

2SHB 2113 - H AMD 1073

By Representative Connors

NOT CONSIDERED 03/07/2024

1 On page 2, beginning on line 7, after "decision" strike all  
2 material through "section" on line 9 and insert "or the department has  
3 failed to take action within 180 days of receipt of the application  
4 identified in subsection (3) of this section, whichever occurs sooner"  
5

6 On page 3, line 13, after "shall" strike "strive to"  
7

8 On page 3, after line 27, insert the following:

9 "(d) A housing development regulation shall be deemed to be in  
10 compliance with the laws and regulations identified in subsection (5)  
11 of this section if the department does not issue a final decision  
12 within 180 days of the date of receipt of the application."  
13

14 On page 5, line 11, after "RCW 36.70A.130" insert ", or the  
15 housing development regulations are deemed to be in compliance with  
16 the laws identified in subsection (5) of this section under subsection  
17 (4)(d) of this section"  
18

19 On page 7, beginning on line 30, after "shall" strike "strive to  
20 achieve final action to"  
21

22 On page 8, after line 5, insert the following:

23 "(d) A housing element shall be deemed to have been approved and  
24 in compliance with the laws and regulations identified in subsection  
25 (5) of this section if the department does not issue a final decision  
26 within 180 days of the date of receipt of the application."  
27

1 On page 11, at the beginning of line 23, strike "approval" and  
2 insert "final"

3  
4 On page 12, line 39, after "section 2" strike "(1)"

5  
6 On page 19, line 9, after "act." insert "Those counties and cities  
7 whose housing development regulations are deemed to be in compliance  
8 with the laws identified in section 1(5) of this act under section 1(4)  
9 (d) of this act remain eligible for grants, loans, pledges, or  
10 financial guarantees under this subsection."

11  
12

EFFECT: Makes the following changes to the Department of Commerce's action on a county's or city's application to review adopted housing development regulations or an adopted housing element:

- Requires Commerce to issue a final decision on a determination of compliance or housing element approval within 180 days of receipt of the application, rather than requiring Commerce to strive to issue a final decision.
- Specifies that a county's or city's housing development regulations or housing element are deemed to be in compliance with state law if Commerce does not issue a final decision within 180 days.
- Specifies that a county's or city's adopted housing development regulations are effective 180 days after Commerce's receipt of the application, or when Commerce issues its final decision, whichever occurs sooner.
- Allows a county or city whose adopted housing development regulations are approved through Commerce's failure to act within 180 days to remain eligible for grants and loans, rather than only counties or cities whose housing development regulations are approved through a Commerce decision, a Growth Management Hearings Board decision, or a judicial decision.

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