S-1142.3

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**SENATE BILL 5882**

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**State of Washington 66th Legislature 2019 Regular Session**

**By** Senators King, Hobbs, Takko, Fortunato, Wellman, Rivers, Keiser, O'Ban, and Becker

AN ACT Relating to prohibiting the location of homeless encampments near schools and early learning facilities; adding a new section to chapter 35.63 RCW; adding a new section to chapter 35A.63 RCW; adding a new section to chapter 36.70 RCW; adding a new section to chapter 36.70A RCW; and creating a new section.

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

NEW SECTION. **Sec.**  A new section is added to chapter 35.63 RCW to read as follows:

(1) No city or town may authorize or through inaction allow for the siting or establishment of a sanctioned or unsanctioned homeless encampment of any kind including, but not limited to, outdoor encampments, temporary small homes on-site, tiny homes sheltering homeless persons, vehicle resident safe parking, or care or feeding areas for homeless persons, within one thousand feet of a public or private school, or an early learning facility.

(2) For the purposes of this section, the following definitions apply:

(a) "School" means:

(i) A public school under RCW 28A.150.010;

(ii) A private school approved by the state under chapter 28A.195 RCW; and

(iii) A charter school under RCW 28A.710.010.

(b) "Early learning facility" means:

(i) A child day care center under RCW 43.216.010(1)(a);

(ii) An early childhood education and assistance program provider under RCW 43.216.010(8);

(iii) A family day care provider under RCW 43.216.010(1)(c);

(iv) A head start program under 42 U.S.C. 9801 et seq.; and

(v) A nursery school under RCW 43.216.010(2)(e).

(c) "Encampment" means any tent or structure encampment or both.

NEW SECTION. **Sec.**  A new section is added to chapter 35A.63 RCW to read as follows:

(1) No city may authorize or through inaction allow for the siting or establishment of a sanctioned or unsanctioned homeless encampment of any kind including, but not limited to, outdoor encampments, temporary small homes on-site, tiny homes sheltering homeless persons, vehicle resident safe parking, or care or feeding areas for homeless persons, within one thousand feet of a public or private school, or an early learning facility.

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(ii) An early childhood education and assistance program provider under RCW 43.216.010(8);

(iii) A family day care provider under RCW 43.216.010(1)(c);

(iv) A head start program under 42 U.S.C. 9801 et seq.; and

(v) A nursery school under RCW 43.216.010(2)(e).

(c) "Encampment" means any tent or structure encampment or both.

NEW SECTION. **Sec.**  A new section is added to chapter 36.70 RCW to read as follows:

(1) No county may authorize or through inaction allow for the siting or establishment of a sanctioned or unsanctioned homeless encampment of any kind including, but not limited to, outdoor encampments, temporary small homes on-site, tiny homes sheltering homeless persons, vehicle resident safe parking, or care or feeding areas for homeless persons, within one thousand feet of a public or private school, or an early learning facility.

(2) For the purposes of this section, the following definitions apply:

(a) "School" means:

(i) A public school under RCW 28A.150.010;

(ii) A private school approved by the state under chapter 28A.195 RCW; and

(iii) A charter school under RCW 28A.710.010.

(b) "Early learning facility" means:

(i) A child day care center under RCW 43.216.010(1)(a);

(ii) An early childhood education and assistance program provider under RCW 43.216.010(8);

(iii) A family day care provider under RCW 43.216.010(1)(c);

(iv) A head start program under 42 U.S.C. 9801 et seq.; and

(v) A nursery school under RCW 43.216.010(2)(e).

(c) "Encampment" means any tent or structure encampment or both.

NEW SECTION. **Sec.**  A new section is added to chapter 36.70A RCW to read as follows:

(1) No county may authorize or through inaction allow for the siting or establishment of a sanctioned or unsanctioned homeless encampment of any kind including, but not limited to, outdoor encampments, temporary small homes on-site, tiny homes sheltering homeless persons, vehicle resident safe parking, or care or feeding areas for homeless persons, within one thousand feet of a public or private school, or an early learning facility.

(2) For the purposes of this section, the following definitions apply:

(a) "School" means:

(i) A public school under RCW 28A.150.010;

(ii) A private school approved by the state under chapter 28A.195 RCW; and

(iii) A charter school under RCW 28A.710.010.

(b) "Early learning facility" means:

(i) A child day care center under RCW 43.216.010(1)(a);

(ii) An early childhood education and assistance program provider under RCW 43.216.010(8);

(iii) A family day care provider under RCW 43.216.010(1)(c);

(iv) A head start program under 42 U.S.C. 9801 et seq.; and

(v) A nursery school under RCW 43.216.010(2)(e).

(c) "Encampment" means any tent or structure encampment or both.

NEW SECTION. **Sec.**  This act applies retroactively to January 1, 2018.

**--- END ---**