

SSB 6728 - H COMM AMD
By Committee on Commerce & Labor

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** The legislature recognizes that providing
4 prospective purchasers with information about prior uses and the
5 potential presence of toxic contamination on unimproved real property
6 that is intended to be developed for residential use allows prospective
7 purchasers to evaluate the risks, if any, associated with a prospective
8 purchase of the property. The legislature recognizes that the purchase
9 of unimproved property zoned for residential use may include risks to
10 purchasers, especially purchasers without expertise in real estate
11 development. Therefore, this act creates a task force to review and
12 recommend methods to inform prospective purchasers of the presence of
13 toxic contamination on unimproved residential real property.

14 NEW SECTION. **Sec. 2.** (1) The office of the attorney general shall
15 convene a task force to study issues related to the residential real
16 property disclosure statement required under chapter 64.06 RCW and
17 methods to disclose information to prospective purchasers of unimproved
18 real property zoned for residential use. The office of the attorney
19 general may include in the task force stakeholders representing the
20 Washington real estate industry, real property purchasers having
21 experience with undisclosed toxic contamination on unimproved
22 residential real property, consumer protection organizations, the
23 residential construction industry, the department of ecology, and the
24 department of licensing. The office of the attorney general may invite
25 interested legislators to participate.

26 (2) The task force shall:

27 (a) Recommend improvements to methods for purchasers of unimproved
28 real property zoned for residential use to obtain information about
29 material conditions relating to the property, including information

1 regarding prior industrial uses of property and the presence of buried
2 industrial waste, utility poles and equipment, and similar material
3 that may contain toxic contaminants;

4 (b) Recommend additional methods to inform purchasers of potential
5 toxic contamination on unimproved residential real property prior to a
6 sale;

7 (c) Recommend forms, sources of information, and practices used in
8 transactions involving both improved and unimproved real property zoned
9 for residential use in other states that provide information to the
10 purchaser about conditions of unimproved property;

11 (d) Identify potential sources of information relevant to
12 conditions of unimproved property zoned for residential use. These
13 sources may include, but are not limited to, existing real estate
14 forms, regulatory agencies, local governments, property inspections,
15 and environmental audits; and

16 (e) Recommend methods, such as notice provisions, that could be
17 used in transactions of unimproved real property zoned for residential
18 use.

19 (3) The task force shall report its findings and recommendations to
20 the appropriate committees of the legislature by January 1, 2007.

21 (4) This section expires January 1, 2007."

22 Correct the title.

EFFECT: Requires the Office of the Attorney General to convene a task force to study issues related to the residential real property disclosure statement and methods to disclose information to prospective purchasers of unimproved real property zoned for residential use. Requires the task force to make recommendations to the Legislature. Provides that the task force may include representatives from the real estate industry, real property purchasers having experience with undisclosed toxic contamination on unimproved residential real property, consumer protection organizations, the residential construction industry, the Department of Ecology, and the Department of Licensing. Allows the Office of the Attorney General to also invite interested legislators to participate.

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