

# HOUSE BILL REPORT

## HB 1785

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### As Reported By House Committee On:

Judiciary

**Title:** An act relating to statutory limits on appraiser fees in eminent domain proceedings.

**Brief Description:** Increasing statutory limits on appraiser fees in eminent domain proceedings.

**Sponsors:** Representatives Haigh, Ballasiotes, Lambert, D. Schmidt, Scott, Ogden and Romero.

#### **Brief History:**

##### **Committee Activity:**

Judiciary: 2/18/99, 2/22/99 [DP].

#### **Brief Summary of Bill**

- Increases the amount a land owner can receive for evaluation expenditures when his or her land is being taken in eminent domain proceedings.

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### HOUSE COMMITTEE ON JUDICIARY

**Majority Report:** Do pass. Signed by 12 members: Representatives Carrell, Republican Co-Chair; Constantine, Democratic Co-Chair; Hurst, Democratic Vice Chair; Lambert, Republican Vice Chair; Cox; Dickerson; Esser; Kastama; Lantz; Lovick; McDonald and Schindler.

**Staff:** Jim Morishima (786-7191).

#### **Background:**

Under the power of eminent domain, state and local governments may acquire title to land without the owner's consent. The land must be taken for some legitimate public purpose, and the owner of the land must receive just compensation for his or her loss. In most cases, this compensation equals the fair market value of the land.

An owner of land will sometimes make expenditures when evaluating the offer made by the entity taking the land (the condemnor). If that is the case, the condemnor must reimburse the owner for these evaluation expenditures. However, reimbursement for these expenditures may not exceed \$200.

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**Summary of Bill:**

Reimbursement for the owner's evaluation expenditures may not exceed \$750.

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**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** The limit on how much an owner can be reimbursed for evaluation expenditures has not been updated since 1967. The ability to obtain quality appraisals is important. Owners should not just have to rely on the estimate of the condemnor. Raising the limit on how much an owner can be reimbursed for evaluation expenditures will help an owner have confidence in the offer made by the condemnor.

**Testimony Against:** None.

**Testified:** Representative Haigh, prime sponsor; and T.K. Bentler and Jim Irish, Appraisers Coalition of Washington