

2275

Sponsor(s): Representative Mastin

Brief Title: Regulating property rights.

**HB 2275 - DIGEST**

Declares that subject to any exceptions in this act, a private property owner must receive compensation from government for a regulatory taking of private property.

Provides that a government entity may enter into a freely negotiated written agreement with a private property owner to provide all or part of the compensation required under this act in cash or another form of equal value, or other devices as may be mutually agreed in writing between the government and the private property owner.

Declares that the compensation requirement in this act does not apply to the extent the taking: (1) Is imposed to prevent, mitigate, or abate a nuisance as defined by the laws of this state;

(2) is part of a zoning regulation common to the area surrounding the property;

(3) creates limitations that burden every parcel of property with the same zoning designation equally; or

(4) has the effect of compensating all property owners subject to the restrictions due to the reciprocal nature of the restrictions.

Provides that a private property owner seeking to enforce this act must request, in writing, compensation from the government entity causing the taking, specifying the nature of the government action giving rise to the taking and the amount of compensation sought. A private property owner is not required to pursue or exhaust other administrative remedies before pursuing the remedies provided by this act.

Declares that a claim for compensation under this chapter must be brought within the time period specified in RCW 4.16.080.

Declares that compensation awarded under this chapter bears interest at the maximum rate permitted under RCW 19.52.020 from either the date of entry of a judgment to the date of payment of the judgment or at the time of the taking, whichever is earliest.

Declares that this act does not apply to actions by government entities in their exercise of the power of eminent domain.