CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 1377

Chapter 218, Laws of 2019

66th Legislature 2019 Regular Session

AFFORDABLE HOUSING DEVELOPMENT ON RELIGIOUS ORGANIZATION PROPERTY

EFFECTIVE DATE: July 28, 2019

Passed by the House April 18, 2019 CERTIFICATE Yeas 85 Nays 9 I, Bernard Dean, Chief Clerk of the House of Representatives of the FRANK CHOPP State of Washington, do hereby Speaker of the House of Representatives certify that the attached is SUBSTITUTE HOUSE BILL 1377 as passed by the House of Representatives and the Senate on Passed by the Senate April 12, 2019 the dates hereon set forth. Yeas 42 Nays 3 BERNARD DEAN CYRUS HABIB Chief Clerk President of the Senate Approved April 30, 2019 2:43 PM FILED May 1, 2019

JAY INSLEE

Governor of the State of Washington

Secretary of State

State of Washington

SUBSTITUTE HOUSE BILL 1377

AS AMENDED BY THE SENATE

Passed Legislature - 2019 Regular Session

State of Washington 66th Legislature 2019 Regular Session

By House Housing, Community Development & Veterans (originally sponsored by Representatives Walen, Barkis, Jenkin, Harris, Springer, Macri, Wylie, Ryu, Reeves, Robinson, Griffey, Appleton, Bergquist, Jinkins, Tharinger, Slatter, Kloba, Doglio, Goodman, Leavitt, Ormsby, and Santos)

READ FIRST TIME 02/08/19.

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- 1 AN ACT Relating to affordable housing development on religious
- 2 organization property; adding a new section to chapter 35.63 RCW;
- 3 adding a new section to chapter 35A.63 RCW; adding a new section to
- 4 chapter 36.70A RCW; and adding a new section to chapter 44.28 RCW.
- 5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:
- 6 <u>NEW SECTION.</u> **Sec. 1.** A new section is added to chapter 35.63 7 RCW to read as follows:
 - (1) A city planning under this chapter must allow an increased density bonus consistent with local needs for any affordable housing development of any single-family or multifamily residence located on real property owned or controlled by a religious organization provided that:
 - (a) The affordable housing development is set aside for or occupied exclusively by low-income households;
 - (b) The affordable housing development is part of a lease or other binding obligation that requires the development to be used exclusively for affordable housing purposes for at least fifty years, even if the religious organization no longer owns the property; and
- 19 (c) The affordable housing development does not discriminate 20 against any person who qualifies as a member of a low-income 21 household based on race, creed, color, national origin, sex, veteran

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- or military status, sexual orientation, or mental or physical disability; or otherwise act in violation of the federal fair housing amendments act of 1988 (42 U.S.C. Sec. 3601 et seq.).
 - (2) A city may develop policies to implement this section if it receives a request from a religious organization for an increased density bonus for an affordable housing development.
 - (3) The religious organization developing the affordable housing development must pay all fees, mitigation costs, and other charges required through the development of the affordable housing development.
 - (4) If applicable, the religious organization developing the affordable housing development should work with the local transit agency to ensure appropriate transit services are provided to the affordable housing development.
- 15 (5) This section applies to any religious organization 16 rehabilitating an existing affordable housing development.
 - (6) For purposes of this section:

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- (a) "Affordable housing development" means a proposed or existing structure in which one hundred percent of all single-family or multifamily residential dwelling units within the development are set aside for or are occupied by low-income households at a sales price or rent amount that may not exceed thirty percent of the income limit for the low-income housing unit;
- (b) "Low-income household" means a single person, family, or unrelated persons living together whose adjusted income is less than eighty percent of the median family income, adjusted for household size, for the county where the affordable housing development is located; and
- 29 (c) "Religious organization" has the same meaning as in RCW 30 35.21.915.
- NEW SECTION. Sec. 2. A new section is added to chapter 35A.63 RCW to read as follows:
- 33 (1) A city planning under this chapter must allow an increased 34 density bonus consistent with local needs for any affordable housing 35 development of any single-family or multifamily residence located on 36 real property owned or controlled by a religious organization 37 provided that:
- 38 (a) The affordable housing development is set aside for or 39 occupied exclusively by low-income households;

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- (b) The affordable housing development is part of a lease or other binding obligation that requires the development to be used exclusively for affordable housing purposes for at least fifty years, even if the religious organization no longer owns the property; and
- (c) The affordable housing development does not discriminate against any person who qualifies as a member of a low-income household based on race, creed, color, national origin, sex, veteran or military status, sexual orientation, or mental or physical disability; or otherwise act in violation of the federal fair housing amendments act of 1988 (42 U.S.C. Sec. 3601 et seq.).
- (2) A city may develop policies to implement this section if it receives a request from a religious organization for an increased density bonus for an affordable housing development.
- (3) The religious organization developing the affordable housing development must pay all fees, mitigation costs, and other charges required through the development of the affordable housing development.
- (4) If applicable, the religious organization developing the affordable housing development should work with the local transit agency to ensure appropriate transit services are provided to the affordable housing development.
- 22 (5) This section applies to any religious organization 23 rehabilitating an existing affordable housing development.
 - (6) For purposes of this section:

- (a) "Affordable housing development" means a proposed or existing structure in which one hundred percent of all single-family or multifamily residential dwelling units within the development are set aside for or are occupied by low-income households at a sales price or rent amount that may not exceed thirty percent of the income limit for the low-income housing unit;
- (b) "Low-income household" means a single person, family, or unrelated persons living together whose adjusted income is less than eighty percent of the median family income, adjusted for household size, for the county where the affordable housing development is located; and
- 36 (c) "Religious organization" has the same meaning as in RCW 35A.21.360.
- NEW SECTION. Sec. 3. A new section is added to chapter 36.70A RCW to read as follows:

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(1) Any city or county fully planning under this chapter must allow an increased density bonus consistent with local needs for any affordable housing development of any single-family or multifamily residence located on real property owned or controlled by a religious organization provided that:

- (a) The affordable housing development is set aside for or occupied exclusively by low-income households;
- (b) The affordable housing development is part of a lease or other binding obligation that requires the development to be used exclusively for affordable housing purposes for at least fifty years, even if the religious organization no longer owns the property; and
- (c) The affordable housing development does not discriminate against any person who qualifies as a member of a low-income household based on race, creed, color, national origin, sex, veteran or military status, sexual orientation, or mental or physical disability; or otherwise act in violation of the federal fair housing amendments act of 1988 (42 U.S.C. Sec. 3601 et seq.).
- (2) A city or county may develop policies to implement this section if it receives a request from a religious organization for an increased density bonus for an affordable housing development.
- (3) An affordable housing development created by a religious institution within a city or county fully planning under RCW 36.70A.040 must be located within an urban growth area as defined in RCW 36.70A.110.
- (4) The religious organization developing the affordable housing development must pay all fees, mitigation costs, and other charges required through the development of the affordable housing development.
- (5) If applicable, the religious organization developing the affordable housing development should work with the local transit agency to ensure appropriate transit services are provided to the affordable housing development.
- (6) This section applies to any religious organization rehabilitating an existing affordable housing development.
 - (7) For purposes of this section:
- (a) "Affordable housing development" means a proposed or existing structure in which one hundred percent of all single-family or multifamily residential dwelling units within the development are set aside for or are occupied by low-income households at a sales price

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- or rent amount that may not exceed thirty percent of the income limit for the low-income housing unit;
- 3 (b) "Low-income household" means a single person, family, or 4 unrelated persons living together whose adjusted income is less than 5 eighty percent of the median family income, adjusted for household 6 size, for the county where the affordable housing development is 7 located; and
- 8 (c) "Religious organization" has the same meaning as in RCW 9 36.01.290.
- NEW SECTION. Sec. 4. A new section is added to chapter 44.28 RCW to read as follows:
- The joint committee must review the efficacy of the increased density bonus incentive for affordable housing development located on property owned by a religious organization pursuant to this act and report its findings to the appropriate committees of the legislature by December 1, 2030. The review must include a recommendation on whether this incentive should be continued without change or should be amended or repealed.

Passed by the House April 18, 2019. Passed by the Senate April 12, 2019. Approved by the Governor April 30, 2019. Filed in Office of Secretary of State May 1, 2019.

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