
HOUSE BILL 1165

State of Washington 59th Legislature 2005 Regular Session

By Representatives Roach, Holmquist, Anderson, Bailey, Campbell, Rodne, McDonald, Shabro, McCune, Kristiansen, Dunn, Pearson, Haler, Ahern, Newhouse, Woods and Condotta

Read first time 01/18/2005. Referred to Committee on Local Government.

1 AN ACT Relating to governmental actions that cause reduction in
2 property value; adding a new section to chapter 64.40 RCW; and creating
3 a new section.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** Counties have historically not been held
6 accountable for most actions that lower property values and reduce the
7 potential for income from the property even though Article I, section
8 16 of the Washington state Constitution states: "No private property
9 shall be taken or damaged for public or private use without just
10 compensation having been first made...." The legislature intends to
11 authorize and require compensation for the loss of property value and
12 potential income when caused by regulatory actions by counties.

13 NEW SECTION. **Sec. 2.** A new section is added to chapter 64.40 RCW
14 to read as follows:

15 A county that adopts and/or implements regulations or any other act
16 that sets aside, prevents use, or devalues property or a property
17 interest shall, in addition to liability for any other damages due
18 under this chapter, compensate the taxpayer identified on the annual

1 tax assessment for the percentage portion fair market value of the
2 property or property interest set aside, prevented from use, or
3 devalued and for loss of potential income within one year of the
4 passage or implementation of such ordinances, statutes, rules, or act
5 utilized to cause such impact on taxed property within the county.

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