
HOUSE BILL 1103

State of Washington

58th Legislature

2003 Regular Session

By Representatives Priest, Shabro, Roach, Miloscia, Upthegrove and Nixon

Read first time 01/16/2003. Referred to Committee on Criminal Justice & Corrections.

1 AN ACT Relating to siting of secure community transition
2 facilities; amending RCW 71.09.2501, 36.70A.103, 43.21C.270, 77.55.360,
3 and 90.58.390; creating a new section; repealing RCW 71.09.342; and
4 declaring an emergency.

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

6 NEW SECTION. **Sec. 1.** RCW 71.09.342 (Transition facilities--
7 Siting--Local regulations preempted, when--Consideration of public
8 safety measures) and 2002 c 68 s 9 are each repealed.

9 **Sec. 2.** RCW 71.09.2501 and 2002 c 68 s 11 are each amended to read
10 as follows:

11 An emergency has been caused by the need to expeditiously site
12 facilities to house sexually violent predators who have been committed
13 under this chapter. To meet this emergency, for purposes of RCW
14 71.09.250 (~~and 71.09.342~~), "all other laws" means the state
15 environmental policy act, the shoreline management act, the hydraulics
16 code, and all other state laws regulating the protection and use of the
17 water, land, and air.

18 This section expires June 30, 2009.

1 **Sec. 3.** RCW 36.70A.103 and 2002 c 68 s 15 are each amended to read
2 as follows:

3 State agencies shall comply with the local comprehensive plans and
4 development regulations and amendments thereto adopted pursuant to this
5 chapter except as otherwise provided in RCW 71.09.250 (1) through
6 (3)(~~(, 71.09.342,)~~) and 72.09.333.

7 The provisions of chapter 12, Laws of 2001 2nd sp. sess. do not
8 affect the state's authority to site any other essential public
9 facility under RCW 36.70A.200 in conformance with local comprehensive
10 plans and development regulations adopted pursuant to chapter 36.70A
11 RCW.

12 **Sec. 4.** RCW 43.21C.270 and 2002 c 68 s 12 are each amended to read
13 as follows:

14 An emergency has been caused by the need to expeditiously site
15 facilities to house sexually violent predators who have been committed
16 under chapter 71.09 RCW. To meet this emergency, (~~secure community~~
17 ~~transition facilities sited pursuant to the preemption provisions of~~
18 ~~RCW 71.09.342 and~~) secure facilities sited pursuant to the preemption
19 provisions of RCW 71.09.250 are not subject to the provisions of this
20 chapter.

21 This section expires June 30, 2009.

22 **Sec. 5.** RCW 77.55.360 and 2002 c 68 s 14 are each amended to read
23 as follows:

24 An emergency has been caused by the need to expeditiously site
25 facilities to house sexually violent predators who have been committed
26 under chapter 71.09 RCW. To meet this emergency, (~~secure community~~
27 ~~transition facilities sited pursuant to the preemption provisions of~~
28 ~~RCW 71.09.342 and~~) secure facilities sited pursuant to the preemption
29 provisions of RCW 71.09.250 are not subject to the provisions of this
30 chapter.

31 This section expires June 30, 2009.

32 **Sec. 6.** RCW 90.58.390 and 2002 c 68 s 13 are each amended to read
33 as follows:

34 An emergency has been caused by the need to expeditiously site
35 facilities to house sexually violent predators who have been committed

1 under chapter 71.09 RCW. To meet this emergency, (~~secure community~~
2 ~~transition facilities sited pursuant to the preemption provisions of~~
3 ~~RCW 71.09.342 and~~) secure facilities sited pursuant to the preemption
4 provisions of RCW 71.09.250 are not subject to the provisions of this
5 chapter.

6 This section expires June 30, 2009.

7 NEW SECTION. **Sec. 7.** This act is remedial in nature and is
8 intended to apply retroactively to the siting of any secure community
9 transition facility not in operation as of the effective date of this
10 act.

11 NEW SECTION. **Sec. 8.** This act is necessary for the immediate
12 preservation of the public peace, health, or safety, or support of the
13 state government and its existing public institutions, and takes effect
14 immediately.

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