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**ENGROSSED SUBSTITUTE SENATE BILL 5946**

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

**By** Senate Housing Stability & Affordability (originally sponsored by Senators Nguyen, Saldaña, Hasegawa, Das, and Lovelett)

AN ACT Relating to the application of the state environmental policy act to temporary shelters and transitional encampments; and adding a new section to chapter 43.21C RCW.

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

NEW SECTION. **Sec.**  A new section is added to chapter 43.21C RCW to read as follows:

(1) Permit actions to site a temporary shelter or transitional encampment are exempt from compliance with this chapter if the facility meets each of the following standards:

(a) The facility is used for people experiencing homelessness;

(b) The facility includes no more than two hundred beds and the number of occupants is based on one person for each bed;

(c) The facility is used on the site for no more than three years;

(d) The transitional encampment does not involve the erection of a new permanent structure; and

(e) The local jurisdiction has declared a state of emergency on homelessness; and

(f) The facility does not allow the use of drugs or alcohol on its premises, except for medicines a sheltered individual has been prescribed by a licensed prescriber; and

(g) The facility may not be located within one thousand feet of a public or private school or an early learning facility, unless the public or private school, early learning facility, or controlling affiliate organization of the public or private school or early learning facility has approved the siting.

(2) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(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) "Temporary shelter" means a use sited in a new or existing structure or modular structure that provides temporary quarters for sleeping and shelter. The use may have common food preparation, shower, or other commonly used facilities that support temporary shelters.

(d) "Transitional encampment" means a use having tents, modular structures, or a similar shelter, including vehicles used for shelter, that provides temporary quarters for sleeping and shelter. The use may have common food preparation, shower, or other commonly used facilities that are separate from the sleeping shelters and that support transitional encampments.

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