
Housing Committee

HB 1585

Brief Description: Authorizing standards for housing for persons who are temporarily homeless.

Sponsors: Representatives Nixon and O'Brien.

Brief Summary of Bill

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| <ul style="list-style-type: none">• Requires that temporary housing for homeless persons comply with the regulations which govern temporary worker housing. |
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Hearing Date: 2/10/05

Staff: CeCe Clynch (786-7168).

Background:

Currently, there exist state laws and regulations governing both transient accommodations and temporary worker housing. The Department of Health (DOH) has been charged with the establishment and enforcement of standards for the maintenance and operation of transient accommodations. The DOH and the Department of Labor and Industries (L&I) share responsibility for the establishment and enforcement of standards for temporary worker housing.

"Transient accommodations" include hotels, motels, apartments, crisis shelters, and the like which offer three or more units to guests for periods of less than one month. The DOH regulations governing these sorts of accommodations require that construction meet the requirements of the state building code and specify the responsibilities of the licensee with respect to water supply, sewage facilities, bathrooms, laundry, ventilation, and food and beverage service.

By contrast, "temporary worker housing" is required to meet a temporary worker building code which has been adopted by rule according to certain guidelines which allow for maximum affordability consistent with the provision of decent, safe, and sanitary housing and account for the type of structure and the length and season of occupancy. The rules jointly adopted by the DOH and the L&I include, among other things, requirements with respect to framing, foundations, windows, lighting, plumbing, mechanical installations, cooking facilities, bathrooms, and gas connections.

Pursuant to a Memorandum of Understanding between the DOH and the L&I, the DOH conducts all licensing inspections. The L&I responds to employee complaints which are filed with the L&I. The L&I may also target inspections of any unlicensed temporary worker housing. The two agencies share with one another the results of inspections, violations, and citations and may

conduct joint inspections when it is in the best interest of both worker safety and the temporary worker housing licensing program.

Summary of Bill:

This bill makes several changes to Chapter 70.114A RCW which governs temporary worker housing. The original findings and intent section of this law indicates legislative concern with inadequate temporary and permanent housing for migrant and seasonal workers in this state, both in terms of the supply and in terms of safety and sanitation. According to the first section of the bill, the intent is to encourage temporary housing for homeless persons to be safe and sanitary by establishing a clear and concise set of regulations for temporary housing and encampments for homeless persons, "substantially equivalent" to those provided for temporary worker housing. There are no specific guidelines with respect to the content of any regulations governing housing and encampments for homeless persons other than this indication of intent that they be "substantially equivalent".

The definition of "temporary worker" is changed to include a homeless person.

The definition of "temporary worker housing" is changed to include a place, area, or piece of land where sleeping places or housing sites are provided for homeless persons as well as agricultural employees. The word "seasonal" is deleted from the definition of "temporary worker housing".

The bill makes changes to the definition of "operator" so as to include a person having lawful control over temporary worker housing under a temporary use permit as well as a lease.

The biannual report required from the DOH must, pursuant to this bill, include the number of operators, as well as the number of growers, obtaining permits for temporary worker housing. Rather than specifying the legislative committees to which the report must be transmitted, the bill indicates that the report must be electronically submitted to the Legislature in general.

Appropriation: None.

Fiscal Note: Requested on February 2, 2005.

Effective Date: The bill contains an emergency clause and takes effect immediately.