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**SENATE BILL 5332**

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**State of Washington 68th Legislature 2023 Regular Session**

**By** Senators King, Fortunato, Holy, Schoesler, Torres, and L. Wilson

AN ACT Relating to prohibiting locating homeless encampments near schools and early learning facilities; adding a new section to chapter 35.36 RCW; adding a new section to chapter 35A.63 RCW; adding a new section to chapter 36.70 RCW; and adding a new section to chapter 36.70A RCW.

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

NEW SECTION. **Sec.**  A new section is added to chapter 35.36 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 outdoor encampment of any kind including, but not limited to, temporary small homes on site, tiny homes sheltering homeless persons, vehicle resident safe parking, or care or feeding areas for homeless persons within 1,000 feet of a public or private school or an early learning facility.

(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) "Outdoor encampment" has the same meaning as defined in RCW 35.21.915.

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 outdoor encampment of any kind including, but not limited to, temporary small homes on site, tiny homes sheltering homeless persons, vehicle resident safe parking, or care or feeding areas for homeless persons within 1,000 feet of a public or private school or an early learning facility.

(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) "Outdoor encampment" has the same meaning as defined in RCW 35A.21.360.

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 outdoor encampment of any kind including, but not limited to, temporary small homes on site, tiny homes sheltering homeless persons, vehicle resident safe parking, or care or feeding areas for homeless persons within 1,000 feet of a public or private school or an early learning facility.

(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) "Outdoor encampment" has the same meaning as defined in RCW 36.01.290.

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 outdoor encampment of any kind including, but not limited to, temporary small homes on site, tiny homes sheltering homeless persons, vehicle resident safe parking, or care or feeding areas for homeless persons within 1,000 feet of a public or private school or an early learning facility.

(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) "Outdoor encampment" has the same meaning as defined in RCW 36.01.290.

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