
HOUSE BILL 2759

State of Washington 59th Legislature 2006 Regular Session

By Representatives Ericks, Pearson, Dunshee, Sells, Roberts and Rodne

Read first time 01/12/2006. Referred to Committee on Capital Budget.

1 AN ACT Relating to the transfer of certain real property and
2 facilities acquired, constructed, or improved using Referendum 29 or 37
3 bonds; and adding a new section to chapter 43.20A RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 43.20A RCW
6 to read as follows:

7 (1) Public bodies, as defined in RCW 43.99C.020, may transfer real
8 property and facilities acquired, constructed, or otherwise improved
9 under chapter 43.99C RCW to nonprofit corporations organized to provide
10 services for individuals with sensory, physical, or mental handicaps.
11 The nonprofit corporation shall use the real property and facilities
12 for the purpose of providing the following limited programs as
13 designated by the department: Nonprofit group training homes,
14 community centers, close to home living units, sheltered workshops,
15 vocational rehabilitation centers, developmental disability training
16 centers, and community homes for the mentally ill.

17 (2) Public bodies, as defined in RCW 43.83D.050, may transfer real
18 property and facilities acquired, constructed, or otherwise improved
19 under chapter 43.83D RCW to nonprofit corporations organized to provide

1 individuals with social and health services. The nonprofit corporation
2 shall use the real property and facilities for the purpose of providing
3 the following programs as designated by the department: Facilities for
4 social services, adult and juvenile correction or detention, child
5 welfare, day care, drug abuse and alcoholism treatment, mental health,
6 public health, developmental disabilities, and vocational
7 rehabilitation.

8 (3) The deed transferring the property in subsections (1) and (2)
9 of this section must provide for reversion back to the public body if
10 the nonprofit corporation is found to be out of compliance with this
11 section.

12 (4) The nonprofit corporation is authorized to sell the property
13 transferred to it in subsections (1) and (2) of this section provided
14 that: (a) Any such sale must be subject to prior written approval by
15 the department; (b) all proceeds from such a sale must be applied to
16 the purchase price of a different facility or facilities of equal or
17 greater value than the original facility; (c) any new facility or
18 facilities must be used for the purposes stated in subsections (1) and
19 (2) of this section; (d) the new facility or facilities must be
20 available for use within one year of sale; and (e) the reversion
21 language in subsection (3) of this section applies to the new facility
22 or facilities.

23 (5) In the event the nonprofit corporation is found to be out of
24 compliance with this section, the real property and facilities revert
25 to the public body. The public body shall then determine if the assets
26 can be used by another program as designated by the department. Such
27 programs shall have priority in obtaining the assets to ensure the
28 purposes specified in chapters 43.99C and 43.83D RCW are carried out.

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