
Housing Committee

HB 2244

Brief Description: Authorizing faith communities to host temporary homeless encampments subject to restrictions.

Sponsors: Representatives Miloscia, Ormsby and Santos.

<p style="text-align: center;">Brief Summary of Bill</p> <ul style="list-style-type: none">• Mandates that counties, cities, and towns may not restrict faith communities from hosting homeless tent encampments and may not set a maximum duration of those encampments for less than 90 days.
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Hearing Date: 2/19/07

Staff: Robyn Dupuis (786-7166).

Background:

Over the last several years, some Washington cities and counties have established, or have entertained discussions about, ordinances providing regulations for the permitting of temporary encampments, including ordinances limiting the maximum number of days an encampment may remain in one location.

Faith communities have responded in several instances with lawsuits claiming that such ordinances violate their constitutional and statutory rights under the state and federal constitutions and the Religious Land Use and Institutionalized Persons Act ("RLUIPA").

Religious Land Use and Institutionalized Persons Act (RLUIPA)

General Rule: "No government shall impose or implement a land use regulation in a manner that imposes a substantial burden on the religious exercise of a person, including a religious assembly or institution, unless the government demonstrates that imposition of the burden on that person, assembly, or institution:

- (a) is in furtherance of a compelling governmental interest; and
- (b) is the least restrictive means of furthering that compelling governmental interest."

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Summary of Bill:

Counties, cities, and towns are prohibited from restricting faith communities from hosting homeless temporary encampments and may not set a time limit on such encampments for less than 90 days.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.