

# SENATE BILL REPORT

## SB 5332

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As of February 14, 2023

**Title:** An act relating to prohibiting locating homeless encampments near schools and early learning facilities.

**Brief Description:** Prohibiting locating homeless encampments near schools and early learning facilities.

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

**Brief History:**

**Committee Activity:** Local Government, Land Use & Tribal Affairs: 2/14/23.

**Brief Summary of Bill**

- Prohibits counties, cities, and towns from authorizing, or allowing through inaction, a sanctioned or unsanctioned homeless encampment to be established within 1000 feet of a school or early learning facility.

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### SENATE COMMITTEE ON LOCAL GOVERNMENT, LAND USE & TRIBAL AFFAIRS

**Staff:** Maggie Douglas (786-7279)

**Background:** Temporary Shelters. Temporary tent or building encampments provide shelter for homeless individuals, and may rotate between various host properties, with some employing managers or a security team, and imposing a code of conduct for residents. Religious organizations may host or offer shelter or housing to persons experiencing homelessness on property the organizations own or control, with limitations on the ability of local governments to regulate such shelters. Local governments may regulate conditions necessary to protect public health and safety, so long as they do not substantially burden the decisions or actions of the religious organization. Some local governments have enacted regulations that outline additional rules and procedures related to temporary homeless

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*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.*

encampments.

**Summary of Bill:** Counties, cities, and towns may not authorize, or allow through inaction, a sanctioned or unsanctioned homeless encampment to be established within 1000 feet of a public or private school or early learning facility.

Homeless encampments may include outdoor tent or structure encampments, temporary small houses on-site, tiny homes sheltering homeless persons, vehicle resident safe parking, or care or feeding areas for homeless persons. Schools may include a charter school, and early learning facilities may include child day care centers, family day care providers, and nursery schools, and an early childhood education and assistance program provider or Head Start program.

**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: This is a simple bill but has a big impact on keeping children safe. Homelessness is an issue that must be addressed. This bill will stop encampments whether they are planned or not if they are within 1000 feet from a school. Children's brains are not developed and things they are exposed to can cause lifelong trauma. The Legislature should consider making this include encampments along school bus routes.

CON: This bill would be bad for schools, cities, those experiencing homelessness, and those who are trying to serve homeless communities. Unsheltered safe parking lots, and tiny home communities are not just for adults. Washington has 40,000 children enrolled in public schools who are homeless. Funding shelter sites and other services are a better way to address the homelessness issue. If the homeless are forced to move, they should be offered shelter. This bill furthers false and damaging stereotypes about people facing homelessness. Sticking to unauthorized encampments that are not receiving outreach would be an appropriate amendment.

**Persons Testifying:** PRO: Senator Curtis King, Prime Sponsor; Gary Wilson; Lisa Olson; Linda Wo-ja-how-skiWojciechowski.

CON: Bill Kirlin-Hackett, Interfaith Task Force on Homelessness; Karina O'Malley; Sara Robbins, Seattle / King County Coalition on Homelessness; Michele Thomas, Washington Low Income Housing Alliance.

**Persons Signed In To Testify But Not Testifying:** No one.