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**SUBSTITUTE SENATE BILL 5668**

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**State of Washington**

**55th Legislature**

**1997 Regular Session**

**By** Senate Committee on Financial Institutions, Insurance & Housing  
(originally sponsored by Senators Prentice, Deccio, Sellar, Newhouse,  
Hale, Anderson and Winsley)

Read first time 02/20/97.

1 AN ACT Relating to temporary worker building codes; amending RCW  
2 70.114A.080 and 43.70.340; adding a new section to chapter 19.27 RCW;  
3 and 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 the shortage of  
6 temporary worker housing is due in part to inappropriate construction  
7 requirements for temporary worker shelter and related facilities. It  
8 is the intent of the legislature that temporary worker housing  
9 developers, including employers, be provided with a regulatory  
10 framework that allows shelter to be provided that meets the basic  
11 health and safety needs of workers. It is the intent of this act to  
12 provide a temporary worker housing building code that will encourage  
13 private development of temporary worker housing, and will accommodate  
14 a wide range of building materials and new and innovative construction  
15 formats that are not possible under previously applicable codes.

16 NEW SECTION. **Sec. 2.** A new section is added to chapter 19.27 RCW  
17 to read as follows:

1 Temporary worker housing shall be constructed, altered, or repaired  
2 as provided in chapter 70.114A RCW. The construction, alteration, or  
3 repair of temporary worker housing is not subject to the codes adopted  
4 under RCW 19.27.031, except as provided in any code adopted under  
5 chapter 70.114A RCW. For the purposes of this section "temporary  
6 worker housing" means a shelter, place, area, or piece of land where  
7 sleeping places or housing sites are provided by an employer for his or  
8 her employees for temporary seasonal occupancy at the employees' work  
9 site, and includes labor camps under RCW 70.54.110.

10 **Sec. 3.** RCW 70.114A.080 and 1995 c 220 s 8 are each amended to  
11 read as follows:

12 ((By December 1, 1996,)) The ((state building code council))  
13 department shall ((develop)) adopt by rule under chapter 34.05 RCW a  
14 temporary worker ((housing)) building code, in conformance with the  
15 temporary worker housing standards developed under the Washington  
16 industrial safety and health act, chapter 49.17 RCW, the rules adopted  
17 by the state board of health under RCW 70.54.110, and the following  
18 guidelines:

19 (1) The code shall provide construction standards for shelter and  
20 associated facilities that are safe, secure, and capable of  
21 withstanding the stresses and loads associated with their designated  
22 use, and to which they are likely to be subjected by the elements.

23 (2) The code shall permit and facilitate designs and formats that  
24 allow for maximum affordability, consistent with the provision of  
25 decent, safe, and sanitary housing.

26 (3) In developing the code the ((council)) department shall  
27 consider: (a) The need for dormitory type housing for groups of  
28 unrelated individuals; and (b) the need for housing to accommodate  
29 families.

30 (4) The code shall include construction standards for a variety of  
31 formats, including, but not limited to: (a) Tents and tent platforms;  
32 and (b) hard-shell, single exterior wall structures.

33 (5) The code shall include standards for temporary worker housing  
34 that is to be used only during periods when no auxiliary heat is  
35 required.

36 In ((developing)) adopting the temporary worker ((housing))  
37 building code, it is the intent of the legislature that the ((building  
38 code council)) department make exceptions to the codes listed in RCW

1 19.27.031, and chapter 19.27A RCW, in keeping with the guidelines set  
2 forth in this section.

3 ~~((The building code council shall appoint a technical advisory  
4 committee to assist in the development of the temporary worker housing  
5 code, which shall include representatives of industries that most  
6 frequently supply temporary housing to their employees.))~~ It is also  
7 the intent of the legislature that the initial temporary worker  
8 building code adopted by the department be substantially equivalent to  
9 the temporary worker building code developed by the state building code  
10 council as directed by section 8, chapter 220, Laws of 1995, and  
11 presented to the legislature on December 1, 1996.

12 The temporary worker building code authorized and required by this  
13 section shall be enforced by the department.

14 **Sec. 4.** RCW 43.70.340 and 1990 c 253 s 3 are each amended to read  
15 as follows:

16 (1) The farmworker housing inspection fund is established in the  
17 custody of the state treasury. The department of health shall deposit  
18 all funds received under subsections (2) and (4) of this section and  
19 from the legislature to administer a labor camp inspection program  
20 conducted by the department of health. Disbursement from the fund  
21 shall be on authorization of the secretary of health or the secretary's  
22 designee. The fund is subject to the allotment procedure provided  
23 under chapter 43.88 RCW, but no appropriation is required for  
24 disbursements.

25 (2) There is imposed a fee on each operating license issued by the  
26 department of health to every operator of a labor camp that is  
27 regulated by the state board of health. The fee paid under this  
28 subsection shall include all necessary inspection of the units to  
29 ensure compliance with applicable state board of health rules on labor  
30 camps.

31 (a) Fifty dollars shall be charged for each labor camp containing  
32 six or less units.

33 (b) Seventy-five dollars shall be charged for each labor camp  
34 containing more than six units.

35 (3) The term of the operating license and the application  
36 procedures shall be established, by rule, by the department of health.

37 (4) The department of health shall establish a building permit fee  
38 schedule for temporary worker housing subject to chapter 70.114A RCW.

1 The department of health shall develop rules to establish a fee  
2 schedule sufficient to cover the cost of all necessary plan reviews and  
3 on-site construction inspections of the temporary worker housing to  
4 ensure compliance with the codes developed under RCW 70.114A.080.

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