

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**

SUBSTITUTE HOUSE BILL 1377

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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