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**ENGROSSED SUBSTITUTE HOUSE BILL 1956**

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**State of Washington**

**61st Legislature**

**2009 Regular Session**

**By** House Local Government & Housing (originally sponsored by Representatives Williams, Chase, Ormsby, Darneille, Van De Wege, Dickerson, and Simpson)

READ FIRST TIME 02/20/09.

1       AN ACT Relating to the housing of homeless persons on property  
2 owned or controlled by a church; adding a new section to chapter 36.01  
3 RCW; adding a new section to chapter 35.21 RCW; adding a new section to  
4 chapter 35A.21 RCW; and creating new sections.

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

6       NEW SECTION.   **Sec. 1.** The legislature finds that there are many  
7 homeless persons in our state that are in need of shelter and other  
8 services that are not being provided by the state and local  
9 governments. The legislature also finds that in many communities  
10 churches play an important role in providing needed services to the  
11 homeless, including the provision of shelter upon church property. By  
12 providing such shelter, the religious institutions in our communities  
13 perform a valuable public service that, for many, offers a temporary,  
14 stop-gap solution to the larger social problem of increasing numbers of  
15 homeless persons.

16       NEW SECTION.   **Sec. 2.** A new section is added to chapter 36.01 RCW  
17 to read as follows:

18       (1) A church may host temporary encampments for the homeless on

1 property owned or controlled by the church whether within buildings  
2 located on the property or elsewhere on the property outside of  
3 buildings.

4 (2) A county may not enact an ordinance or regulation or take any  
5 other action that:

6 (a) Unreasonably interferes with the decisions or actions of a  
7 church regarding the location of housing or shelter for homeless  
8 persons on property the church owns or controls;

9 (b) Unreasonably prohibits or attempts to regulate the housing of  
10 homeless persons on church property based upon the property's proximity  
11 to a school or day care center; or

12 (c) Requires a church to obtain insurance pertaining to the  
13 liability of a municipality with respect to homeless persons housed on  
14 church property or otherwise requires the church to indemnify the  
15 municipality against such liability.

16 (3) For the purposes of this section, "church" means a building or  
17 buildings and adjacent real property that is used as a place of worship  
18 by a religious denomination and that is owned or controlled by the  
19 denomination.

20 NEW SECTION. **Sec. 3.** A new section is added to chapter 35.21 RCW  
21 to read as follows:

22 (1) A church may host temporary encampments for the homeless on  
23 property owned or controlled by the church whether within buildings  
24 located on the property or elsewhere on the property outside of  
25 buildings.

26 (2) A city or town may not enact an ordinance or regulation or take  
27 any other action that:

28 (a) Unreasonably interferes with the decisions or actions of a  
29 church regarding the location of housing or shelter for homeless  
30 persons on property the church owns or controls;

31 (b) Unreasonably prohibits or attempts to regulate the housing of  
32 homeless persons on church property based upon the property's proximity  
33 to a school or day care center; or

34 (c) Requires a church to obtain insurance pertaining to the  
35 liability of a municipality with respect to homeless persons housed on  
36 church property or otherwise requires the church to indemnify the  
37 municipality against such liability.

1 (3) For the purposes of this section, "church" means a building or  
2 buildings and adjacent real property that is used as a place of worship  
3 by a religious denomination and that is owned or controlled by the  
4 denomination.

5 NEW SECTION. **Sec. 4.** A new section is added to chapter 35A.21 RCW  
6 to read as follows:

7 (1) A church may host temporary encampments for the homeless on  
8 property owned or controlled by the church whether within buildings  
9 located on the property or elsewhere on the property outside of  
10 buildings.

11 (2) A code city may not enact an ordinance or regulation or take  
12 any other action that:

13 (a) Unreasonably interferes with the decisions or actions of a  
14 church regarding the location of housing or shelter for homeless  
15 persons on property the church owns or controls;

16 (b) Unreasonably prohibits or attempts to regulate the housing of  
17 homeless persons on church property based upon the property's proximity  
18 to a school or day care center; or

19 (c) Requires a church to obtain insurance pertaining to the  
20 liability of a municipality with respect to homeless persons housed on  
21 church property or otherwise requires the church to indemnify the  
22 municipality against such liability.

23 (3) For the purposes of this section, "church" means a building or  
24 buildings and adjacent real property that is used as a place of worship  
25 by any religious group, congregation, or denomination and that is owned  
26 or controlled by such group, congregation, or denomination.

27 NEW SECTION. **Sec. 5.** Nothing in this act is intended to change  
28 applicable law or be interpreted to prohibit a county, city, town, or  
29 code city from applying zoning and land use regulations allowable under  
30 established law to real property owned by a church, regardless of  
31 whether the property owned by the church is used to provide shelter or  
32 housing to homeless persons.

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