

HOUSE BILL REPORT

SB 5553

As Passed House:

March 24, 2023

Title: An act relating to authorizing standards for temporary emergency shelters for local adoption.

Brief Description: Authorizing standards for temporary emergency shelters for local adoption.

Sponsors: Senators Lovelett, Robinson, Conway, Nguyen, Nobles, Wellman and Wilson, C..

Brief History:

Committee Activity:

Local Government: 3/14/23, 3/22/23 [DP].

Floor Activity:

Passed House: 3/24/23, 82-14.

Brief Summary of Bill

- Requires the State Building Code Council, by July 1, 2026, to adopt rules setting standards for temporary emergency shelters and make such standards available for local government adoption.

HOUSE COMMITTEE ON LOCAL GOVERNMENT

Majority Report: Do pass. Signed by 7 members: Representatives Duerr, Chair; Alvarado, Vice Chair; Goehner, Ranking Minority Member; Jacobsen, Assistant Ranking Minority Member; Berg, Griffey and Riccelli.

Staff: Kellen Wright (786-7134).

Background:

The State Building Code Council.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

The State Building Code Council (SBCC) is responsible for adopting and updating the State Building Code (Code), which provides minimum construction, mechanical, fire, plumbing, and energy code requirements for buildings in Washington. The Code consists of certain model codes, such as the International Building Code, as adopted and amended by the SBCC for use in Washington. Counties and cities (local governments) may amend the Code as it applies within the local government to impose requirements that exceed those provided for in the Code, but cannot, with limited exceptions, lower the requirements.

Local Government Regulation of Indigent and Homeless Housing.

One situation in which local governments can lower the requirements of the Code is when the local government is regulating housing for indigent persons. A local government may exempt a building's character of use or occupancy that has been changed to provide housing for indigent persons from the requirements of the Code. Any such exemption:

- must only apply to existing buildings;
- must pose no threat to human health or safety;
- must only apply to buildings owned or administered by a government agency or nonprofit; and
- may not be authorized for more than five years for any specific building, though the exemption may be renewed for succeeding five-year periods as long as the other conditions for the exemption continue to be met.

The SBCC was required to adopt guidelines for local governments adopting such exemptions.

Religious organizations are authorized to temporarily host the homeless on property owned or controlled by the religious organization. This can include hosting the homeless inside of buildings on the property or in encampments or vehicles outdoors on the property. Local governments can only impose limited regulations on such use.

Local governments planning under the Growth Management Act are required to include, in their comprehensive plans, an analysis of the number of emergency housing and emergency shelter units that are needed within the jurisdiction to manage projected growth.

Summary of Bill:

The SBCC must, by July 1, 2026, adopt rules setting standards for temporary emergency shelters and make the standards available for local government adoption.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) Temporary housing can be a tool for rapidly rehousing people. When trying to construct a temporary housing area for those experiencing homelessness, however, the permitting process can be drawn out because the SBCC has not adopted applicable health and occupancy standards, and particularly fire safety standards. Permitting can take 18 months, while actual construction would only take two weeks. There are many different kinds of temporary shelters, and this bill allows the SBCC to provide definitions and standards for their use. This bill does not impact Department of Labor and Industries standards for manufactured homes. The intent of the bill is not to allow local governments to create their own unique definitions, but to have uniform definitions adopted by the SBCC.

(Opposed) None.

Persons Testifying: Senator Liz Lovelett, prime sponsor.

Persons Signed In To Testify But Not Testifying: None.