

SHB 2818 - S AMD 761

By Senator O'Ban

1 Strike everything after the enacting clause and insert the
2 following:

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

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

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

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

15 **Sec. 2.** RCW 72.01.210 and 2008 c 104 s 3 are each amended to
16 read as follows:

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

27 (2) Institutional chaplains or religious coordinators appointed
28 by the department of corrections under this section shall have
29 qualifications necessary to (~~function as religious program~~
30 ~~coordinators for~~) serve all faith groups represented within the
31 department. Every chaplain or religious coordinator so appointed or

1 contracted with shall have qualifications consistent with community
2 standards of the given faith group to which (~~the chaplain~~) he or
3 she belongs and shall not be required to violate the tenets of his or
4 her faith when acting in an ecclesiastical role.

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

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

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

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

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

37 (3) The secretary of children, youth, and families shall appoint
38 chaplains for the correctional institutions for juveniles found
39 delinquent by the juvenile courts; and the secretary of corrections

1 and the secretary of social and health services shall appoint one or
2 more chaplains for other custodial, correctional, and mental
3 institutions under their control.

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

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

11 Regardless of whether the services are voluntary or provided by
12 employment or contract with the department of corrections, a chaplain
13 or religious coordinator who provides the services authorized by RCW
14 72.01.220:

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

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

21 **Sec. 5.** RCW 72.01.220 and 1959 c 28 s 72.01.220 are each amended
22 to read as follows:

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

31 **Sec. 6.** RCW 72.01.230 and 1959 c 28 s 72.01.230 are each amended
32 to read as follows:

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

1 **Sec. 7.** RCW 72.01.240 and 2012 c 117 s 448 are each amended to
2 read as follows:

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

8 NEW SECTION. **Sec. 8.** Section 2 of this act expires July 1,
9 2019.

10 NEW SECTION. **Sec. 9.** Section 3 of this act takes effect July 1,
11 2019."

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12 On page 1, line 1 of the title, after "coordinators;" strike the
13 remainder of the title and insert "amending RCW 41.04.360, 72.01.210,
14 72.01.210, 72.01.212, 72.01.220, 72.01.230, and 72.01.240; providing
15 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.

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