
HOUSE BILL 1576

State of Washington

67th Legislature

2021 Regular Session

By Representative Thai

1 AN ACT Relating to homeless individuals; adding a new section to
2 chapter 35.21 RCW; adding a new section to chapter 35A.21 RCW; and
3 adding a new section to chapter 36.01 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 35.21
6 RCW to read as follows:

7 (1) Except as provided in subsection (2) of this section, cities
8 and towns may not impose criminal sanctions against homeless
9 individuals for sleeping outdoors on public property when no
10 alternative shelter is available to them.

11 (2) Subsection (1) of this section does not apply to individuals
12 who do have access to adequate temporary shelter, whether that is
13 because they have the means to pay for it or because it is
14 realistically available to them for free, but they have chosen not to
15 use it.

16 (3) As long as an ordinance and its enforcement do not result in
17 the punishment of a homeless individual for lacking the means to live
18 out the universal and unavoidable consequences of being human, a city
19 or town with insufficient shelter is not precluded by subsection (1)
20 of this section from barring the:

- 1 (a) Act of sitting, lying, or sleeping outside at particular
2 times or in particular locations;
3 (b) Obstruction of public rights-of-way; or
4 (c) Erection of certain structures.

5 NEW SECTION. **Sec. 2.** A new section is added to chapter 35A.21
6 RCW to read as follows:

7 (1) Except as provided in subsection (2) of this section, code
8 cities may not impose criminal sanctions against homeless individuals
9 for sleeping outdoors on public property when no alternative shelter
10 is available to them.

11 (2) Subsection (1) of this section does not apply to individuals
12 who do have access to adequate temporary shelter, whether that is
13 because they have the means to pay for it or because it is
14 realistically available to them for free, but they have chosen not to
15 use it.

16 (3) As long as an ordinance and its enforcement do not result in
17 the punishment of a homeless individual for lacking the means to live
18 out the universal and unavoidable consequences of being human, a code
19 city with insufficient shelter is not precluded by subsection (1) of
20 this section from barring the:

- 21 (a) Act of sitting, lying, or sleeping outside at particular
22 times or in particular locations;
23 (b) Obstruction of public rights-of-way; or
24 (c) Erection of certain structures.

25 NEW SECTION. **Sec. 3.** A new section is added to chapter 36.01
26 RCW to read as follows:

27 (1) Except as provided in subsection (2) of this section,
28 counties may not impose criminal sanctions against homeless
29 individuals for sleeping outdoors on public property when no
30 alternative shelter is available to them.

31 (2) Subsection (1) of this section does not apply to individuals
32 who do have access to adequate temporary shelter, whether that is
33 because they have the means to pay for it or because it is
34 realistically available to them for free, but they have chosen not to
35 use it.

36 (3) As long as an ordinance and its enforcement do not result in
37 the punishment of a homeless individual for lacking the means to live
38 out the universal and unavoidable consequences of being human, a

1 county with insufficient shelter is not precluded by subsection (1)
2 of this section from barring the:

3 (a) Act of sitting, lying, or sleeping outside at particular
4 times or in particular locations;

5 (b) Obstruction of public rights-of-way; or

6 (c) Erection of certain structures.

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