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**SUBSTITUTE SENATE BILL 5655**

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**State of Washington**

**69th Legislature**

**2025 Regular Session**

**By** Senate Early Learning & K-12 Education (originally sponsored by Senators Krishnadasan, Nobles, Slatter, and Wellman)

READ FIRST TIME 02/19/25.

1 AN ACT Relating to child care centers operated in existing  
2 buildings; amending RCW 43.216.265; adding a new section to chapter  
3 19.27 RCW; and creating a new section.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that there is a need  
6 for more child care services for working people. There is a public  
7 benefit when communities can use existing buildings rather than  
8 permitting new buildings to be built on open land. Churches are one  
9 type of building that often have rooms designed for education or care  
10 of children that are separate from the main sanctuary or  
11 congregational room. The legislature intends to clarify statutes so  
12 that building owners, and especially churches, are more likely to  
13 offer existing spaces for child care services.

14 NEW SECTION. **Sec. 2.** A new section is added to chapter 19.27  
15 RCW to read as follows:

16 When a child care center is operated in a dedicated space within  
17 an existing building that has more than one use, the building  
18 official must calculate the occupancy load of the child care center  
19 based only on the areas in the building where the child care services  
20 are provided. This requirement applies when administering and

1 enforcing any of the building codes adopted in accordance with and  
2 pursuant to the authority in this chapter.

3 **Sec. 3.** RCW 43.216.265 and 2018 c 58 s 42 are each amended to  
4 read as follows:

5 The chief of the Washington state patrol, through the director of  
6 fire protection, shall have the power and it shall be his or her  
7 duty:

8 (1) In consultation with the secretary and with the advice and  
9 assistance of persons representative of the various type agencies to  
10 be licensed, to adopt recognized minimum standard requirements  
11 pertaining to each category of agency established pursuant to this  
12 chapter necessary to protect all persons residing therein from fire  
13 hazards;

14 (2) To adopt licensing minimum standard requirements to allow  
15 children who attend classes in a school building during school hours  
16 to remain in the same building to participate in before-school or  
17 after-school programs and to allow participation in such before-  
18 school and after-school programs by children who attend other schools  
19 and are transported to attend such before-school and after-school  
20 programs;

21 (3) To make or cause to be made such inspections and  
22 investigations of agencies as he or she deems necessary;

23 (4) To make a periodic review of requirements under RCW  
24 43.216.250(8) and to adopt necessary changes after consultation as  
25 required in subsection (1) of this section;

26 (5) To issue to applicants for licenses under this chapter who  
27 comply with the requirements, a certificate of compliance, a copy of  
28 which shall be presented to the department before a license shall be  
29 issued, except that an initial license may be issued as provided in  
30 RCW 43.216.315;

31 (6) When a child care center is operated in a dedicated space  
32 within an existing building that has more than one use, to calculate  
33 the occupancy load of the child care center based only on the area in  
34 the building where the child care services are provided.

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