**2818-S AMS OBAN S5990.1 - NOT FOR FLOOR USE**

**SHB 2818** - S AMD **761**

By Senator O'Ban

Strike everything after the enacting clause and insert the following:

"**Sec.**  RCW 41.04.360 and 1982 c 190 s 1 are each amended to read as follows:

In the case of a minister or other clergyperson employed as a chaplain or religious coordinator in a state institution or agency, there is designated in the salary or wage paid to the person an amount up to forty percent of the gross salary as either of the following:

(1) The rental value of a home furnished to the person as part of the person's compensation; or

(2) The housing/rental allowance paid to the person as part of the person's compensation, to the extent used by the person to rent or provide a home.

**Sec.**  RCW 72.01.210 and 2008 c 104 s 3 are each amended to read as follows:

(1) The secretary of corrections shall appoint institutional chaplains or religious coordinators for the state correctional institutions for convicted felons. Institutional chaplains or religious coordinators shall be appointed as employees of the department of corrections. The secretary of corrections may further contract with chaplains or religious coordinators to be employed as is necessary to meet the religious needs of those inmates whose religious denominations are not represented by institutional chaplains or religious coordinators and where volunteer chaplains or religious coordinators are not available.

(2) Institutional chaplains or religious coordinators appointed by the department of corrections under this section shall have qualifications necessary to ((~~function as religious program coordinators for~~)) serve all faith groups represented within the department. Every chaplain or religious coordinator so appointed or contracted with shall have qualifications consistent with community standards of the given faith group to which ((~~the chaplain~~)) he or she belongs and shall not be required to violate the tenets of his or her faith when acting in an ecclesiastical role.

(3) The secretary of social and health services shall appoint chaplains for the correctional institutions for juveniles found delinquent by the juvenile courts; and the secretary of corrections and the secretary of social and health services shall appoint one or more chaplains for other custodial, correctional, and mental institutions under their control.

(4) Except as provided in this section, the chaplains or religious coordinators so appointed under this section shall have the qualifications and shall be compensated in an amount as recommended by the appointing department and approved by the Washington personnel resources board.

**Sec.**  RCW 72.01.210 and 2017 3rd sp.s. c 6 s 727 are each amended to read as follows:

(1) The secretary of corrections shall appoint institutional chaplains or religious coordinators for the state correctional institutions for convicted felons. Institutional chaplains or religious coordinators shall be appointed as employees of the department of corrections. The secretary of corrections may further contract with chaplains or religious coordinators to be employed as is necessary to meet the religious needs of those inmates whose religious denominations are not represented by institutional chaplains or religious coordinators and where volunteer chaplains or religious coordinators are not available.

(2) Institutional chaplains or religious coordinators appointed by the department of corrections under this section shall have qualifications necessary to ((~~function as religious program coordinators for~~)) serve all faith groups represented within the department. Every chaplain or religious coordinator so appointed or contracted with shall have qualifications consistent with community standards of the given faith group to which ((~~the chaplain~~)) he or she belongs and shall not be required to violate the tenets of his or her faith when acting in an ecclesiastical role.

(3) The secretary of children, youth, and families shall appoint chaplains for the correctional institutions for juveniles found delinquent by the juvenile courts; and the secretary of corrections and the secretary of social and health services shall appoint one or more chaplains for other custodial, correctional, and mental institutions under their control.

(4) Except as provided in this section, the chaplains or religious coordinators so appointed under this section shall have the qualifications and shall be compensated in an amount as recommended by the appointing department and approved by the Washington personnel resources board.

**Sec.**  RCW 72.01.212 and 2008 c 104 s 4 are each amended to read as follows:

Regardless of whether the services are voluntary or provided by employment or contract with the department of corrections, a chaplain or religious coordinator who provides the services authorized by RCW 72.01.220:

(1) May not be compelled to carry personal liability insurance as a condition of providing those services; and

(2) May request that the attorney general authorize the defense of an action or proceeding for damages instituted against the chaplain or religious coordinator arising out of the course of his or her duties in accordance with RCW 4.92.060, 4.92.070, and 4.92.075.

**Sec.**  RCW 72.01.220 and 1959 c 28 s 72.01.220 are each amended to read as follows:

It shall be the duty of the chaplains and religious coordinators at the respective institutions mentioned in RCW 72.01.210, under the direction of the department, to conduct religious services and to give religious and moral instruction to the inmates of the institutions, and to attend to their spiritual wants. They shall counsel with and interview the inmates concerning their social and family problems, and shall give assistance to the inmates and their families in regard to such problems.

**Sec.**  RCW 72.01.230 and 1959 c 28 s 72.01.230 are each amended to read as follows:

The chaplains and religious coordinators at the respective institutions mentioned in RCW 72.01.210 shall be provided with the offices and chapels at their institutions, and such supplies as may be necessary for the carrying out of their duties.

**Sec.**  RCW 72.01.240 and 2012 c 117 s 448 are each amended to read as follows:

Each secretary is hereby empowered to appoint one of the chaplains or religious coordinators, authorized by RCW 72.01.210, to act as supervisor of chaplains and religious coordinators for his or her department, in addition to his or her duties at one of the institutions designated in RCW 72.01.210.

NEW SECTION. **Sec.**  Section 2 of this act expires July 1, 2019.

NEW SECTION. **Sec.**  Section 3 of this act takes effect July 1, 2019."

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On page 1, line 1 of the title, after "coordinators;" strike the remainder of the title and insert "amending RCW 41.04.360, 72.01.210, 72.01.210, 72.01.212, 72.01.220, 72.01.230, and 72.01.240; providing an effective date; and providing an expiration date."

EFFECT: Restores references to chaplains so that the Department of Corrections must appoint a chaplain or religious coordinator to serve inmates' religious needs and that the chaplain or religious coordinator is eligible for a housing allowance.