
Capital Budget Committee

HB 2372

Brief Description: Transferring public property to Washington state federally recognized tribes for facilities to provide alcohol and substance use disorder prevention, treatment, and aftercare programs and services, and for behavioral health and related programs and services.

Sponsors: Representatives Lekanoff, Stearns, Leavitt, Davis, Nance, Reed, Chopp, Ormsby and Pollet.

<p>Brief Summary of Bill</p> <ul style="list-style-type: none">• Authorizes the state and local governments to transfer property to tribes for facilities to provide health care services related to alcohol and substance abuse disorders and behavioral health conditions.

Hearing Date: 1/25/24

Staff: Charlie Gavigan (786-7340).

Background:

The Department of Enterprise Services (DES) has a process to notify state and federal agencies, local governments, and tribes regarding the availability of surplus real property. If none of the respective government entities respond, DES may sell or exchange the property.

Intergovernmental transfers of property are authorized for general purposes as well as for specific purposes including mass transit, parks and recreational purposes, and school districts and libraries.

Any state agency or local government with authority to dispose of surplus public property may

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

transfer, lease, or otherwise dispose of surplus property for affordable housing. Any such transfer, lease, or other disposal may be made to a public, private, or nongovernmental body on any mutually agreeable terms and conditions, including a no-cost transfer. A deed, lease, or other instrument transferring or conveying surplus property must include a requirement that the property will be used for affordable housing and must include remedies if the property is not used for the designated purpose.

Washington State tribes provide a variety of health care services including those related to alcohol and substance abuse disorders and behavioral health conditions. All but a few tribes provide health care services through tribal clinics. These clinics could be tribal operated clinics, tribal clinics utilizing the federal Indian Health Services program, or Urban Indian Health Programs.

Summary of Bill:

The state and local governments are authorized to give real property to a Washington state federally recognized tribe, or consortium of federally recognized tribes, for the purpose of providing facilities for health care services to help patients address alcohol and substance use disorders and behavioral health conditions.

Any transfer of property must be done on terms that are mutually agreed to by the state or local government and the tribe or tribes. The terms must include a requirement that the property reverts to the state or local government if the property ceases to be used to provide the health care services within 25 years from the date of the property transfer. Where new construction or major renovations are necessary, the tribe or tribes must have the facility constructed or renovated and operational within six years of the property transfer and must have the capacity to continue to add onto the facility or property with services that address prevention, withdrawal management, inpatient and outpatient health services, wellness programs, and aftercare services.

Necessary state and local permits should be expedited for these projects to the extent feasible. The state and local governments and tribes are encouraged to cooperate regarding identifying public property that might be used by tribes to provide alcohol and substance use disorder services, behavioral health services, and related services.

Appropriation: None.

Fiscal Note: Requested on January 22, 2024.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.