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HOUSE BILL 1255

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State of Washington

69th Legislature

2025 Regular Session

By Representative Jacobsen

Prefiled 01/10/25.

1 AN ACT Relating to funding the removal of illegal and dangerous  
2 encampments; amending RCW 36.70A.190; adding a new section to chapter  
3 36.01 RCW; adding a new section to chapter 35.21 RCW; adding a new  
4 section to chapter 35A.21 RCW; adding new sections to chapter 43.31  
5 RCW; adding a new section to chapter 43.185C RCW; and declaring an  
6 emergency.

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

8 NEW SECTION. **Sec. 1.** A new section is added to chapter 36.01  
9 RCW to read as follows:

10 (1)(a) By May 1, 2027, the county legislative authority of each  
11 county that is required or that chooses to plan under RCW 36.70A.040  
12 must adopt an ordinance making it unlawful for any person to camp on  
13 public property within 500 feet of:

- 14 (i) Public or private elementary or secondary schools;  
15 (ii) School walk areas, as determined under rules promulgated by  
16 the superintendent of public instruction pursuant to RCW 28A.150.290;  
17 (iii) Child day care centers, as defined in RCW 43.216.010;  
18 (iv) Public parks, as defined in RCW 69.50.435;  
19 (v) County courthouses;  
20 (vi) Areas that have been the site of an illegal encampment with  
21 more than one police response for violence in the past month; and

1 (vii) Areas that the county has identified as necessary to avoid  
2 water contamination.

3 (b) A county that is not required under (a) of this subsection to  
4 adopt the specified ordinance may voluntarily choose to do so. A  
5 county that voluntarily adopts the ordinance is eligible for grants  
6 under subsection (3) of this section under the same conditions as  
7 counties required to adopt the ordinance under (a) of this  
8 subsection.

9 (2)(a) Upon adoption of the ordinance required in subsection (1)  
10 of this section, the county legislative authority must submit copies  
11 of the ordinance to the department of commerce.

12 (b) By May 1st of each year, the county legislative authority or  
13 chief executive of the county must submit to the department of  
14 commerce:

15 (i) A certification signed by the chair of the county legislative  
16 authority or by the chief executive of the county, certifying that  
17 the ordinance adopted pursuant to subsection (1) of this section  
18 remains in effect and that the county has taken reasonable steps to  
19 enforce the ordinance on an ongoing and regular basis.

20 (ii) A report detailing the measures that have been taken to  
21 monitor and remove those in violation of the ordinance required in  
22 subsection (1) of this section, whether any violations of the  
23 ordinance have occurred, and how the revenue provided in subsection  
24 (3) of this section has been utilized.

25 (3) A county that has adopted the ordinance required by  
26 subsection (1) of this section and that is in compliance with the  
27 requirements of subsection (2) of this section shall receive funding  
28 under the encampment cleanup grant program created in section 4 of  
29 this act.

30 (4)(a) A county that has not adopted the ordinance required by  
31 subsection (1) of this section or that has failed to submit the  
32 ordinance, certification, or report as required by subsection (2) of  
33 this section is ineligible to receive grants under RCW 36.70A.190.

34 (b)(i) A county that has not adopted the ordinance required by  
35 subsection (1) of this section or that has failed to submit the  
36 ordinance, certification, or report as required by subsection (2) of  
37 this section shall have the funding it receives under subsection (3)  
38 of this section reduced each year that it has not been in compliance  
39 with the requirements of this section until it has not been in  
40 compliance for four consecutive years. A county that has not been in

1 compliance for four or more consecutive years is ineligible for  
2 funding. A reduction or cessation of funding under this subsection  
3 shall continue until such time as the county is able to fully comply  
4 with this section.

5 (ii) When funding is reduced under this subsection, it shall be  
6 reduced by the following amounts:

7 (A) One-fourth of the total that the county would otherwise be  
8 eligible to receive if the county is out of compliance for between  
9 one and two years;

10 (B) One-half of the total that the county would otherwise be  
11 eligible to receive if the county is out of compliance for between  
12 two and three years; or

13 (C) Three-fourths of the total that the county would otherwise be  
14 eligible to receive if the county is out of compliance for between  
15 three and four years.

16 (5) The definitions in this subsection apply throughout this  
17 section unless the context clearly requires otherwise.

18 (a) "Camp" or "camping" means to pitch, use, or occupy camp  
19 facilities for the purposes of habitation, as evidenced by the use of  
20 camp paraphernalia. Camp facilities include, but are not limited to,  
21 tents, huts, temporary shelters, or vehicles if said vehicle is being  
22 used as temporary living quarters, and may include a recreational  
23 vehicle, tent, tarpaulin, lean-to, sleeping bag, bedroll, blankets,  
24 or any form of cover or protection from the elements other than  
25 clothing. Camp paraphernalia includes, but is not limited to,  
26 tarpaulins, cots, beds, sleeping bags, blankets, mattresses,  
27 hammocks, or cooking facilities or equipment. For the purposes of  
28 this section, "camp" and "camping" do not include the use of camp  
29 facilities at an area designated for temporary recreational camping.

30 (b) "Public property" means any street, alley, sidewalk, parking  
31 space, pedestrian or transit mall, bike path, greenway, or any other  
32 structure or area encompassed within the public right-of-way; any  
33 park, parkway, mountain park, or other recreation facility; or any  
34 other grounds, buildings, fixtures, or other facilities owned or  
35 leased by the state or by any other public owner, regardless of  
36 whether such public property is vacant or occupied and actively used  
37 for any public purpose.

38 NEW SECTION. **Sec. 2.** A new section is added to chapter 35.21  
39 RCW to read as follows:

1 (1) (a) By May 1, 2027, the legislative authority of each city or  
2 town that is required or that chooses to plan under RCW 36.70A.040  
3 must adopt an ordinance making it unlawful for any person to camp on  
4 public property within 500 feet of:

5 (i) Public or private elementary or secondary schools;

6 (ii) School walk areas, as determined under rules promulgated by  
7 the superintendent of public instruction pursuant to RCW 28A.150.290;

8 (iii) Child day care centers, as defined in RCW 43.216.010;

9 (iv) Public parks, as defined in RCW 69.50.435;

10 (v) County courthouses;

11 (vi) Areas that have been the site of an illegal encampment with  
12 more than one police response for violence in the past month; and

13 (vii) Areas that the city or town has identified as necessary to  
14 avoid water contamination.

15 (b) A city or town that is not required under (a) of this  
16 subsection to adopt the specified ordinance may voluntarily choose to  
17 do so. A city or town that voluntarily adopts the ordinance is  
18 eligible for grants under subsection (3) of this section under the  
19 same conditions as cities or towns required to adopt the ordinance  
20 under (a) of this subsection.

21 (2) (a) Upon adoption of the ordinance required in subsection (1)  
22 of this section, the city or town must submit copies of the ordinance  
23 to the department of commerce.

24 (b) By May 1st of each year, the legislative authority or chief  
25 executive of the city or town must submit to the department of  
26 commerce:

27 (i) A certification signed by the chair of the legislative  
28 authority or by the chief executive of the city or town, certifying  
29 that the ordinance adopted pursuant to subsection (1) of this section  
30 remains in effect and that the city or town has taken reasonable  
31 steps to enforce the ordinance on an ongoing and regular basis.

32 (ii) A report detailing the measures that have been taken to  
33 monitor and remove those in violation of the ordinance required in  
34 subsection (1) of this section, whether any violations of the  
35 ordinance have occurred, and how the revenue provided in subsection  
36 (3) of this section has been utilized.

37 (3) A city or town that has adopted the ordinance required by  
38 subsection (1) of this section and that is in compliance with the  
39 requirements of subsection (2) of this section shall receive funding

1 under the encampment cleanup grant program created in section 4 of  
2 this act.

3 (4) (a) A city or town that has not adopted the ordinance required  
4 by subsection (1) of this section or that has failed to submit the  
5 ordinance, certification, or report as required by subsection (2) of  
6 this section is ineligible to receive grants under RCW 36.70A.190.

7 (b) (i) A city or town that has not adopted the ordinance required  
8 by subsection (1) of this section or that has failed to submit the  
9 ordinance, certification, or report as required by subsection (2) of  
10 this section shall have the funding it receives under subsection (3)  
11 of this section reduced each year that it has not been in compliance  
12 with the requirements of this section until it has not been in  
13 compliance for four consecutive years. A city or town that has not  
14 been in compliance for four or more consecutive years is ineligible  
15 for funding. A reduction or cessation of funding under this  
16 subsection shall continue until such time as the city or town is able  
17 to fully comply with this section.

18 (ii) When funding is reduced under this subsection, it shall be  
19 reduced by the following amounts:

20 (A) One-fourth of the total that the city or town would otherwise  
21 be eligible to receive if the city or town is out of compliance for  
22 between one and two years;

23 (B) One-half of the total that the city or town would otherwise  
24 be eligible to receive if the city or town is out of compliance for  
25 between two and three years; or

26 (C) Three-fourths of the total that the city or town would  
27 otherwise be eligible to receive if the city or town is out of  
28 compliance for between three and four years.

29 (5) The definitions in this subsection apply throughout this  
30 section unless the context clearly requires otherwise.

31 (a) "Camp" or "camping" means to pitch, use, or occupy camp  
32 facilities for the purposes of habitation, as evidenced by the use of  
33 camp paraphernalia. Camp facilities include, but are not limited to,  
34 tents, huts, temporary shelters, or vehicles if said vehicle is being  
35 used as temporary living quarters, and may include a recreational  
36 vehicle, tent, tarpaulin, lean-to, sleeping bag, bedroll, blankets,  
37 or any form of cover or protection from the elements other than  
38 clothing. Camp paraphernalia includes, but is not limited to,  
39 tarpaulins, cots, beds, sleeping bags, blankets, mattresses,  
40 hammocks, or cooking facilities or equipment. For the purposes of

1 this section, "camp" and "camping" do not include the use of camp  
2 facilities at an area designated for temporary recreational camping.

3 (b) "Public property" means any street, alley, sidewalk, parking  
4 space, pedestrian or transit mall, bike path, greenway, or any other  
5 structure or area encompassed within the public right-of-way; any  
6 park, parkway, mountain park, or other recreation facility; or any  
7 other grounds, buildings, fixtures, or other facilities owned or  
8 leased by the state or by any other public owner, regardless of  
9 whether such public property is vacant or occupied and actively used  
10 for any public purpose.

11 NEW SECTION. **Sec. 3.** A new section is added to chapter 35A.21  
12 RCW to read as follows:

13 (1)(a) By May 1, 2027, the legislative authority of each code  
14 city that is required or that chooses to plan under RCW 36.70A.040  
15 must adopt an ordinance making it unlawful for any person to camp on  
16 public property within 500 feet of:

17 (i) Public or private elementary or secondary schools;

18 (ii) School walk areas, as determined under rules promulgated by  
19 the superintendent of public instruction pursuant to RCW 28A.150.290;

20 (iii) Child day care centers, as defined in RCW 43.216.010;

21 (iv) Public parks, as defined in RCW 69.50.435;

22 (v) County courthouses;

23 (vi) Areas that have been the site of an illegal encampment with  
24 more than one police response for violence in the past month; and

25 (vii) Areas that the code city has identified as necessary to  
26 avoid water contamination.

27 (b) A code city that is not required under (a) of this subsection  
28 to adopt the specified ordinance may voluntarily choose to do so. A  
29 code city that voluntarily adopts the ordinance is eligible for  
30 grants under subsection (3) of this section under the same conditions  
31 as code cities required to adopt the ordinance under (a) of this  
32 subsection.

33 (2)(a) Upon adoption of the ordinance required in subsection (1)  
34 of this section, the code city's legislative authority must submit  
35 copies of the ordinance to the department of commerce.

36 (b) By May 1st of each year, the code city's legislative  
37 authority or chief executive of the code city must submit to the  
38 department of commerce:

1 (i) A certification signed by the chair of the code city's  
2 legislative authority or by the chief executive of the code city,  
3 certifying that the ordinance adopted pursuant to subsection (1) of  
4 this section remains in effect and that the code city has taken  
5 reasonable steps to enforce the ordinance on an ongoing and regular  
6 basis.

7 (ii) A report detailing the measures that have been taken to  
8 monitor and remove those in violation of the ordinance required in  
9 subsection (1) of this section, whether any violations of the  
10 ordinance have occurred, and how the revenue provided in subsection  
11 (3) of this section has been utilized.

12 (3) A code city that has adopted the ordinance required by  
13 subsection (1) of this section and that is in compliance with the  
14 requirements of subsection (2) of this section shall receive funding  
15 under the encampment cleanup grant program created in section 4 of  
16 this act.

17 (4) (a) A code city that has not adopted the ordinance required by  
18 subsection (1) of this section or that has failed to submit the  
19 ordinance, certification, or report as required by subsection (2) of  
20 this section is ineligible to receive grants under RCW 36.70A.190.

21 (b) (i) A code city that has not adopted the ordinance required by  
22 subsection (1) of this section or that has failed to submit the  
23 ordinance, certification, or report as required by subsection (2) of  
24 this section shall have the funding it receives under subsection (3)  
25 of this section reduced each year that it has not been in compliance  
26 with the requirements of this section until it has not been in  
27 compliance for four consecutive years. A code city that has not been  
28 in compliance for four or more consecutive years is ineligible for  
29 funding. A reduction or cessation of funding under this subsection  
30 shall continue until such time as the code city is able to fully  
31 comply with this section.

32 (ii) When funding is reduced under this subsection, it shall be  
33 reduced by the following amounts:

34 (A) One-fourth of the total that the code city would otherwise be  
35 eligible to receive if the code city is out of compliance for between  
36 one and two years;

37 (B) One-half of the total that the code city would otherwise be  
38 eligible to receive if the code city is out of compliance for between  
39 two and three years; or

1 (C) Three-fourths of the total that the code city would otherwise  
2 be eligible to receive if the code city is out of compliance for  
3 between three and four years.

4 (5) The definitions in this subsection apply throughout this  
5 section unless the context clearly requires otherwise.

6 (a) "Camp" or "camping" means to pitch, use, or occupy camp  
7 facilities for the purposes of habitation, as evidenced by the use of  
8 camp paraphernalia. Camp facilities include, but are not limited to,  
9 tents, huts, temporary shelters, or vehicles if said vehicle is being  
10 used as temporary living quarters, and may include a recreational  
11 vehicle, tent, tarpaulin, lean-to, sleeping bag, bedroll, blankets,  
12 or any form of cover or protection from the elements other than  
13 clothing. Camp paraphernalia includes, but is not limited to,  
14 tarpaulins, cots, beds, sleeping bags, blankets, mattresses,  
15 hammocks, or cooking facilities or equipment. For the purposes of  
16 this section, "camp" and "camping" do not include the use of camp  
17 facilities at an area designated for temporary recreational camping.

18 (b) "Public property" means any street, alley, sidewalk, parking  
19 space, pedestrian or transit mall, bike path, greenway, or any other  
20 structure or area encompassed within the public right-of-way; any  
21 park, parkway, mountain park, or other recreation facility; or any  
22 other grounds, buildings, fixtures, or other facilities owned or  
23 leased by the state or by any other public owner, regardless of  
24 whether such public property is vacant or occupied and actively used  
25 for any public purpose.

26 NEW SECTION. **Sec. 4.** A new section is added to chapter 43.31  
27 RCW to read as follows:

28 (1) The encampment cleanup grant program is created in the  
29 department of commerce. Grant funding must be distributed to counties  
30 that are required to or voluntarily enact an ordinance under section  
31 1 of this act. Counties must enter into subgrants with cities that  
32 are required to or voluntarily enact an ordinance under section 2 or  
33 3 of this act. In making subgrants, counties must distribute funds  
34 based on the city's relative share of unsheltered homeless  
35 individuals living in the county.

36 (2) Grantees must first use funds awarded under this section for  
37 actions to enforce an ordinance enacted pursuant to sections 1, 2, or  
38 3 of this act including, but not limited to, costs to clear garbage,  
39 debris, or hazardous materials, and costs to prevent future

1 encampments from forming in areas protected under the enacted  
2 ordinances. Grant funding may also be used for other activities to  
3 address and prevent homelessness, including providing housing and  
4 supportive services for homeless individuals and families.

5 (3) The department of commerce must distribute funds awarded  
6 under this section to counties as follows:

7 (a) 50 percent based on the county's relative share of the  
8 state's population, as determined by the office of financial  
9 management pursuant to RCW 43.62.035; and

10 (b) 50 percent based on the county's relative share of the number  
11 of unsheltered homeless individuals living in the state of  
12 Washington, as determined by the annual Washington homeless census  
13 conducted pursuant to RCW 43.185C.030.

14 (4) Grants provided under subsection (3) of this section  
15 constitute reimbursement for purposes of RCW 43.135.060(1).

16 NEW SECTION. **Sec. 5.** A new section is added to chapter 43.31  
17 RCW to read as follows:

18 (1) The encampment cleanup account is created in the state  
19 treasury. Moneys in the account consist of appropriations and  
20 transfers made to the account by the legislature and all other moneys  
21 directed for deposit into the account. Moneys in the account may be  
22 spent only after appropriation. Expenditures from the account may be  
23 used by the department of commerce only for the encampment cleanup  
24 grant program created in section 4 of this act.

25 (2) For the fiscal year beginning July 1, 2025, and each  
26 subsequent fiscal year, the legislature must transfer an amount no  
27 less than \$100,000,000 into the encampment cleanup account.

28 **Sec. 6.** RCW 36.70A.190 and 2023 c 228 s 9 are each amended to  
29 read as follows:

30 (1) The department shall establish a program of technical and  
31 financial assistance and incentives to counties and cities to  
32 encourage and facilitate the adoption and implementation of  
33 comprehensive plans and development regulations throughout the state.

34 (2) The department shall develop a priority list and establish  
35 funding levels for planning and technical assistance grants both for  
36 counties and cities that plan under RCW 36.70A.040. Priority for  
37 assistance shall be based on a county's or city's population growth  
38 rates, commercial and industrial development rates, the existence and

1 quality of a comprehensive plan and development regulations, the  
2 presence of overburdened communities, and other relevant factors. The  
3 department shall establish funding levels for grants to community-  
4 based organizations for the specific purpose of advancing  
5 participation of vulnerable populations and overburdened communities  
6 in the planning process.

7 (3) The department shall develop and administer a grant program  
8 to provide direct financial assistance to counties and cities for the  
9 preparation of comprehensive plans under this chapter. The department  
10 may establish provisions for county and city matching funds to  
11 conduct activities under this subsection. Grants may be expended for  
12 any purpose directly related to the preparation of a county or city  
13 comprehensive plan as the county or city and the department may  
14 agree, including, without limitation, the conducting of surveys,  
15 inventories and other data gathering and management activities, the  
16 retention of planning consultants, contracts with regional councils  
17 for planning and related services, and other related purposes.

18 (4) The department shall establish a program of technical  
19 assistance:

20 (a) Utilizing department staff, the staff of other state  
21 agencies, and the technical resources of counties and cities to help  
22 in the development of comprehensive plans required under this  
23 chapter. The technical assistance may include, but not be limited to,  
24 model land use ordinances, regional education and training programs,  
25 and information for local and regional inventories; and

26 (b) Adopting by rule procedural criteria to assist counties and  
27 cities in adopting comprehensive plans and development regulations  
28 that meet the goals and requirements of this chapter. These criteria  
29 shall reflect regional and local variations and the diversity that  
30 exists among different counties and cities that plan under this  
31 chapter.

32 (5) The department shall provide mediation services to resolve  
33 disputes between counties and cities regarding, among other things,  
34 coordination of regional issues and designation of urban growth  
35 areas.

36 (6) The department shall provide services to facilitate the  
37 timely resolution of disputes between a federally recognized Indian  
38 tribe and a city or county.

39 (a) A federally recognized Indian tribe may request the  
40 department to provide facilitation services to resolve issues of

1 concern with a proposed comprehensive plan and its development  
2 regulations, or any amendment to the comprehensive plan and its  
3 development regulations.

4 (b) Upon receipt of a request from a tribe, the department shall  
5 notify the city or county of the request and offer to assist in  
6 providing facilitation services to encourage resolution before  
7 adoption of the proposed comprehensive plan. Upon receipt of the  
8 notice from the department, the city or county must delay any final  
9 action to adopt any comprehensive plan or any amendment or its  
10 development regulations for at least 60 days. The tribe and the city  
11 or county may jointly agree to extend this period by notifying the  
12 department. A county or city must not be penalized for noncompliance  
13 under this chapter due to any delays associated with this process.

14 (c) Upon receipt of a request, the department shall provide  
15 comments to the county or city including a summary and supporting  
16 materials regarding the tribe's concerns. The county or city may  
17 either agree to amend the comprehensive plan as requested consistent  
18 with the comments from the department, or enter into a facilitated  
19 process with the tribe, which must be arranged by the department  
20 using a suitable expert to be paid by the department. This  
21 facilitated process may also extend the 60-day delay of adoption,  
22 upon agreement of the tribe and the city or county.

23 (d) At the end of the 60-day period, unless by agreement there is  
24 an extension of the 60-day period, the city or county may proceed  
25 with adoption of the proposed comprehensive plan and development  
26 regulations. The facilitator shall write a report of findings  
27 describing the basis for agreements or disagreements that occurred  
28 during the process that are allowed to be disclosed by the parties  
29 and the resulting agreed-upon elements of the plan to be amended.

30 (7) The department shall provide planning grants to enhance  
31 citizen participation under RCW 36.70A.140.

32 (8) The department shall develop, in collaboration with the  
33 department of ecology, the department of fish and wildlife, the  
34 department of natural resources, the department of health, the  
35 emergency management division of the military department, as well as  
36 any federally recognized tribe who chooses to voluntarily  
37 participate, and adopt by rule guidance that creates a model climate  
38 change and resiliency element that may be used by counties, cities,  
39 and multiple-county planning regions for developing and implementing

1 climate change and resiliency plans and policies required by RCW  
2 36.70A.070(9), subject to the following provisions:

3 (a) The model element must establish minimum requirements, and  
4 may include model options or voluntary cross-jurisdictional  
5 strategies, or both, for fulfilling the requirements of RCW  
6 36.70A.070(9);

7 (b) The model element should provide guidance on identifying,  
8 designing, and investing in infrastructure that supports community  
9 resilience to climate impacts, including the protection, restoration,  
10 and enhancement of natural infrastructure as well as traditional  
11 infrastructure and protecting and enhancing natural areas to foster  
12 resiliency to climate impacts, as well as areas of vital habitat for  
13 safe passage and species migration;

14 (c) The model element should provide guidance on identifying and  
15 addressing natural hazards created or aggravated by climate change,  
16 including sea level rise, landslides, flooding, drought, heat, smoke,  
17 wildfires, and other effects of reasonably anticipated changes to  
18 temperature and precipitation patterns; and

19 (d) The rule must recognize and promote as many cobenefits of  
20 climate resilience as possible such as climate change mitigation,  
21 salmon recovery, forest health, ecosystem services, and socioeconomic  
22 health and resilience.

23 (9)(a) A county that is not in compliance with the requirements  
24 of section 1 of this act, or a city that is not in compliance with  
25 section 2 or 3 of this act, is ineligible to receive grants or  
26 technical assistance under this section except as provided in (b) of  
27 this subsection.

28 (b) By June 1, 2027, and by each subsequent June 1st thereafter,  
29 the department shall notify any city or county that will not qualify  
30 for technical assistance and grants for the coming fiscal year  
31 because of a failure to comply with the requirements of section 1, 2,  
32 or 3 of this act. A city or county that remedies its noncompliance  
33 within 30 days of receiving a notification shall be considered to  
34 have complied with the requirements of this section for the coming  
35 fiscal year.

36 NEW SECTION. Sec. 7. A new section is added to chapter 43.185C  
37 RCW to read as follows:

38 (1) By January 1, 2026, the department must maintain an online  
39 data dashboard updated on a quarterly basis with performance metrics

1 regarding verified homeless encampment sites. The dashboard must  
2 allow for viewing data at a statewide level and by county. The  
3 dashboard must include the following performance metrics:

4 (a) The number and location of verified homeless encampment  
5 sites;

6 (b) The number of individuals living in a verified homeless  
7 encampment site who received an offer of shelter before a local  
8 government or state agency took action to close the site; and

9 (c) Total expenditures, by fund source, for closing verified  
10 homeless encampment sites. Types of expenditures may include, but are  
11 not limited to, costs for outreach and the provision of services to  
12 homeless individuals previously living at the encampment site; law  
13 enforcement costs; costs to collect and dispose of garbage; costs to  
14 clear debris or hazardous material; and other costs to prevent future  
15 encampments from forming.

16 (2) Any local government receiving state funds for homelessness  
17 assistance or state or local document recording fees under RCW  
18 36.22.250, must provide a report to the department that includes the  
19 information described in subsection (1)(a) through (c) of this  
20 section on a quarterly basis. If a local government fails to report  
21 or provides an inadequate or incomplete report, the department must  
22 take corrective action, which may include withholding state funding  
23 for homelessness assistance to the local government to enable the  
24 department to use such funds to contract with other public or  
25 nonprofit entities to provide homelessness assistance within the  
26 jurisdiction.

27 (3) The department may provide grants to local governments to  
28 assist with costs associated with collecting and reporting data as  
29 required under subsection (2) of this section.

30 (4) The definitions in this subsection apply throughout this  
31 section unless the context clearly requires otherwise.

32 (a) "Public property" means any street, alley, sidewalk, parking  
33 space, pedestrian or transit mall, bike path, greenway, or any other  
34 structure or area encompassed within the public right-of-way; any  
35 park, parkway, mountain park, or other recreation facility; or any  
36 other grounds, buildings, fixtures, or other facilities owned or  
37 leased by the state or by any other public owner, regardless of  
38 whether such public property is vacant or occupied and actively used  
39 for any public purpose.

1 (b) "Verified homeless encampment site" means a site located on  
2 public property where one or more homeless individuals or households  
3 pitch, use, or occupy camp facilities for the purposes of habitation.  
4 The state agency or local government who owns the property where the  
5 site is located must verify the presence of homeless individuals or  
6 households using or occupying camp facilities. Camp facilities  
7 include, but are not limited to, tents, huts, temporary shelters, or  
8 vehicles if said vehicle is being used as temporary living quarters,  
9 and may include a recreational vehicle, tent, tarpaulin, lean-to,  
10 sleeping bag, bedroll, blankets, or any form of cover or protection  
11 from the elements other than clothing. For the purposes of this  
12 section, a "verified homeless encampment site" does not include the  
13 use of camp facilities at an area designated for temporary  
14 recreational camping.

15 NEW SECTION. **Sec. 8.** This act is necessary for the immediate  
16 preservation of the public peace, health, or safety, or support of  
17 the state government and its existing public institutions, and takes  
18 effect immediately.

--- END ---