

FINAL BILL REPORT

SHB 2279

C 118 L 08

Synopsis as Enacted

Brief Description: Prohibiting discrimination against affordable housing developments.

Sponsors: By House Committee on Housing (originally sponsored by Representatives Darneille, Springer, Pettigrew, O'Brien, Hasegawa and Santos).

House Committee on Housing

Senate Committee on Consumer Protection & Housing

Background:

There are statutory permitting requirements contained within the Growth Management Act (GMA), the Shoreline Management Act (SMA), and the State Environmental Policy Act (SEPA). However, although they provide general permitting standards and regulatory framework, specific permitting requirements are the domain of the local governments themselves. Local government regulations may impact affordable housing developments based on source of financing, intended occupancy of the developments, and the availability of social services as a component of the housing.

Some state statutes limit local governments' regulatory authority. For example:

- Cities, code cities, towns, and counties may not enact any statute or ordinance that has the effect, directly or indirectly, of discriminating against consumers' choices in the placement or use of a home in a manner that is not equally applicable to all homes. The intent of these statutes is to enable manufactured homes to site within communities.
- A local government may not prohibit the condominium form of ownership or impose any requirement on a condominium development which it would not impose on developments for other forms of ownership.

Summary:

In general, a city, county, or other local governmental entity or agency may not place requirements on affordable housing developments which are different than requirements imposed on other housing developments. However, local governments are not prohibited from extending preferential treatment to such developments intended for, including but not limited to, occupancy by homeless persons, farm workers, persons with disabilities, senior citizens, or low income households.

Local governments or agencies may impose more requirements on affordable housing developments than those imposed on market rate housing if such requirements are conditions of the financing or other incentives.

Votes on Final Passage:

House	97	0	
Senate	49	0	(Senate amended)
House			(House refused to concur)
Senate	49	0	(Senate amended)
House	96	0	(House concurred)

Effective: June 12, 2008