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**HOUSE BILL 2172**

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**State of Washington 68th Legislature 2024 Regular Session**

**By** Representatives Harris, Wylie, Reed, and Ormsby

AN ACT Relating to providing for the use of vacant state agency property by a local government during an emergency; adding a new section to chapter 43.17 RCW; adding a new section to chapter 35.21 RCW; and adding a new section to chapter 35A.38 RCW.

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

NEW SECTION. **Sec.**  A new section is added to chapter 43.17 RCW to read as follows:

(1) A state agency that owns vacant property within a qualifying city must, at the request of the legislative authority of the city, lease the property to the city as provided in this section for use by the city during a declared emergency related to homelessness within the city.

(2) The state agency may not charge more than $1 per month for the duration of the lease for the use of the land or facilities constituting the vacant property, but the lease may include provisions for the city to pay any reasonable operation, maintenance, or other expenses incurred by the agency for the land or facilities during the lease.

(3) A city leasing property under this section may only utilize the property as an emergency shelter, an emergency medical facility, or for other use directly related to the declared emergency.

(4) The term of the lease shall extend to the sooner of:

(a) One month after the end of the declared emergency;

(b) Three months after the city has last used the property; or

(c) One month after the city provides notice to the state agency that the city no longer needs the property.

(5) The city must ensure that the leased property is returned to the state agency in substantially the same condition as when the city took possession of the property.

(6)(a) A state agency that enters into a lease under this section may request assistance from the attorney general in drafting and interpreting the lease.

(b) Whenever a dispute arises between a state agency and a local government under this section, the agency or local government shall employ every effort to resolve the dispute themselves without resorting to litigation. These efforts shall involve alternative dispute resolution methods. If a dispute cannot be resolved by the agency and local government involved, either the agency or the local government may request the governor to assist in the resolution of the dispute. The governor shall employ whatever dispute resolution methods that the governor deems appropriate in resolving the dispute. Such methods may include, but are not limited to, the appointment by the governor of a mediator, acceptable to the agency and local government, to assist in the resolution of the dispute. The governor may also request assistance from the attorney general to advise the mediator and the agency and local government.

(7) For purposes of this section:

(a) "Emergency medical facility" means a facility used to provide urgent medical treatment to a homeless population.

(b) "Emergency shelter" means a facility that provides a temporary shelter for individuals or families who are currently homeless, and may include day and warming centers that do not provide overnight accommodations.

(c) "Qualifying city" means a city with a population of 150,000 or more in which the legislative authority has declared an emergency under chapter 38.52 RCW related to homelessness within the city.

(d) "Vacant property" means a property that has not been used for any purpose, including the lease of the property to a third party, for a period of six months or more by the owning agency.

NEW SECTION. **Sec.**  A new section is added to chapter 35.21 RCW to read as follows:

The legislative authority of a city with a population of 150,000 or more that has declared an emergency under chapter 38.52 RCW related to homelessness within the city may lease vacant property from a state agency for use as an emergency shelter, an emergency medical facility, or for other use directly related to the declared emergency, as provided for in section 1 of this act.

NEW SECTION. **Sec.**  A new section is added to chapter 35A.38 RCW to read as follows:

The legislative authority of a code city with a population of 150,000 or more that has declared an emergency under chapter 38.52 RCW related to homelessness within the city may lease vacant property from a state agency for use as an emergency shelter, an emergency medical facility, or for other use directly related to the declared emergency, as provided for in section 1 of this act.

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