H-3699.1

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**HOUSE BILL 2818**

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**State of Washington 65th Legislature 2018 Regular Session**

**By** Representatives Frame, Irwin, Chapman, Senn, Sells, Sawyer, Appleton, Fitzgibbon, Macri, and Stanford

AN ACT Relating to the appointment of religious coordinators; amending RCW 41.04.360, 72.01.210, 72.01.210, and 72.01.212; providing an effective date; and providing an expiration date.

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

**Sec.**  RCW 41.04.360 and 1982 c 190 s 1 are each amended to read as follows:

In the case of a minister or other clergyperson employed as a chaplain or religious coordinator in a state institution or agency, there is designated in the salary or wage paid to the person an amount up to forty percent of the gross salary as either of the following:

(1) The rental value of a home furnished to the person as part of the person's compensation; or

(2) The housing/rental allowance paid to the person as part of the person's compensation, to the extent used by the person to rent or provide a home.

**Sec.**  RCW 72.01.210 and 2008 c 104 s 3 are each amended to read as follows:

(1) The secretary of corrections shall appoint institutional ((~~chaplains~~)) religious coordinators for the state correctional institutions for convicted felons. Institutional ((~~chaplains~~)) religious coordinators shall be appointed as employees of the department of corrections. The secretary of corrections may further contract with ((~~chaplains~~)) religious coordinators to be employed as is necessary to meet the religious needs of those inmates whose religious denominations are not represented by institutional ((~~chaplains~~)) religious coordinators and where volunteer ((~~chaplains~~)) religious coordinators are not available.

(2) Institutional ((~~chaplains~~)) religious coordinators appointed by the department of corrections under this section shall have qualifications necessary to ((~~function as religious program coordinators for~~)) serve all faith groups represented within the department. Every ((~~chaplain~~)) religious coordinator so appointed or contracted with shall have qualifications consistent with community standards of the given faith group to which ((~~the chaplain~~)) he or she belongs and shall not be required to violate the tenets of his or her faith when acting in an ecclesiastical role.

(3) The secretary of social and health services shall appoint ((~~chaplains~~)) religious coordinators for the correctional institutions for juveniles found delinquent by the juvenile courts; and the secretary of corrections and the secretary of social and health services shall appoint one or more ((~~chaplains~~)) religious coordinators for other custodial, correctional, and mental institutions under their control.

(4) Except as provided in this section, the ((~~chaplains~~)) religious coordinators so appointed under this section shall have the qualifications and shall be compensated in an amount as recommended by the appointing department and approved by the Washington personnel resources board.

**Sec.**  RCW 72.01.210 and 2017 3rd sp.s. c 6 s 727 are each amended to read as follows:

(1) The secretary of corrections shall appoint institutional ((~~chaplains~~)) religious coordinators for the state correctional institutions for convicted felons. Institutional ((~~chaplains~~)) religious coordinators shall be appointed as employees of the department of corrections. The secretary of corrections may further contract with ((~~chaplains~~)) religious coordinators to be employed as is necessary to meet the religious needs of those inmates whose religious denominations are not represented by institutional ((~~chaplains~~)) religious coordinators and where volunteer ((~~chaplains~~)) religious coordinators are not available.

(2) Institutional ((~~chaplains~~)) religious coordinators appointed by the department of corrections under this section shall have qualifications necessary to ((~~function as religious program coordinators for~~)) serve all faith groups represented within the department. Every ((~~chaplain~~)) religious coordinator so appointed or contracted with shall have qualifications consistent with community standards of the given faith group to which ((~~the chaplain~~)) he or she belongs and shall not be required to violate the tenets of his or her faith when acting in an ecclesiastical role.

(3) The secretary of children, youth, and families shall appoint ((~~chaplains~~)) religious coordinators for the correctional institutions for juveniles found delinquent by the juvenile courts; and the secretary of corrections and the secretary of social and health services shall appoint one or more ((~~chaplains~~)) religious coordinators for other custodial, correctional, and mental institutions under their control.

(4) Except as provided in this section, the ((~~chaplains~~)) religious coordinators so appointed under this section shall have the qualifications and shall be compensated in an amount as recommended by the appointing department and approved by the Washington personnel resources board.

**Sec.**  RCW 72.01.212 and 2008 c 104 s 4 are each amended to read as follows:

Regardless of whether the services are voluntary or provided by employment or contract with the department of corrections, a ((~~chaplain~~)) religious coordinator who provides the services authorized by RCW 72.01.220:

(1) May not be compelled to carry personal liability insurance as a condition of providing those services; and

(2) May request that the attorney general authorize the defense of an action or proceeding for damages instituted against the ((~~chaplain~~)) religious coordinator arising out of the course of his or her duties in accordance with RCW 4.92.060, 4.92.070, and 4.92.075.

NEW SECTION. **Sec.**  Section 2 of this act expires July 1, 2019.

NEW SECTION. **Sec.**  Section 3 of this act takes effect July 1, 2019.

**--- END ---**