

---

HOUSE BILL 1692

---

State of Washington

52nd Legislature

1991 Regular Session

By Representatives Padden, Hargrove, Morton, Hochstatter, Fuhrman, Broback, D. Sommers, Holland and Paris.

Read first time February 6, 1991. Referred to Committee on Judiciary.

1 AN ACT Relating to administrative searches; adding a new section to  
2 Title 4 RCW; and creating a new section.

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

4 NEW SECTION. **Sec. 1.** The legislature finds that the privacy  
5 of Washington residents is protected by both the state and federal  
6 Constitutions, but local governments can violate the privacy rights of  
7 citizens with administrative searches. The legislature further finds  
8 that administrative searches of residences should only be made with the  
9 informed consent of the occupant of the residence.

10 NEW SECTION. **Sec. 2.** A new section is added to Title 4 RCW to  
11 read as follows:

12 A court in this state shall not issue an administrative search  
13 warrant for a private residence. This requirement applies to all

1 noncriminal searches. An administrative search of a residence may only  
2 be conducted with the fully informed consent of the occupant. The  
3 consent must be in writing, with full knowledge that consent to the  
4 search is voluntary, that no warrant can be issued, and if a complaint-  
5 based inspection program is available, that fact must be disclosed.

6 "Residence" as used in sections 1 and 2 of this act means a  
7 dwelling unit whether such unit be separate or part of a multiunit  
8 dwelling, including the land on which such dwelling stands. The term  
9 shall also include a share ownership in a cooperative housing  
10 association, corporation, or partnership if the person can establish  
11 that his or her share represents the specific unit or portion of such  
12 structure in which he or she resides.