
SENATE BILL 5679

State of Washington

66th Legislature

2019 Regular Session

By Senators Hasegawa, Conway, and Darneille

1 AN ACT Relating to local government responsibility and
2 accountability in mitigating impacts of public facilities on certain
3 surrounding neighborhoods with high poverty and concentrations of
4 persons of color; and adding a new section to chapter 35.21 RCW.

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

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 35.21
7 RCW to read as follows:

8 (1) A city with a population of more than five hundred fifty
9 thousand that permits, constructs, or operates a public facility in a
10 neighborhood with a high poverty level and a high rate of ethnic
11 diversity must assume the responsibility for the negative impacts
12 that facility has had or might have on the surrounding neighborhood.
13 The city must consider the potential or actual disparate racial,
14 social, and economic impacts of the public facility on residents
15 nearby and develop a mitigation plan, which keeps the residents of
16 the impacted neighborhood whole for the costs of the mitigation
17 strategy. The city may negotiate with other political subdivisions
18 who have a direct interest in having created the negative impacts,
19 but the residents must be held harmless.

1 (2) For purposes of this section, neighborhood boundaries are
2 defined by the boundaries of community reporting areas, as
3 established in the most recent United States census.

4 (3) For purposes of this section:

5 (a) A neighborhood has a high poverty level if twelve percent or
6 more of the population is below the poverty level according to the
7 most recent American community survey's five-year estimate.

8 (b) A neighborhood has a high rate of ethnic diversity if forty
9 percent or more of the population identifies as persons of color
10 according to the most recent American community survey's five-year
11 estimate.

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