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SUBSTITUTE HOUSE BILL 2818

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State of Washington

65th Legislature

2018 Regular Session

By House State Government, Elections & Information Technology  
(originally sponsored by Representatives Frame, Irwin, Chapman, Senn,  
Sells, Sawyer, Appleton, Fitzgibbon, Macri, and Stanford)

READ FIRST TIME 02/02/18.

1 AN ACT Relating to the appointment of religious coordinators;  
2 amending RCW 41.04.360, 72.01.210, 72.01.210, 72.01.212, 72.01.220,  
3 72.01.230, and 72.01.240; providing an effective date; and providing  
4 an expiration date.

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

6 **Sec. 1.** RCW 41.04.360 and 1982 c 190 s 1 are each amended to  
7 read as follows:

8 In the case of a minister or other clergyperson employed as a  
9 chaplain or religious coordinator in a state institution or agency,  
10 there is designated in the salary or wage paid to the person an  
11 amount up to forty percent of the gross salary as either of the  
12 following:

13 (1) The rental value of a home furnished to the person as part of  
14 the person's compensation; or

15 (2) The housing/rental allowance paid to the person as part of  
16 the person's compensation, to the extent used by the person to rent  
17 or provide a home.

18 **Sec. 2.** RCW 72.01.210 and 2008 c 104 s 3 are each amended to  
19 read as follows:

1 (1) The secretary of corrections shall appoint institutional  
2 ~~((chaplains))~~ religious coordinators for the state correctional  
3 institutions for convicted felons. Institutional ~~((chaplains))~~  
4 religious coordinators shall be appointed as employees of the  
5 department of corrections. The secretary of corrections may further  
6 contract with ~~((chaplains))~~ religious coordinators to be employed as  
7 is necessary to meet the religious needs of those inmates whose  
8 religious denominations are not represented by institutional  
9 ~~((chaplains))~~ religious coordinators and where volunteer  
10 ~~((chaplains))~~ religious coordinators are not available.

11 (2) Institutional ~~((chaplains))~~ religious coordinators appointed  
12 by the department of corrections under this section shall have  
13 qualifications necessary to ~~((function as religious program~~  
14 ~~coordinators for))~~ serve all faith groups represented within the  
15 department. Every ~~((chaplain))~~ religious coordinator so appointed or  
16 contracted with shall have qualifications consistent with community  
17 standards of the given faith group to which ~~((the chaplain))~~ he or  
18 she belongs and shall not be required to violate the tenets of his or  
19 her faith when acting in an ecclesiastical role.

20 (3) The secretary of social and health services shall appoint  
21 chaplains for the correctional institutions for juveniles found  
22 delinquent by the juvenile courts; and the secretary of corrections  
23 and the secretary of social and health services shall appoint one or  
24 more chaplains for other custodial, correctional, and mental  
25 institutions under their control.

26 (4) Except as provided in this section, the chaplains or  
27 religious coordinators so appointed under this section shall have the  
28 qualifications and shall be compensated in an amount as recommended  
29 by the appointing department and approved by the Washington personnel  
30 resources board.

31 **Sec. 3.** RCW 72.01.210 and 2017 3rd sp.s. c 6 s 727 are each  
32 amended to read as follows:

33 (1) The secretary of corrections shall appoint institutional  
34 ~~((chaplains))~~ religious coordinators for the state correctional  
35 institutions for convicted felons. Institutional ~~((chaplains))~~  
36 religious coordinators shall be appointed as employees of the  
37 department of corrections. The secretary of corrections may further  
38 contract with ~~((chaplains))~~ religious coordinators to be employed as  
39 is necessary to meet the religious needs of those inmates whose

1 religious denominations are not represented by institutional  
2 (~~chaplains~~) religious coordinators and where volunteer  
3 (~~chaplains~~) religious coordinators are not available.

4 (2) Institutional (~~chaplains~~) religious coordinators appointed  
5 by the department of corrections under this section shall have  
6 qualifications necessary to (~~function as religious program~~  
7 ~~coordinators for~~) serve all faith groups represented within the  
8 department. Every (~~chaplain~~) religious coordinator so appointed or  
9 contracted with shall have qualifications consistent with community  
10 standards of the given faith group to which (~~the chaplain~~) he or  
11 she belongs and shall not be required to violate the tenets of his or  
12 her faith when acting in an ecclesiastical role.

13 (3) The secretary of children, youth, and families shall appoint  
14 chaplains for the correctional institutions for juveniles found  
15 delinquent by the juvenile courts; and the secretary of corrections  
16 and the secretary of social and health services shall appoint one or  
17 more chaplains for other custodial, correctional, and mental  
18 institutions under their control.

19 (4) Except as provided in this section, the chaplains or  
20 religious coordinators so appointed under this section shall have the  
21 qualifications and shall be compensated in an amount as recommended  
22 by the appointing department and approved by the Washington personnel  
23 resources board.

24 **Sec. 4.** RCW 72.01.212 and 2008 c 104 s 4 are each amended to  
25 read as follows:

26 Regardless of whether the services are voluntary or provided by  
27 employment or contract with the department of corrections, a  
28 (~~chaplain~~) religious coordinator who provides the services  
29 authorized by RCW 72.01.220:

30 (1) May not be compelled to carry personal liability insurance as  
31 a condition of providing those services; and

32 (2) May request that the attorney general authorize the defense  
33 of an action or proceeding for damages instituted against the  
34 (~~chaplain~~) religious coordinator arising out of the course of his  
35 or her duties in accordance with RCW 4.92.060, 4.92.070, and  
36 4.92.075.

37 **Sec. 5.** RCW 72.01.220 and 1959 c 28 s 72.01.220 are each amended  
38 to read as follows:

1       It shall be the duty of the chaplains and religious coordinators  
2 at the respective institutions mentioned in RCW 72.01.210, under the  
3 direction of the department, to conduct religious services and to  
4 give religious and moral instruction to the inmates of the  
5 institutions, and to attend to their spiritual wants. They shall  
6 counsel with and interview the inmates concerning their social and  
7 family problems, and shall give assistance to the inmates and their  
8 families in regard to such problems.

9       **Sec. 6.** RCW 72.01.230 and 1959 c 28 s 72.01.230 are each amended  
10 to read as follows:

11       The chaplains and religious coordinators at the respective  
12 institutions mentioned in RCW 72.01.210 shall be provided with the  
13 offices and chapels at their institutions, and such supplies as may  
14 be necessary for the carrying out of their duties.

15       **Sec. 7.** RCW 72.01.240 and 2012 c 117 s 448 are each amended to  
16 read as follows:

17       Each secretary is hereby empowered to appoint one of the  
18 chaplains or religious coordinators, authorized by RCW 72.01.210, to  
19 act as supervisor of chaplains and religious coordinators for his or  
20 her department, in addition to his or her duties at one of the  
21 institutions designated in RCW 72.01.210.

22       NEW SECTION.   **Sec. 8.** Section 2 of this act expires July 1,  
23 2019.

24       NEW SECTION.   **Sec. 9.** Section 3 of this act takes effect July 1,  
25 2019.

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