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**SENATE BILL 5644**

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**State of Washington**

**66th Legislature**

**2019 Regular Session**

**By** Senators Darneille, Nguyen, Pedersen, Hunt, Das, Keiser, Cleveland, Van De Wege, Wilson, C., Hasegawa, and Kuderer

Read first time 01/25/19. Referred to Committee on Housing Stability & Affordability.

1 AN ACT Relating to the hosting of the homeless by religious  
2 organizations; amending RCW 36.01.290, 35.21.915, and 35A.21.360; and  
3 creating a new section.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that residents in  
6 temporary settings hosted by religious organizations are a  
7 particularly vulnerable population that do not have access to the  
8 same services as citizens with more stable housing. Residents in  
9 these settings, including outdoor uses such as outdoor encampments,  
10 indoor overnight shelters, temporary small houses on site, and  
11 homeless-occupied vehicle resident safe parking, can be at increased  
12 risk of exploitation, theft, unsanitary living conditions, and  
13 physical harm. Therefore, it is the intent of the legislature that  
14 local municipalities have the discretion to protect the health and  
15 safety of residents in temporary settings that are hosted by  
16 religious organizations. Furthermore, the legislature finds and  
17 declares that hosted outdoor encampments, indoor overnight shelters,  
18 temporary small houses on site, and homeless-occupied vehicle  
19 resident safe parking serve as pathways for individuals experiencing  
20 homelessness to receive services and achieve financial stability,  
21 health, and permanent housing.

1       **Sec. 2.** RCW 36.01.290 and 2010 c 175 s 2 are each amended to  
2 read as follows:

3       (1) A religious organization may host (~~temporary encampments~~  
4 ~~for~~) the homeless on property owned or controlled by the religious  
5 organization whether within buildings located on the property or  
6 elsewhere on the property outside of buildings.

7       (2) A county may not enact an ordinance or regulation or take any  
8 other action that:

9       (a) Imposes conditions other than those necessary to protect  
10 public health and safety and that do not substantially burden the  
11 decisions or actions of a religious organization regarding the  
12 location of housing or shelter, such as an outdoor encampment, indoor  
13 overnight shelter, temporary small house on site, or vehicle resident  
14 safe parking, for homeless persons on property owned or controlled by  
15 the religious organization;

16       (b) Requires a religious organization to obtain insurance  
17 pertaining to the liability of a municipality with respect to  
18 homeless persons housed on property owned by a religious organization  
19 or otherwise requires the religious organization to indemnify the  
20 municipality against such liability; (~~or~~)

21       (c) Imposes permit fees in excess of the actual costs associated  
22 with the review and approval of (~~the required~~) permit applications.  
23 Actual costs must be reasonable and not include departmental  
24 overhead. Actual permit costs are reasonable if they do not cause an  
25 undue burden to the permit applicant;

26       (d) Specifically limits a religious organization's availability  
27 to host an outdoor encampment on its property or property controlled  
28 by the religious organization to fewer than six months during any  
29 calendar year. However, a county may enact an ordinance or regulation  
30 that requires a three-month separation of time between subsequent or  
31 established outdoor encampments at a particular site;

32       (e) Specifically limits a religious organization's outdoor  
33 encampment hosting term to fewer than four consecutive months;

34       (f) Limits the number of simultaneous religious organization  
35 outdoor encampment hostings within the same municipality during any  
36 given period of time. Simultaneous and adjacent hostings of outdoor  
37 encampments by religious organizations may be limited if located  
38 within one thousand feet of another outdoor encampment concurrently  
39 hosted by a religious organization;

1 (g) Limits a religious organization's availability to host safe  
2 parking efforts at its on-site parking lot, including limitations on  
3 any other congregationally sponsored uses and the parking available  
4 to support such uses during the hosting, except for limitations that  
5 are in accord with the following criteria that would govern if  
6 enacted by local ordinance or memorandum of understanding between the  
7 host religious organization and the jurisdiction:

8 (i) No less than one space may be devoted to safe parking per ten  
9 on-site parking spaces;

10 (ii) Restroom access must be provided either within the buildings  
11 on the property or through use of portable facilities, with the  
12 provision for proper disposal of waste if recreational vehicles are  
13 hosted;

14 (h) Limits a religious organization's availability to host an  
15 indoor overnight shelter in spaces with at least two accessible exits  
16 due to lack of sprinklers or other fire-related concerns. The host  
17 religious organization and county may enter into a memorandum of  
18 understanding to include local fire district inspections, an outline  
19 for appropriate emergency procedures, a determination of the most  
20 viable means to evacuate occupants from inside the host site with  
21 appropriate illuminated exit signage, panic bar exit doors, and a  
22 completed fire watch agreement indicating:

23 (i) Posted safe means of egress;

24 (ii) Operable smoke detectors, carbon monoxide detectors as  
25 necessary, and fire extinguishers;

26 (iii) A plan for monitors who spend the night awake and are  
27 familiar with emergency protocols, who have suitable communication  
28 devices, and who know how to contact the local fire department; or

29 (i) Limits a religious organization's ability to host temporary  
30 small houses on land owned or controlled by the religious  
31 organization, except for recommendations that are in accord with the  
32 following criteria:

33 (i) A renewable one-year duration agreed to by the host religious  
34 organization and local jurisdiction via a memorandum of  
35 understanding;

36 (ii) Maintaining a maximum unit square footage of one hundred  
37 twenty square feet, with units set at least six feet apart;

38 (iii) Electricity and heat, if provided, must be inspected by the  
39 local jurisdiction;

1 (iv) Space heaters, if provided, must be approved by the local  
2 fire authority;

3 (v) Doors and windows must be included and be lockable, with a  
4 recommendation that the managing agency and host religious  
5 organization also possess keys;

6 (vi) Each unit must have a fire extinguisher;

7 (vii) Adequate restrooms must be provided, including restrooms  
8 solely for families if present, along with handwashing and potable  
9 running water to be available if not provided within the individual  
10 units, including accommodating black water;

11 (viii) A recommendation for the host religious organization to  
12 partner with regional homeless service providers to develop pathways  
13 to permanent housing.

14 (3) (a) A county may enact an ordinance or regulation or take any  
15 other action that requires a host religious organization and a  
16 distinct managing agency using the religious organization's property,  
17 owned or controlled by the religious organization, for hostings to  
18 include outdoor encampments, temporary small houses on site, indoor  
19 overnight shelters, or vehicle resident safe parking to enter into a  
20 memorandum of understanding to protect the public health and safety  
21 of both the residents of the particular hosting and the residents of  
22 the county.

23 (b) At a minimum, the agreement must include information  
24 regarding: The right of a resident in an outdoor encampment, vehicle  
25 resident safe parking, temporary small house on site, or indoor  
26 overnight shelter to seek public health and safety assistance, the  
27 resident's ability to access social services on site, and the  
28 resident's ability to directly interact with the host religious  
29 organization, including the ability to express any concerns regarding  
30 the managing agency to the religious organization; a written code of  
31 conduct agreed to by the managing agency, if any, host religious  
32 organization, and all volunteers working with residents of the  
33 outdoor encampment, temporary small house on site, indoor overnight  
34 shelter, or vehicle resident safe parking; and when a publicly funded  
35 managing agency exists, the ability for the host religious  
36 organization to interact with residents of the outdoor encampment,  
37 indoor overnight shelter, temporary small house on site, or vehicle  
38 resident safe parking using a release of information.

39 (4) Any host religious organization performing any hosting of an  
40 outdoor encampment, vehicle resident safe parking, or indoor

1 overnight shelter, or the host religious organization's managing  
2 agency must ensure that the county or local law enforcement agency  
3 has completed sex offender checks of all adult residents and guests  
4 if the hosting is supported by public funding or such checks are  
5 included in a memorandum of understanding between the host religious  
6 organization and jurisdiction, with the host religious organization  
7 retaining the authority to allow such offenders to remain on the  
8 property. A host religious organization or host religious  
9 organization's managing agency performing any hosting of vehicle  
10 resident safe parking must inform vehicle residents how to comply  
11 with laws regarding the legal status of vehicles and drivers, and  
12 provide a written code of conduct consistent with area standards.

13 (5) Any host religious organization performing any hosting of an  
14 outdoor encampment, vehicle resident safe parking, temporary small  
15 house on site, or indoor overnight shelter, with a publicly funded  
16 managing agency, must work with the county to utilize Washington's  
17 homeless client management information system, as provided for in RCW  
18 43.185C.180. When the religious organization does not partner with a  
19 managing agency, the religious organization is encouraged to partner  
20 with a local homeless services provider using the Washington homeless  
21 client managing information system. Any managing agency receiving any  
22 funding from local continuum of care programs must utilize the  
23 homeless client management information system. Temporary, overnight,  
24 extreme weather shelter provided in religious organization buildings  
25 does not need to meet this requirement.

26 (6) For the purposes of this section((7)):

27 (a) "Managing agency" means an organization such as a religious  
28 organization or other organized entity that has the capacity to  
29 organize and manage a homeless outdoor encampment, temporary small  
30 houses on-site, indoor overnight shelter, and a vehicle resident safe  
31 parking program.

32 (b) "Outdoor encampment" means any temporary tent or structure  
33 encampment, or both.

34 (c) "Religious organization" means the federally protected  
35 practice of a recognized religious assembly, school, or institution  
36 that owns or controls real property.

37 (d) "Temporary" means not affixed to land permanently and not  
38 using underground utilities.

39 ((4)) (7) An appointed or elected public official, public  
40 employee, or public agency as defined in RCW 4.24.470 is immune from

1 civil liability for (a) damages arising from the permitting decisions  
2 for a temporary encampment for the homeless as provided in this  
3 section and (b) any conduct or unlawful activity that may occur as a  
4 result of the temporary encampment for the homeless as provided in  
5 this section.

6 **Sec. 3.** RCW 35.21.915 and 2010 c 175 s 3 are each amended to  
7 read as follows:

8 (1) A religious organization may host ~~((temporary encampments~~  
9 ~~for))~~ the homeless on property owned or controlled by the religious  
10 organization whether within buildings located on the property or  
11 elsewhere on the property outside of buildings.

12 (2) A city or town may not enact an ordinance or regulation or  
13 take any other action that:

14 (a) Imposes conditions other than those necessary to protect  
15 public health and safety and that do not substantially burden the  
16 decisions or actions of a religious organization regarding the  
17 location of housing or shelter, such as an outdoor encampment, indoor  
18 overnight shelter, temporary small house on site, or vehicle resident  
19 safe parking, for homeless persons on property owned or controlled by  
20 the religious organization;

21 (b) Requires a religious organization to obtain insurance  
22 pertaining to the liability of a municipality with respect to  
23 homeless persons housed on property owned by a religious organization  
24 or otherwise requires the religious organization to indemnify the  
25 municipality against such liability; ~~((or))~~

26 (c) Imposes permit fees in excess of the actual costs associated  
27 with the review and approval of ~~((the required))~~ permit applications.  
28 Actual costs must be reasonable and not include departmental  
29 overhead. Actual permit costs are reasonable if they do not cause an  
30 undue burden to the permit applicant;

31 (d) Specifically limits a religious organization's availability  
32 to host an outdoor encampment on its property or property controlled  
33 by the religious organization to fewer than six months during any  
34 calendar year. However, a city or town may enact an ordinance or  
35 regulation that requires a three-month separation of time between  
36 subsequent or established outdoor encampments at a particular site;

37 (e) Specifically limits a religious organization's outdoor  
38 encampment hosting term to fewer than four consecutive months;

1 (f) Limits the number of simultaneous religious organization  
2 outdoor encampment hostings within the same municipality during any  
3 given period of time. Simultaneous and adjacent hostings of outdoor  
4 encampments by religious organizations may be limited if located  
5 within one thousand feet of another outdoor encampment concurrently  
6 hosted by a religious organization;

7 (g) Limits a religious organization's availability to host safe  
8 parking efforts at its on-site parking lot, including limitations on  
9 any other congregationally sponsored uses and the parking available  
10 to support such uses during the hosting, except for limitations that  
11 are in accord with the following criteria that would govern if  
12 enacted by local ordinance or memorandum of understanding between the  
13 host religious organization and the jurisdiction:

14 (i) No less than one space may be devoted to safe parking per ten  
15 on-site parking spaces;

16 (ii) Restroom access must be provided either within the buildings  
17 on the property or through use of portable facilities, with the  
18 provision for proper disposal of waste if recreational vehicles are  
19 hosted;

20 (h) Limits a religious organization's availability to host an  
21 indoor overnight shelter in spaces with at least two accessible exits  
22 due to lack of sprinklers or other fire-related concerns. The host  
23 religious organization and city or town may enter into a memorandum  
24 of understanding to include local fire district inspections, an  
25 outline for appropriate emergency procedures, a determination of the  
26 most viable means to evacuate occupants from inside the host site  
27 with appropriate illuminated exit signage, panic bar exit doors, and  
28 a completed fire watch agreement indicating:

29 (i) Posted safe means of egress;

30 (ii) Operable smoke detectors, carbon monoxide detectors as  
31 necessary, and fire extinguishers;

32 (iii) A plan for monitors who spend the night awake and are  
33 familiar with emergency protocols, who have suitable communication  
34 devices, and who know how to contact the local fire department; or

35 (i) Limits a religious organization's ability to host temporary  
36 small houses on land owned or controlled by the religious  
37 organization, except for recommendations that are in accord with the  
38 following criteria:

1 (i) A renewable one-year duration agreed to by the host religious  
2 organization and local jurisdiction via a memorandum of  
3 understanding;

4 (ii) Maintaining a maximum unit square footage of one hundred  
5 twenty square feet, with units set at least six feet apart;

6 (iii) Electricity and heat, if provided, must be inspected by the  
7 local jurisdiction;

8 (iv) Space heaters, if provided, must be approved by the local  
9 fire authority;

10 (v) Doors and windows must be included and be lockable, with a  
11 recommendation that the managing agency and host religious  
12 organization also possess keys;

13 (vi) Each unit must have a fire extinguisher;

14 (vii) Adequate restrooms must be provided, including restrooms  
15 solely for families if present, along with handwashing and potable  
16 running water to be available if not provided within the individual  
17 units, including accommodating black water;

18 (viii) A recommendation for the host religious organization to  
19 partner with regional homeless service providers to develop pathways  
20 to permanent housing.

21 (3)(a) A city or town may enact an ordinance or regulation or  
22 take any other action that requires a host religious organization and  
23 a distinct managing agency using the religious organization's  
24 property, owned or controlled by the religious organization, for  
25 hostings to include outdoor encampments, temporary small houses on  
26 site, indoor overnight shelters, or vehicle resident safe parking to  
27 enter into a memorandum of understanding to protect the public health  
28 and safety of both the residents of the particular hosting and the  
29 residents of the city or town.

30 (b) At a minimum, the agreement must include information  
31 regarding: The right of a resident in an outdoor encampment, vehicle  
32 resident safe parking, temporary small house on site, or indoor  
33 overnight shelter to seek public health and safety assistance, the  
34 resident's ability to access social services on site, and the  
35 resident's ability to directly interact with the host religious  
36 organization, including the ability to express any concerns regarding  
37 the managing agency to the religious organization; a written code of  
38 conduct agreed to by the managing agency, if any, host religious  
39 organization, and all volunteers working with residents of the  
40 outdoor encampment, temporary small house on site, indoor overnight



1 shelter, or vehicle resident safe parking; and when a publicly funded  
2 managing agency exists, the ability for the host religious  
3 organization to interact with residents of the outdoor encampment,  
4 indoor overnight shelter, temporary small house on site, or vehicle  
5 resident safe parking using a release of information.

6 (4) Any host religious organization performing any hosting of an  
7 outdoor encampment, vehicle resident safe parking, or indoor  
8 overnight shelter, or the host religious organization's managing  
9 agency must ensure that the city or town or local law enforcement  
10 agency has completed sex offender checks of all adult residents and  
11 guests if the hosting is supported by public funding or such checks  
12 are included in a memorandum of understanding between the host  
13 religious organization and jurisdiction, with the host religious  
14 organization retaining the authority to allow such offenders to  
15 remain on the property. A host religious organization or host  
16 religious organization's managing agency performing any hosting of  
17 vehicle resident safe parking must inform vehicle residents how to  
18 comply with laws regarding the legal status of vehicles and drivers,  
19 and provide a written code of conduct consistent with area standards.

20 (5) Any host religious organization performing any hosting of an  
21 outdoor encampment, vehicle resident safe parking, temporary small  
22 house on site, or indoor overnight shelter, with a publicly funded  
23 managing agency, must work with the city or town to utilize  
24 Washington's homeless client management information system, as  
25 provided for in RCW 43.185C.180. When the religious organization does  
26 not partner with a managing agency, the religious organization is  
27 encouraged to partner with a local homeless services provider using  
28 the Washington homeless client managing information system. Any  
29 managing agency receiving any funding from local continuum of care  
30 programs must utilize the homeless client management information  
31 system. Temporary, overnight, extreme weather shelter provided in  
32 religious organization buildings does not need to meet this  
33 requirement.

34 (6) For the purposes of this section((7)):

35 (a) "Managing agency" means an organization such as a religious  
36 organization or other organized entity that has the capacity to  
37 organize and manage a homeless outdoor encampment, temporary small  
38 houses on-site, indoor overnight shelter, and a vehicle resident safe  
39 parking program.

1 (b) "Outdoor encampment" means any temporary tent or structure  
2 encampment, or both.

3 (c) "Religious organization" means the federally protected  
4 practice of a recognized religious assembly, school, or institution  
5 that owns or controls real property.

6 (d) "Temporary" means not affixed to land permanently and not  
7 using underground utilities.

8 ~~((4))~~ (7) An appointed or elected public official, public  
9 employee, or public agency as defined in RCW 4.24.470 is immune from  
10 civil liability for (a) damages arising from the permitting decisions  
11 for a temporary encampment for the homeless as provided in this  
12 section and (b) any conduct or unlawful activity that may occur as a  
13 result of the temporary encampment for the homeless as provided in  
14 this section.

15 **Sec. 4.** RCW 35A.21.360 and 2010 c 175 s 4 are each amended to  
16 read as follows:

17 (1) A religious organization may host ~~((temporary encampments~~  
18 ~~for))~~ the homeless on property owned or controlled by the religious  
19 organization whether within buildings located on the property or  
20 elsewhere on the property outside of buildings.

21 (2) A code city may not enact an ordinance or regulation or take  
22 any other action that:

23 (a) Imposes conditions other than those necessary to protect  
24 public health and safety and that do not substantially burden the  
25 decisions or actions of a religious organization regarding the  
26 location of housing or shelter, such as an outdoor encampment, indoor  
27 overnight shelter, temporary small house on site, or vehicle resident  
28 safe parking, for homeless persons on property owned or controlled by  
29 the religious organization;

30 (b) Requires a religious organization to obtain insurance  
31 pertaining to the liability of a municipality with respect to  
32 homeless persons housed on property owned by a religious organization  
33 or otherwise requires the religious organization to indemnify the  
34 municipality against such liability; ~~((or))~~

35 (c) Imposes permit fees in excess of the actual costs associated  
36 with the review and approval of ~~((the required))~~ permit applications.  
37 Actual costs must be reasonable and not include departmental  
38 overhead. Actual permit costs are reasonable if they do not cause an  
39 undue burden to the permit applicant;

1 (d) Specifically limits a religious organization's availability  
2 to host an outdoor encampment on its property or property controlled  
3 by the religious organization to fewer than six months during any  
4 calendar year. However, a code city may enact an ordinance or  
5 regulation that requires a three-month separation of time between  
6 subsequent or established outdoor encampments at a particular site;

7 (e) Specifically limits a religious organization's outdoor  
8 encampment hosting term to fewer than four consecutive months;

9 (f) Limits the number of simultaneous religious organization  
10 outdoor encampment hostings within the same municipality during any  
11 given period of time. Simultaneous and adjacent hostings of outdoor  
12 encampments by religious organizations may be limited if located  
13 within one thousand feet of another outdoor encampment concurrently  
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15 (g) Limits a religious organization's availability to host safe  
16 parking efforts at its on-site parking lot, including limitations on  
17 any other congregationally sponsored uses and the parking available  
18 to support such uses during the hosting, except for limitations that  
19 are in accord with the following criteria that would govern if  
20 enacted by local ordinance or memorandum of understanding between the  
21 host religious organization and the jurisdiction:

22 (i) No less than one space may be devoted to safe parking per ten  
23 on-site parking spaces;

24 (ii) Restroom access must be provided either within the buildings  
25 on the property or through use of portable facilities, with the  
26 provision for proper disposal of waste if recreational vehicles are  
27 hosted;

28 (h) Limits a religious organization's availability to host an  
29 indoor overnight shelter in spaces with at least two accessible exits  
30 due to lack of sprinklers or other fire-related concerns. The host  
31 religious organization and code city may enter into a memorandum of  
32 understanding to include local fire district inspections, an outline  
33 for appropriate emergency procedures, a determination of the most  
34 viable means to evacuate occupants from inside the host site with  
35 appropriate illuminated exit signage, panic bar exit doors, and a  
36 completed fire watch agreement indicating:

37 (i) Posted safe means of egress;

38 (ii) Operable smoke detectors, carbon monoxide detectors as  
39 necessary, and fire extinguishers;

1 (iii) A plan for monitors who spend the night awake and are  
2 familiar with emergency protocols, who have suitable communication  
3 devices, and who know how to contact the local fire department; or

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5 small houses on land owned or controlled by the religious  
6 organization, except for recommendations that are in accord with the  
7 following criteria:

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9 organization and local jurisdiction via a memorandum of  
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12 twenty square feet, with units set at least six feet apart;

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14 local jurisdiction;

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16 fire authority;

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18 recommendation that the managing agency and host religious  
19 organization also possess keys;

20 (vi) Each unit must have a fire extinguisher;

21 (vii) Adequate restrooms must be provided, including restrooms  
22 solely for families if present, along with handwashing and potable  
23 running water to be available if not provided within the individual  
24 units, including accommodating black water;

25 (viii) A recommendation for the host religious organization to  
26 partner with regional homeless service providers to develop pathways  
27 to permanent housing.

28 (3)(a) A code city may enact an ordinance or regulation or take  
29 any other action that requires a host religious organization and a  
30 distinct managing agency using the religious organization's property,  
31 owned or controlled by the religious organization, for hostings to  
32 include outdoor encampments, temporary small houses on site, indoor  
33 overnight shelters, or vehicle resident safe parking to enter into a  
34 memorandum of understanding to protect the public health and safety  
35 of both the residents of the particular hosting and the residents of  
36 the code city.

37 (b) At a minimum, the agreement must include information  
38 regarding: The right of a resident in an outdoor encampment, vehicle  
39 resident safe parking, temporary small house on site, or indoor  
40 overnight shelter to seek public health and safety assistance, the

1 resident's ability to access social services on site, and the  
2 resident's ability to directly interact with the host religious  
3 organization, including the ability to express any concerns regarding  
4 the managing agency to the religious organization; a written code of  
5 conduct agreed to by the managing agency, if any, host religious  
6 organization, and all volunteers working with residents of the  
7 outdoor encampment, temporary small house on site, indoor overnight  
8 shelter, or vehicle resident safe parking; and when a publicly funded  
9 managing agency exists, the ability for the host religious  
10 organization to interact with residents of the outdoor encampment,  
11 indoor overnight shelter, temporary small house on site, or vehicle  
12 resident safe parking using a release of information.

13 (4) Any host religious organization performing any hosting of an  
14 outdoor encampment, vehicle resident safe parking, or indoor  
15 overnight shelter, or the host religious organization's managing  
16 agency must ensure that the code city or local law enforcement agency  
17 has completed sex offender checks of all adult residents and guests  
18 if the hosting is supported by public funding or such checks are  
19 included in a memorandum of understanding between the host religious  
20 organization and jurisdiction, with the host religious organization  
21 retaining the authority to allow such offenders to remain on the  
22 property. A host religious organization or host religious  
23 organization's managing agency performing any hosting of vehicle  
24 resident safe parking must inform vehicle residents how to comply  
25 with laws regarding the legal status of vehicles and drivers, and  
26 provide a written code of conduct consistent with area standards.

27 (5) Any host religious organization performing any hosting of an  
28 outdoor encampment, vehicle resident safe parking, temporary small  
29 house on site, or indoor overnight shelter, with a publicly funded  
30 managing agency, must work with the code city to utilize Washington's  
31 homeless client management information system, as provided for in RCW  
32 43.185C.180. When the religious organization does not partner with a  
33 managing agency, the religious organization is encouraged to partner  
34 with a local homeless services provider using the Washington homeless  
35 client managing information system. Any managing agency receiving any  
36 funding from local continuum of care programs must utilize the  
37 homeless client management information system. Temporary, overnight,  
38 extreme weather shelter provided in religious organization buildings  
39 does not need to meet this requirement.

40 (6) For the purposes of this section((7)):

1       (a) "Managing agency" means an organization such as a religious  
2 organization or other organized entity that has the capacity to  
3 organize and manage a homeless outdoor encampment, temporary small  
4 houses on-site, indoor overnight shelter, and a vehicle resident safe  
5 parking program.

6       (b) "Outdoor encampment" means any temporary tent or structure  
7 encampment, or both.

8       (c) "Religious organization" means the federally protected  
9 practice of a recognized religious assembly, school, or institution  
10 that owns or controls real property.

11       (d) "Temporary" means not affixed to land permanently and not  
12 using underground utilities.

13       (~~(4)~~) (7) An appointed or elected public official, public  
14 employee, or public agency as defined in RCW 4.24.470 is immune from  
15 civil liability for (a) damages arising from the permitting decisions  
16 for a temporary encampment for the homeless as provided in this  
17 section and (b) any conduct or unlawful activity that may occur as a  
18 result of the temporary encampment for the homeless as provided in  
19 this section.

--- END ---