

# SENATE BILL REPORT

## SB 6555

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As of January 30, 2018

**Title:** An act relating to temporary homeless housing by religious organizations.

**Brief Description:** Concerning temporary homeless housing by religious organizations.

**Sponsors:** Senators Padden and Billig.

**Brief History:**

**Committee Activity:** Human Services & Corrections: 1/29/18.

**Brief Summary of Bill**

- Prohibits counties, cities, and towns from adopting ordinances that require modifications to structures within buildings that were built in accordance with building codes at the time of construction and are owned by a religious organization that provide temporary housing for the homeless.
- Requires the liberal construction of state building and energy codes to effectuate the policy of providing temporary housing for the homeless by religious organizations and to allow for shelter for individuals.
- Requires the installation of smoke detectors, upon request by a fire code official, in buildings owned by religious organizations that provide temporary housing for the homeless.

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### SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

**Staff:** Brandon Popovac (786-7465)

**Background:** State Building Code. The State Building Code is comprised of several different codes that develop minimum performance standards and requirements for the construction, maintenance, and accessibility of structures. Most of the state building codes are national model codes that are adopted by reference and modified as appropriate to meet state-specific needs.

State Energy Code. The State Energy Code is part of the State Building Code. The State Energy Code provides a minimum level of energy efficiency for residential and

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nonresidential buildings, but allows flexibility in building design, construction, and heating equipment efficiencies. Unless otherwise amended by rule, the State Energy Code must reflect the 2006 edition.

Temporary Encampments for the Homeless. Religious organizations may host temporary encampments for the homeless on any real property they own or control. The encampments may be within buildings located on the property or elsewhere on the property outside of buildings. With respect to the efforts of a religious organization to provide housing or shelter to homeless persons, counties, cities, and towns are prohibited from the following:

- unreasonably interfering with the decisions or actions of a religious organization regarding the location of housing or shelter for homeless persons on property the organization owns or controls; or
- requiring a religious organization to obtain insurance pertaining to the liability of a municipality with respect to homeless persons housed on the organization's property or otherwise requiring the organization to indemnify the municipality against such liability.

**Summary of Bill:** Provisions governing the temporary housing of homeless by religious organizations apply to all state building and energy codes, which must be liberally construed to effectuate the policy of providing such housing and to allow for the shelter of individuals.

Counties, cities, and towns may not adopt ordinances that:

- impose impact fees on religious organizations that temporarily host the homeless;
- require the installation of fire sprinklers or modification to the size of windows and doors in buildings owned by such religious organizations that were built in accordance with the laws in place at the time of construction; and
- change the certificate of occupancy for a building owned by such a religious organization.

Religious organizations that temporarily host the homeless in buildings must install smoke detectors according to the manufacturer's standards at the request of the fire code official.

The Senate Local Government Committee must meet with stakeholders to assess the effectiveness of the bill by November 15, 2018.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:** PRO: Religious organizations hosting homeless families need relief from certain fire regulations designed for more permanent types of housing. The bill is a reboot of HB 2929 from 2015, which almost passed both chambers. The bill could be amended to limit the stay of individuals in temporary housing. Volunteers are often staffed on the property as an extra safeguard in case of a fire. Some families have

to be turned away from temporary shelters and back into adverse weather because of a lack of room at these locations. Most locations have fire exits and signs directing shelter residents to safety in case of a fire. Families reintegrated into society after being served at such locations have a high success rate. It would be better for families to stay safe in the building of a religious organization than have them stay on the streets or under a bridge.

CON: Consistency is needed in the application of current laws to evaluate buildings properly for safety. Each proposed shelter opportunity should be evaluated individually, including the placement of sheltered individuals, ingress and egress points, and current built-in fire suppression. An evacuation plan and carbon monoxide alarms would benefit locations. Smoke alarms do not always wake up individuals, especially children. Bill elements adding new language to the state building and energy codes circumvents the efforts of the state building code council. An existing statute already addresses such safety measures when housing the homeless, with outlined exceptions. There are no other problems in coming up with solutions with other religious organizations in most other areas of the state. Fire sprinklers are not always a necessary feature of such accommodations if other preventative measures or strategies are taken or exist. Some religious organizations do not seek guidance from or are willing to make certain accommodations as requested by fire officials and end up building temporary walls not taking into consideration egress elements. Much of the danger derives from individuals not being aware of how to exit a building in the event of a fire, with smoke and alarms potentially causing panic.

**Persons Testifying:** PRO: Senator Mike Padden, Prime Sponsor; Steve Allen, Family Promise of Spokane.

CON: Robert Bradley, Washington State Association of Fire Marshals; Jim Kambeitz, Washington Fire Chiefs; Michael Dobbs, West Pierce Fire & Rescue.

**Persons Signed In To Testify But Not Testifying:** CON: Briahna Murray, Cities of Lakewood, Kenmore, Longview; Amy Brackenbury, Washington Association Of Building Officials.