
SUBSTITUTE HOUSE BILL 2172

State of Washington

68th Legislature

2024 Regular Session

By House Housing (originally sponsored by Representatives Harris, Wylie, Reed, and Ormsby)

READ FIRST TIME 01/22/24.

1 AN ACT Relating to providing for the use of vacant state agency
2 property by a local government during an emergency; adding a new
3 section to chapter 43.17 RCW; adding a new section to chapter 35.21
4 RCW; and adding a new section to chapter 35A.38 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 43.17
7 RCW to read as follows:

8 (1) A state agency that owns vacant property within a qualifying
9 city must, at the request of the legislative authority of the city,
10 lease the property to the city as provided in this section for use by
11 the city during a declared emergency related to homelessness within
12 the city.

13 (2) The state agency may not charge more than \$1 per month for
14 the duration of the lease for the use of the land or facilities
15 constituting the vacant property, but the lease may include
16 provisions for the city to pay any reasonable operation, maintenance,
17 or other expenses incurred by the agency for the land or facilities
18 during the lease.

19 (3) A city leasing property under this section may only utilize
20 the property as an emergency shelter, an emergency medical facility,
21 or for other use directly related to the declared emergency.

1 (4) The term of the lease shall extend to the sooner of:

2 (a) One month after the end of the declared emergency;

3 (b) Three months after the city has last used the property; or

4 (c) One month after the city provides notice to the state agency
5 that the city no longer needs the property.

6 (5) The city must ensure that the leased property is returned to
7 the state agency in substantially the same condition as when the city
8 took possession of the property.

9 (6) (a) A state agency that enters into a lease under this section
10 may request assistance from the attorney general in drafting and
11 interpreting the lease.

12 (b) Whenever a dispute arises between a state agency and a local
13 government under this section, the agency or local government shall
14 employ every effort to resolve the dispute themselves without
15 resorting to litigation. These efforts shall involve alternative
16 dispute resolution methods. If a dispute cannot be resolved by the
17 agency and local government involved, either the agency or the local
18 government may request the governor to assist in the resolution of
19 the dispute. The governor shall employ whatever dispute resolution
20 methods that the governor deems appropriate in resolving the dispute.
21 Such methods may include, but are not limited to, the appointment by
22 the governor of a mediator, acceptable to the agency and local
23 government, to assist in the resolution of the dispute. The governor
24 may also request assistance from the attorney general to advise the
25 mediator and the agency and local government.

26 (7) This section does not apply to any state forestlands, any
27 state lands or property granted to the state by the federal
28 government for the purposes of common schools or education, or
29 subject to a legal restriction that would be violated by compliance
30 with this section.

31 (8) For purposes of this section:

32 (a) "Emergency medical facility" means a facility used to provide
33 urgent medical treatment to a homeless population.

34 (b) "Emergency shelter" means a facility that provides a
35 temporary shelter for individuals or families who are currently
36 homeless, and may include day and warming centers that do not provide
37 overnight accommodations.

38 (c) "Qualifying city" means a city with a population of 150,000
39 or more in which the legislative authority has declared an emergency
40 under chapter 38.52 RCW related to homelessness within the city.

1 (d) "Vacant property" means a property that has not been used for
2 any purpose, including the lease of the property to a third party,
3 for a period of six months or more by the owning agency.

4 NEW SECTION. **Sec. 2.** A new section is added to chapter 35.21
5 RCW to read as follows:

6 The legislative authority of a city with a population of 150,000
7 or more that has declared an emergency under chapter 38.52 RCW
8 related to homelessness within the city may lease vacant property
9 from a state agency for use as an emergency shelter, an emergency
10 medical facility, or for other use directly related to the declared
11 emergency, as provided for in section 1 of this act.

12 NEW SECTION. **Sec. 3.** A new section is added to chapter 35A.38
13 RCW to read as follows:

14 The legislative authority of a code city with a population of
15 150,000 or more that has declared an emergency under chapter 38.52
16 RCW related to homelessness within the city may lease vacant property
17 from a state agency for use as an emergency shelter, an emergency
18 medical facility, or for other use directly related to the declared
19 emergency, as provided for in section 1 of this act.

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