

CERTIFICATION OF ENROLLMENT

**SUBSTITUTE HOUSE BILL 1377**

Chapter 218, Laws of 2019

66th Legislature  
2019 Regular Session

AFFORDABLE HOUSING DEVELOPMENT ON RELIGIOUS ORGANIZATION PROPERTY

EFFECTIVE DATE: July 28, 2019

Passed by the House April 18, 2019  
Yeas 85 Nays 9

FRANK CHOPP

**Speaker of the House of Representatives**

Passed by the Senate April 12, 2019  
Yeas 42 Nays 3

CYRUS HABIB

**President of the Senate**

Approved April 30, 2019 2:43 PM

JAY INSLEE

**Governor of the State of Washington**

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1377** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BERNARD DEAN

**Chief Clerk**

FILED

May 1, 2019

**Secretary of State  
State of Washington**

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**SUBSTITUTE HOUSE BILL 1377**

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AS AMENDED BY THE SENATE

Passed Legislature - 2019 Regular Session

**State of Washington**

**66th Legislature**

**2019 Regular Session**

**By** House Housing, Community Development & Veterans (originally sponsored by Representatives Walen, Barkis, Jenkin, Harris, Springer, Macri, Wylie, Ryu, Reeves, Robinson, Griffey, Appleton, Bergquist, Jinkins, Tharinger, Slatter, Kloba, Doglio, Goodman, Leavitt, Ormsby, and Santos)

READ FIRST TIME 02/08/19.

1 AN ACT Relating to affordable housing development on religious  
2 organization property; adding a new section to chapter 35.63 RCW;  
3 adding a new section to chapter 35A.63 RCW; adding a new section to  
4 chapter 36.70A RCW; and adding a new section to chapter 44.28 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 35.63  
7 RCW to read as follows:

8 (1) A city planning under this chapter must allow an increased  
9 density bonus consistent with local needs for any affordable housing  
10 development of any single-family or multifamily residence located on  
11 real property owned or controlled by a religious organization  
12 provided that:

13 (a) The affordable housing development is set aside for or  
14 occupied exclusively by low-income households;

15 (b) The affordable housing development is part of a lease or  
16 other binding obligation that requires the development to be used  
17 exclusively for affordable housing purposes for at least fifty years,  
18 even if the religious organization no longer owns the property; and

19 (c) The affordable housing development does not discriminate  
20 against any person who qualifies as a member of a low-income  
21 household based on race, creed, color, national origin, sex, veteran

1 or military status, sexual orientation, or mental or physical  
2 disability; or otherwise act in violation of the federal fair housing  
3 amendments act of 1988 (42 U.S.C. Sec. 3601 et seq.).

4 (2) A city may develop policies to implement this section if it  
5 receives a request from a religious organization for an increased  
6 density bonus for an affordable housing development.

7 (3) The religious organization developing the affordable housing  
8 development must pay all fees, mitigation costs, and other charges  
9 required through the development of the affordable housing  
10 development.

11 (4) If applicable, the religious organization developing the  
12 affordable housing development should work with the local transit  
13 agency to ensure appropriate transit services are provided to the  
14 affordable housing development.

15 (5) This section applies to any religious organization  
16 rehabilitating an existing affordable housing development.

17 (6) For purposes of this section:

18 (a) "Affordable housing development" means a proposed or existing  
19 structure in which one hundred percent of all single-family or  
20 multifamily residential dwelling units within the development are set  
21 aside for or are occupied by low-income households at a sales price  
22 or rent amount that may not exceed thirty percent of the income limit  
23 for the low-income housing unit;

24 (b) "Low-income household" means a single person, family, or  
25 unrelated persons living together whose adjusted income is less than  
26 eighty percent of the median family income, adjusted for household  
27 size, for the county where the affordable housing development is  
28 located; and

29 (c) "Religious organization" has the same meaning as in RCW  
30 35.21.915.

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

33 (1) A city planning under this chapter must allow an increased  
34 density bonus consistent with local needs for any affordable housing  
35 development of any single-family or multifamily residence located on  
36 real property owned or controlled by a religious organization  
37 provided that:

38 (a) The affordable housing development is set aside for or  
39 occupied exclusively by low-income households;

1 (b) The affordable housing development is part of a lease or  
2 other binding obligation that requires the development to be used  
3 exclusively for affordable housing purposes for at least fifty years,  
4 even if the religious organization no longer owns the property; and

5 (c) The affordable housing development does not discriminate  
6 against any person who qualifies as a member of a low-income  
7 household based on race, creed, color, national origin, sex, veteran  
8 or military status, sexual orientation, or mental or physical  
9 disability; or otherwise act in violation of the federal fair housing  
10 amendments act of 1988 (42 U.S.C. Sec. 3601 et seq.).

11 (2) A city may develop policies to implement this section if it  
12 receives a request from a religious organization for an increased  
13 density bonus for an affordable housing development.

14 (3) The religious organization developing the affordable housing  
15 development must pay all fees, mitigation costs, and other charges  
16 required through the development of the affordable housing  
17 development.

18 (4) If applicable, the religious organization developing the  
19 affordable housing development should work with the local transit  
20 agency to ensure appropriate transit services are provided to the  
21 affordable housing development.

22 (5) This section applies to any religious organization  
23 rehabilitating an existing affordable housing development.

24 (6) For purposes of this section:

25 (a) "Affordable housing development" means a proposed or existing  
26 structure in which one hundred percent of all single-family or  
27 multifamily residential dwelling units within the development are set  
28 aside for or are occupied by low-income households at a sales price  
29 or rent amount that may not exceed thirty percent of the income limit  
30 for the low-income housing unit;

31 (b) "Low-income household" means a single person, family, or  
32 unrelated persons living together whose adjusted income is less than  
33 eighty percent of the median family income, adjusted for household  
34 size, for the county where the affordable housing development is  
35 located; and

36 (c) "Religious organization" has the same meaning as in RCW  
37 35A.21.360.

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

1 (1) Any city or county fully planning under this chapter must  
2 allow an increased density bonus consistent with local needs for any  
3 affordable housing development of any single-family or multifamily  
4 residence located on real property owned or controlled by a religious  
5 organization provided that:

6 (a) The affordable housing development is set aside for or  
7 occupied exclusively by low-income households;

8 (b) The affordable housing development is part of a lease or  
9 other binding obligation that requires the development to be used  
10 exclusively for affordable housing purposes for at least fifty years,  
11 even if the religious organization no longer owns the property; and

12 (c) The affordable housing development does not discriminate  
13 against any person who qualifies as a member of a low-income  
14 household based on race, creed, color, national origin, sex, veteran  
15 or military status, sexual orientation, or mental or physical  
16 disability; or otherwise act in violation of the federal fair housing  
17 amendments act of 1988 (42 U.S.C. Sec. 3601 et seq.).

18 (2) A city or county may develop policies to implement this  
19 section if it receives a request from a religious organization for an  
20 increased density bonus for an affordable housing development.

21 (3) An affordable housing development created by a religious  
22 institution within a city or county fully planning under RCW  
23 36.70A.040 must be located within an urban growth area as defined in  
24 RCW 36.70A.110.

25 (4) The religious organization developing the affordable housing  
26 development must pay all fees, mitigation costs, and other charges  
27 required through the development of the affordable housing  
28 development.

29 (5) If applicable, the religious organization developing the  
30 affordable housing development should work with the local transit  
31 agency to ensure appropriate transit services are provided to the  
32 affordable housing development.

33 (6) This section applies to any religious organization  
34 rehabilitating an existing affordable housing development.

35 (7) For purposes of this section:

36 (a) "Affordable housing development" means a proposed or existing  
37 structure in which one hundred percent of all single-family or  
38 multifamily residential dwelling units within the development are set  
39 aside for or are occupied by low-income households at a sales price

1 or rent amount that may not exceed thirty percent of the income limit  
2 for the low-income housing unit;

3 (b) "Low-income household" means a single person, family, or  
4 unrelated persons living together whose adjusted income is less than  
5 eighty percent of the median family income, adjusted for household  
6 size, for the county where the affordable housing development is  
7 located; and

8 (c) "Religious organization" has the same meaning as in RCW  
9 36.01.290.

10 NEW SECTION. **Sec. 4.** A new section is added to chapter 44.28  
11 RCW to read as follows:

12 The joint committee must review the efficacy of the increased  
13 density bonus incentive for affordable housing development located on  
14 property owned by a religious organization pursuant to this act and  
15 report its findings to the appropriate committees of the legislature  
16 by December 1, 2030. The review must include a recommendation on  
17 whether this incentive should be continued without change or should  
18 be amended or repealed.

Passed by the House April 18, 2019.

Passed by the Senate April 12, 2019.

Approved by the Governor April 30, 2019.

Filed in Office of Secretary of State May 1, 2019.

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