

Subject: Please Oppose HB 2489 – Amendments Appreciated, But Cities Still Have Serious Concerns

February 2, 2026

Representative Mia Gregerson
321 John L. O'Brien Building
PO Box 40600
Olympia, WA 98504

Dear Representative Gregerson and Members of the House Housing Committee,

Thank you for the work you have done to amend HB 2489. Cities appreciate the effort to respond to local government concerns, including clarifying criminal enforcement authority, allowing for regional shelter agreements, and recognizing situations involving imminent harm or ADA access. Those changes reflect good-faith engagement.

Even with these amendments, however, cities across Washington State must continue to oppose HB 2489. While the substitute bill makes improvements, it does not go far enough to preserve local authority or provide cities with the practical ability to keep streets, parks, playgrounds, sidewalks, and environmentally sensitive areas safe and accessible for everyone.

Cities share the Legislature's commitment to compassion, dignity, and humane treatment for people experiencing homelessness. Every day, cities partner with counties, nonprofits, and the state to connect individuals to shelter, behavioral health care, substance-use treatment, and permanent housing. However, HB 2489, even as amended, continues to prioritize preemption and litigation over locally driven, evidence-based solutions.

Under the substitute bill, enforcement of even basic public-space protections remains conditioned on a highly prescriptive definition of “adequate alternative shelter space” that cities often cannot meet in real time. Although regional shelter agreements are now permitted, the bill still requires that shelters meet every statutory criterion, accommodating all possessions, partners, pets, support persons, and ongoing access, before any enforcement may occur. In practice, this means cities will remain largely unable to act, even in places such as playgrounds, school routes, sidewalks, and park facilities heavily used by families and children.

Critically, no real-time system currently exists that allows police officers or outreach teams to reliably verify, at the moment of contact, whether “adequate alternative shelter space” is available and meets every statutory requirement for a specific individual. Expecting

frontline responders to make legally defensible determinations in dynamic, often crisis-driven situations, without a centralized, real-time shelter availability system, creates confusion, inequity, and unavoidable legal risk.

The bill also continues to expose cities to significant litigation risk. Mandatory attorney fees for prevailing plaintiffs, combined with retroactive application and a low bar for injunctive relief, create strong incentives to litigate rather than collaborate. Scarce local resources that should be directed toward outreach, shelter expansion, and treatment will instead be diverted to defending lawsuits, without producing better outcomes for unsheltered individuals.

HB 2489 also places cities in direct conflict with existing legal obligations, including maintaining ADA-accessible sidewalks, operating safe parks and youth programs, protecting environmentally sensitive areas and salmon habitat, safeguarding critical infrastructure, and ensuring emergency access to rights-of-way. In South King County and other regions, unmanaged encampments have already degraded river corridors and levee systems. The substitute bill still leaves cities with an impossible choice between complying with one state mandate while violating another.

Cities are not advocating for enforcement-first policies. We are asking for flexibility to responsibly manage public spaces while continuing to invest in housing, treatment, and services. Importantly, cities were not consulted prior to the introduction of this bill, and the amended version still does not reflect on-the-ground realities faced by local governments.

For members who are thoughtfully weighing this legislation, we respectfully ask you to consider whether HB 2489, despite the amendments, will actually improve outcomes, or whether it instead removes local tools without providing the shelter capacity and funding necessary to meet its requirements.

We urge you to oppose HB 2489 and instead work collaboratively with cities, counties, and partners such as the Association of Washington Cities to advance solutions that expand housing supply, behavioral health capacity, and coordinated services—while preserving the ability of cities to protect public safety and shared public spaces.

Thank you for your time, your leadership, and your continued partnership with Washington's cities.

Sincerely,

Mayor Dana Ralph/City of Kent

Mayor Armando Pavone/ City of Renton

Mayor Mo Malakoutian/City Of Bellevue

Mayor Sean Kelly/ City of Maple Valley

Mayor Nancy Backus /City of Auburn

Mayor Angela Birney/City of Redmond

Mayor Cassie Franklin/City of Everett

City Manager Doug Russell/ City of Lakewood

Mayor Thomas McLeod /City of Tukwila

Mayor Jim Ferrell/ City of Federal Way

City Manager Katherine Caffrey/ City of Des Moines

Mayor Troy Linnell/City of Algona

Mayor Mary Barber/ City of Gig Harbor

Mayor Carla S. Bowman/ City of Sumner

Mayor Mark Mullet/City of Issaquah

City Manager Regan Bolli /City of Covington

City of Blaine

City of Kelso

City of Spokane Valley

City of Lynden

City of Pasco

City of Moses Lake

City of Kennewick