

HB 1054 - S COMM AMD

By Committee on Law & Justice

ADOPTED 02/22/2024

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

3 "NEW SECTION. **Sec. 1.** A new section is added to chapter 64.32
4 RCW to read as follows:

5 Except for occupancy limits on short-term rentals as defined in
6 RCW 64.37.010 and any lawful limits on occupant load per square foot
7 or generally applicable health and safety provisions as established
8 by applicable building code, city ordinance, or county ordinance, an
9 association of apartment owners may not adopt or enforce a
10 restriction, covenant, condition, bylaw, rule, regulation, provision
11 of a governing document, or master deed provision that regulates or
12 limits the number of unrelated persons that may occupy an apartment.

13 NEW SECTION. **Sec. 2.** A new section is added to chapter 64.34
14 RCW to read as follows:

15 Except for occupancy limits on short-term rentals as defined in
16 RCW 64.37.010 and any lawful limits on occupant load per square foot
17 or generally applicable health and safety provisions as established
18 by applicable building code, city ordinance, or county ordinance, a
19 unit owners' association may not adopt or enforce a restriction,
20 covenant, condition, bylaw, rule, regulation, provision of a
21 governing document, or master deed provision that regulates or limits
22 the number of unrelated persons that may occupy a unit.

23 NEW SECTION. **Sec. 3.** A new section is added to chapter 64.38
24 RCW to read as follows:

25 Except for occupancy limits on short-term rentals as defined in
26 RCW 64.37.010 and any lawful limits on occupant load per square foot
27 or generally applicable health and safety provisions as established
28 by applicable building code, city ordinance, or county ordinance, a
29 homeowners' association may not adopt or enforce a restriction,
30 covenant, condition, bylaw, rule, regulation, provision of a

1 governing document, or master deed provision that regulates or limits
2 the number of unrelated persons that may occupy a lot.

3 NEW SECTION. **Sec. 4.** A new section is added to chapter 64.90
4 RCW to read as follows:

5 Except for occupancy limits on short-term rentals as defined in
6 RCW 64.37.010 and any lawful limits on occupant load per square foot
7 or generally applicable health and safety provisions as established
8 by applicable building code, city ordinance, or county ordinance, a
9 unit owners association may not adopt or enforce a restriction,
10 covenant, condition, bylaw, rule, regulation, provision of a
11 governing document, or master deed provision that regulates or limits
12 the number of unrelated persons that may occupy a unit.

13 NEW SECTION. **Sec. 5.** If chapter . . . (Engrossed Substitute
14 Senate Bill No. 5796), Laws of 2024 is enacted by June 30, 2024,
15 sections 1 through 3 of this act expire January 1, 2028."

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16 On page 1, line 3 of the title, after "persons;" strike the
17 remainder of the title and insert "adding a new section to chapter
18 64.32 RCW; adding a new section to chapter 64.34 RCW; adding a new
19 section to chapter 64.38 RCW; adding a new section to chapter 64.90
20 RCW; and providing a contingent expiration date."

EFFECT: Allows associations to limit occupancy of unrelated
persons based on any lawful limits on occupant load per square foot
or generally applicable health and safety provisions established by
applicable building code, city ordinance, or county ordinance. Makes
corrections to references of master deed provisions. Provides a
contingent expiration date of January 1, 2028, for sections added to
older common interest community chapters of law.

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