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**SUBSTITUTE SENATE BILL 5428**

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**State of Washington**

**67th Legislature**

**2021 Regular Session**

**By** Senate Housing & Local Government (originally sponsored by Senators Nguyen, Darneille, Das, Kuderer, Lovelett, Nobles, Saldaña, and Wellman)

READ FIRST TIME 02/12/21.

1 AN ACT Relating to the application of the state environmental  
2 policy act to temporary shelters and transitional encampments; and  
3 adding a new section to chapter 43.21C RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 43.21C  
6 RCW to read as follows:

7 (1) Permit actions to site a temporary shelter or transitional  
8 encampment are exempt from compliance with this chapter if the  
9 following conditions are met:

- 10 (a) The facility is used for people experiencing homelessness;
- 11 (b) The facility includes no more than 200 beds and the number of  
12 occupants is based on one person for each bed;
- 13 (c) The facility is used on the site for no more than three  
14 years;
- 15 (d) The transitional encampment does not involve the erection of  
16 a new permanent structure; and
- 17 (e) The local jurisdiction has declared a state of emergency on  
18 homelessness.

19 (2) The definitions in this subsection apply throughout this  
20 section unless the context clearly requires otherwise.

1 (a) "Temporary shelter" means a use sited in a new or existing  
2 structure or modular structure that provides temporary quarters for  
3 sleeping and shelter. The use may have common food preparation,  
4 shower, or other commonly used facilities that support temporary  
5 shelters.

6 (b) "Transitional encampment" means a use having tents, modular  
7 structures, or a similar shelter, including vehicles used for  
8 shelter, that provides temporary quarters for sleeping and shelter.  
9 The use may have common food preparation, shower, or other commonly  
10 used facilities that are separate from the sleeping shelters and that  
11 support transitional encampments.

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