sale.

27       NEW SECTION.    **Sec. 3.**    A new section is added to chapter 43.22 RCW  
28 to read as follows:

1           Whenever the county executive or chairman of the county legislative  
2 authority declares that an emergency exists with respect to housing  
3 availability for indigent persons within any portion of that county,  
4 the county executive or chairman of the county legislative authority  
5 may seek an exemption from the requirements of the factory-built  
6 housing construction standards by requesting an exemption from the  
7 director of labor and industries.

8           NEW SECTION.   **Sec. 4.** A new section is added to chapter 43.22 RCW  
9 to read as follows:

10           (1) Whenever a request for an exemption is made to the director of  
11 labor and industries under section 3 of this act, the director shall  
12 authorize the requested exemption when all of the following conditions  
13 are met:

14           (a) The exemption is limited to existing housing stock;

15           (b) The standards deficiencies to be exempted pose no threat to  
16 human safety;

17           (c) The housing exempted under this section is owned or  
18 administered by a public agency or nonprofit corporation;

19           (d) When the public agency or nonprofit corporation purchases  
20 exempted housing, the purchase price of the exempted housing must be no  
21 greater than market price less the cost of meeting all factory-built  
22 housing construction standards;

23           (e) The exemption is authorized for no more than five years on any  
24 building;

25           (f) The use of the exempted housing must include a guarantee that  
26 a prospective tenant will be informed in writing of the deficiencies  
27 and must require a signed acknowledgement from the tenant of receipt of  
28 that information.

1           (2) No building exempted under this section may be sold by the  
2 public agency or nonprofit corporation to private parties as housing  
3 until it is brought into compliance with all existing factory-built  
4 housing construction standards at the time of sale.

5           NEW SECTION.   **Sec. 5.**           This act is necessary for the immediate  
6 preservation of the public peace, health, or safety, or support of the  
7 state government and its existing public institutions, and shall take  
8 effect immediately.