

FINAL BILL REPORT

HB 1079

C 14 L 93
Synopsis as Enacted

Brief Description: Correcting an error in procedure for review of eminent domain judgments.

By Representatives Appelwick, Padden, Ludwig, Orr, Basich and Johanson; by request of Law Revision Commission.

House Committee on Judiciary
Senate Committee on Law & Justice

Background: In 1988, a bill was enacted making major changes in the laws concerning appellate procedure. One section of the bill concerned appellate review of final judgments in eminent domain proceedings by cities. The former law provided that appeals from final judgments in eminent domain proceedings could not delay the property's condemnation or improvement if the city paid into court for the interested parties the amount of the judgment and costs. The city would also be liable for further compensation if the condemnation's opponents prevailed on appeal.

In the 1988 revision, the provision was inadvertently rewritten to provide that if appellate review is sought, the review "shall delay proceedings under said ordinance, if such city shall pay into court for the owners and parties interested, as directed by the court, the amount of the judgment and costs . . ."

The Law Revision Commission has requested legislation to correct the inadvertent error.

Summary: An inadvertent error in the Revised Code of Washington is corrected. If appellate review is sought from a final judgment in an eminent domain proceeding, the review will not delay proceedings under the city ordinance, if the city pays into court for the owners and interested parties the amount of the judgment and costs.

Votes on Final Passage:

House	96	0
Senate	40	0

Effective: April 12, 1993