

---

ENGROSSED SUBSTITUTE SENATE BILL 5946

---

State of Washington

66th Legislature

2019 Regular Session

**By** Senate Housing Stability & Affordability (originally sponsored by Senators Nguyen, Saldaña, Hasegawa, Das, and Lovelett)

READ FIRST TIME 02/21/19.

1 AN ACT Relating to the application of the state environmental  
2 policy act to temporary shelters and transitional encampments; and  
3 adding a new section to chapter 43.21C RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 43.21C  
6 RCW to read as follows:

7 (1) Permit actions to site a temporary shelter or transitional  
8 encampment are exempt from compliance with this chapter if the  
9 facility meets each of the following standards:

10 (a) The facility is used for people experiencing homelessness;

11 (b) The facility includes no more than two hundred beds and the  
12 number of occupants is based on one person for each bed;

13 (c) The facility is used on the site for no more than three  
14 years;

15 (d) The transitional encampment does not involve the erection of  
16 a new permanent structure; and

17 (e) The local jurisdiction has declared a state of emergency on  
18 homelessness; and

19 (f) The facility does not allow the use of drugs or alcohol on  
20 its premises, except for medicines a sheltered individual has been  
21 prescribed by a licensed prescriber; and

1 (g) The facility may not be located within one thousand feet of a  
2 public or private school or an early learning facility, unless the  
3 public or private school, early learning facility, or controlling  
4 affiliate organization of the public or private school or early  
5 learning facility has approved the siting.

6 (2) The definitions in this subsection apply throughout this  
7 section unless the context clearly requires otherwise.

8 (a) "School" means:

9 (i) A public school under RCW 28A.150.010;

10 (ii) A private school approved by the state under chapter 28A.195  
11 RCW; and

12 (iii) A charter school under RCW 28A.710.010.

13 (b) "Early learning facility" means:

14 (i) A child day care center under RCW 43.216.010(1)(a);

15 (ii) An early childhood education and assistance program provider  
16 under RCW 43.216.010(8);

17 (iii) A family day care provider under RCW 43.216.010(1)(c);

18 (iv) A head start program under 42 U.S.C. 9801 et seq.; and

19 (v) A nursery school under RCW 43.216.010(2)(e).

20 (c) "Temporary shelter" means a use sited in a new or existing  
21 structure or modular structure that provides temporary quarters for  
22 sleeping and shelter. The use may have common food preparation,  
23 shower, or other commonly used facilities that support temporary  
24 shelters.

25 (d) "Transitional encampment" means a use having tents, modular  
26 structures, or a similar shelter, including vehicles used for  
27 shelter, that provides temporary quarters for sleeping and shelter.  
28 The use may have common food preparation, shower, or other commonly  
29 used facilities that are separate from the sleeping shelters and that  
30 support transitional encampments.

--- END ---