

SENATE BILL REPORT

HB 1480

As of March 19, 2003

Title: An act relating to sharing of appraisal information in condemnation proceedings.

Brief Description: Allowing sharing of condemnation appraisal information.

Sponsors: Representatives Clibborn, Ericksen and Wallace; by request of Department of Transportation.

Brief History:

Committee Activity: Judiciary: 3/26/03.

SENATE COMMITTEE ON JUDICIARY

Staff: Jinnah Rose-McFadden (786-7421)

Background: Once a condemnation action has begun, a court may order the parties to exchange information regarding how each side has arrived at its valuation of the property. Such an order is to be entered only after assurance that the exchange will result in "mutual, reciprocal, and contemporaneous" release of similar information by each side.

When an offer has been made on property, but before court action has begun, the parties may be hesitant to exchange information regarding their independent valuation methodologies, out of fear that the information could be submitted into evidence if court action is later taken.

Summary of Bill: At the time a government agency makes an initial offer to buy property, both the agency and the property owner may exchange information regarding appraisal amounts and the methodology used to determine these amounts. Any information divulged in this manner may not be used as evidence by the opposing party in a subsequent court action.

Appropriation: None.

Fiscal Note: Not requested.

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