H-1245.1

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**HOUSE BILL 2024**

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**State of Washington 64th Legislature 2015 Regular Session**

**By** Representatives Parker, Kagi, Carlyle, Riccelli, Ormsby, Santos, and Zeiger

AN ACT Relating to the use of student housing facilities at the institutions of higher education by homeless students; amending RCW 59.18.040; adding a new section to chapter 28B.15 RCW; and creating a new section.

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

NEW SECTION. **Sec.**  The legislature finds that:

(1) Students who are homeless or were homeless face more barriers to achieving higher education than other students;

(2) Providing access to higher education, especially for low-income persons, is a fundamental purpose of government; and

(3) Institutions of higher education have the ability to address this problem by allowing low-income homeless students to live in student housing facilities free or for a reduced fee while the facilities are not being used by students who are paying student housing fees.

NEW SECTION. **Sec.**  A new section is added to chapter 28B.15 RCW to read as follows:

The governing boards of the institutions of higher education may authorize temporary use of student housing facilities, without charge or at a reduced fee, by low-income homeless students attending that institution during such time as those facilities are otherwise unused by students who are paying student housing fees. For purposes of this section, "low-income" may be defined by the institutions and "homeless" has the same definition as "homeless person" in RCW 43.185C.010.

Temporary occupation of student housing facilities by low-income homeless students is subject to the terms and conditions developed by the institution.

**Sec.**  RCW 59.18.040 and 1989 c 342 s 3 are each amended to read as follows:

The following living arrangements are not intended to be governed by the provisions of this chapter, unless established primarily to avoid its application, in which event the provisions of this chapter shall control:

(1) Residence at an institution, whether public or private, where residence is merely incidental to detention or the provision of medical, religious, educational, recreational, or similar services, including but not limited to correctional facilities, licensed nursing homes, monasteries and convents, and hospitals;

(2) Occupancy under a bona fide earnest money agreement to purchase or contract of sale of the dwelling unit or the property of which it is a part, where the tenant is, or stands in the place of, the purchaser;

(3) Residence in a hotel, motel, or other transient lodging whose operation is defined in RCW 19.48.010;

(4) Rental agreements entered into pursuant to the provisions of chapter 47.12 RCW where occupancy is by an owner-condemnee and where such agreement does not violate the public policy of this state of ensuring decent, safe, and sanitary housing and is so certified by the consumer protection division of the attorney general's office;

(5) Rental agreements for the use of any single-family residence which are incidental to leases or rentals entered into in connection with a lease of land to be used primarily for agricultural purposes;

(6) Rental agreements providing housing for seasonal agricultural employees while provided in conjunction with such employment;

(7) Rental agreements with the state of Washington, department of natural resources, on public lands governed by Title 79 RCW;

(8) Occupancy by an employee of a landlord whose right to occupy is conditioned upon employment in or about the premises;

(9) Occupancy by a low-income homeless student of student housing facilities, without charge or at a reduced fee, during such time as those facilities are otherwise unused by students who are paying student housing fees, as governed by section 2 of this act.

**--- END ---**