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**SENATE BILL 5882**

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**State of Washington**

**66th Legislature**

**2019 Regular Session**

**By** Senators King, Hobbs, Takko, Fortunato, Wellman, Rivers, and Keiser

1 AN ACT Relating to prohibiting the location of homeless  
2 encampments near schools and early learning facilities; adding a new  
3 section to chapter 35.63 RCW; adding a new section to chapter 35A.63  
4 RCW; adding a new section to chapter 36.70 RCW; adding a new section  
5 to chapter 36.70A RCW; and creating a new section.

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

7 NEW SECTION. **Sec. 1.** A new section is added to chapter 35.63  
8 RCW to read as follows:

9 (1) No city or town may authorize or through inaction allow for  
10 the siting or establishment of a sanctioned or unsanctioned homeless  
11 encampment of any kind including, but not limited to, outdoor  
12 encampments, temporary small homes on-site, tiny homes sheltering  
13 homeless persons, vehicle resident safe parking, or care or feeding  
14 areas for homeless persons, within one thousand feet of a public or  
15 private school, or an early learning facility.

16 (2) For the purposes of this section, the following definitions  
17 apply:

18 (a) "School" means:

19 (i) A public school under RCW 28A.150.010;

20 (ii) A private school approved by the state under chapter 28A.195  
21 RCW; and

1 (iii) A charter school under RCW 28A.710.010.

2 (b) "Early learning facility" means:

3 (i) A child day care center under RCW 43.216.010(1)(a);

4 (ii) An early childhood education and assistance program provider  
5 under RCW 43.216.010(8);

6 (iii) A family day care provider under RCW 43.216.010(1)(c);

7 (iv) A head start program under 42 U.S.C. 9801 et seq.; and

8 (v) A nursery school under RCW 43.216.010(2)(e).

9 (c) "Encampment" means any tent or structure encampment or both.

10 NEW SECTION. **Sec. 2.** A new section is added to chapter 35A.63  
11 RCW to read as follows:

12 (1) No city may authorize or through inaction allow for the  
13 siting or establishment of a sanctioned or unsanctioned homeless  
14 encampment of any kind including, but not limited to, outdoor  
15 encampments, temporary small homes on-site, tiny homes sheltering  
16 homeless persons, vehicle resident safe parking, or care or feeding  
17 areas for homeless persons, within one thousand feet of a public or  
18 private school, or an early learning facility.

19 (2) For the purposes of this section, the following definitions  
20 apply:

21 (a) "School" means:

22 (i) A public school under RCW 28A.150.010;

23 (ii) A private school approved by the state under chapter 28A.195  
24 RCW; and

25 (iii) A charter school under RCW 28A.710.010.

26 (b) "Early learning facility" means:

27 (i) A child day care center under RCW 43.216.010(1)(a);

28 (ii) An early childhood education and assistance program provider  
29 under RCW 43.216.010(8);

30 (iii) A family day care provider under RCW 43.216.010(1)(c);

31 (iv) A head start program under 42 U.S.C. 9801 et seq.; and

32 (v) A nursery school under RCW 43.216.010(2)(e).

33 (c) "Encampment" means any tent or structure encampment or both.

34 NEW SECTION. **Sec. 3.** A new section is added to chapter 36.70  
35 RCW to read as follows:

36 (1) No county may authorize or through inaction allow for the  
37 siting or establishment of a sanctioned or unsanctioned homeless  
38 encampment of any kind including, but not limited to, outdoor

1 encampments, temporary small homes on-site, tiny homes sheltering  
2 homeless persons, vehicle resident safe parking, or care or feeding  
3 areas for homeless persons, within one thousand feet of a public or  
4 private school, or an early learning facility.

5 (2) For the purposes of this section, the following definitions  
6 apply:

7 (a) "School" means:

8 (i) A public school under RCW 28A.150.010;

9 (ii) A private school approved by the state under chapter 28A.195  
10 RCW; and

11 (iii) A charter school under RCW 28A.710.010.

12 (b) "Early learning facility" means:

13 (i) A child day care center under RCW 43.216.010(1)(a);

14 (ii) An early childhood education and assistance program provider  
15 under RCW 43.216.010(8);

16 (iii) A family day care provider under RCW 43.216.010(1)(c);

17 (iv) A head start program under 42 U.S.C. 9801 et seq.; and

18 (v) A nursery school under RCW 43.216.010(2)(e).

19 (c) "Encampment" means any tent or structure encampment or both.

20 NEW SECTION. **Sec. 4.** A new section is added to chapter 36.70A  
21 RCW to read as follows:

22 (1) No county may authorize or through inaction allow for the  
23 siting or establishment of a sanctioned or unsanctioned homeless  
24 encampment of any kind including, but not limited to, outdoor  
25 encampments, temporary small homes on-site, tiny homes sheltering  
26 homeless persons, vehicle resident safe parking, or care or feeding  
27 areas for homeless persons, within one thousand feet of a public or  
28 private school, or an early learning facility.

29 (2) For the purposes of this section, the following definitions  
30 apply:

31 (a) "School" means:

32 (i) A public school under RCW 28A.150.010;

33 (ii) A private school approved by the state under chapter 28A.195  
34 RCW; and

35 (iii) A charter school under RCW 28A.710.010.

36 (b) "Early learning facility" means:

37 (i) A child day care center under RCW 43.216.010(1)(a);

38 (ii) An early childhood education and assistance program provider  
39 under RCW 43.216.010(8);

- 1 (iii) A family day care provider under RCW 43.216.010(1)(c);  
2 (iv) A head start program under 42 U.S.C. 9801 et seq.; and  
3 (v) A nursery school under RCW 43.216.010(2)(e).  
4 (c) "Encampment" means any tent or structure encampment or both.

5 NEW SECTION. **Sec. 5.** This act applies retroactively to January  
6 1, 2018.

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