

SENATE BILL REPORT

EHB 2086

As of March 23, 2015

Title: An act relating to the hosting of the homeless by religious organizations.

Brief Description: Prohibiting certain limitations on the hosting of the homeless by religious organizations.

Sponsors: Representatives McBride, Walkinshaw, Moscoso, Farrell, Riccelli, Ormsby, Ryu, Robinson and Pollet.

Brief History: Passed House: 3/06/15, 56-42.

Committee Activity: Human Services, Mental Health & Housing: 3/24/15.

SENATE COMMITTEE ON HUMAN SERVICES, MENTAL HEALTH & HOUSING

Staff: Alison Mendiola (786-7444)

Background: Temporary Encampments for the Homeless. Churches can host temporary encampments for the homeless on any real property owned or controlled by a church.

With respect to the efforts of a church to provide housing or shelter to homeless persons, counties, cities, and towns are prohibited from the following:

- unreasonably interfering with the decisions or actions of a church regarding the location of housing or shelter for homeless persons on property the church owns or controls;
- unreasonably prohibiting or attempting to regulate the housing of homeless persons on church property based upon the property's proximity to a school or daycare center; or
- requiring a church to obtain insurance pertaining to the liability of a municipality with respect to homeless persons housed on church property or otherwise requiring the church to indemnify the municipality against such liability.

Safe Parking. The city of Seattle has a safe parking program known as the Road to Housing Program. In 2013 it served 52 vehicular residents, and for the first half of 2014 the program worked with 91 vehicular residents. Safe parking sites also exist in other areas of King County.

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 or towns, and code cities are additionally prohibited from enacting an ordinance or regulation or taking other action that limits a religious organization's:

1. ability to host a rotating, established tent encampment to less than eight months during any calendar year;
2. hosting term to less than four months unless agreed to by that religious organization for a specific instance; or
3. availability to host safe parking efforts at its own on-site parking lot, except for the following limitations that would govern if enacted by local ordinance:
 - a. no less than one space per 20 on-site parking spaces may be devoted to safe parking;
 - b. restroom access must be provided; and
 - c. the host religious organization must act as a managing agency, ensuring sex offender checks are completed by respective law enforcement for all vehicle residents, informing vehicle residents how to comply with laws regarding the legal status of vehicles and drivers, and providing a written code of conduct consistent with area standards.

Counties, cities or towns, and code cities are permitted to:

- require three months of separation between the establishment of tent encampments; and
- limit simultaneous religious organization hostings when located within 1000 feet of another hosting religious organization.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.