
HOUSE BILL 1164

State of Washington

63rd Legislature

2013 Regular Session

By Representatives Taylor, Overstreet, Shea, Rodne, Short, Haler, and Schmick

Read first time 01/17/13. Referred to Committee on Judiciary.

1 AN ACT Relating to prohibiting the use of international law to
2 infringe on property rights; adding new sections to chapter 42.04 RCW;
3 adding a new section to chapter 36.70A RCW; adding a new section to
4 chapter 90.58 RCW; and creating a new section.

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

6 NEW SECTION. **Sec. 1.** The legislature finds that for more than
7 forty years international interests have worked to systematically erode
8 the property rights of our citizens. Among the most egregious examples
9 of this can be seen in the material and documents produced through the
10 1971 Ramsar treaty on wetlands, the 1972 earth summit, the 1973
11 convention on international trade in endangered species, the 1973
12 united nations environment program, the 1975 Belgrade charter, the 1976
13 conference on human settlements, the 1982 world charter for nature, the
14 1983 world commission on environment and development, the 1988 global
15 forum on human survival, the 1990 international council for
16 environmental initiatives, the 1992 united nations commission on
17 sustainable development, the 1994 united nations conference on
18 population and development, the 1995 commission on sustainable

1 development, the 1996 conference on human settlements, and approval of
2 the earth charter in 2000.

3 Many of these forums produced documents which called for the
4 government to control population according to resources, government
5 control of land use in order to achieve equitable distribution of
6 resources, government control of land use through zoning and planning,
7 government control of excessive profits from land use, government
8 control of urban and rural land through public land ownership, and
9 government authorities holding development rights using taxpayers'
10 dollars. The legislature finds implementation of many of these
11 international accords result in the physical and regulatory taking of
12 private property and constitutes a violation of the natural rights of
13 citizens to own and enjoy private property.

14 NEW SECTION. **Sec. 2.** A new section is added to chapter 42.04 RCW
15 to read as follows:

16 It is the policy of the state of Washington to prohibit the
17 adoption, development, or implementation of community development
18 policies based on international accords that infringe or restrict
19 private property rights. The expenditure of public funds in
20 furtherance of any international accords that endanger a citizen's
21 private property rights is prohibited.

22 NEW SECTION. **Sec. 3.** A new section is added to chapter 42.04 RCW
23 to read as follows:

24 (1) As used in this section, "political subdivision" means the
25 state, any county, incorporated city, unincorporated city, public local
26 entity, special purpose district, public-private partnership, and any
27 other public entity of the state, a county, or city.

28 (2) The state of Washington and all political subdivisions may not
29 adopt or implement policy recommendations that deliberately or
30 inadvertently infringe or restrict private property rights without due
31 process as may be required by policy recommendations originating in or
32 traceable to international law, international accord, or ancillary plan
33 of action that contravenes the Constitution of the United States or the
34 Constitution of the state of Washington.

35 (3) The state of Washington and all political subdivisions may not
36 enter into any agreement, expend any sum of money, or receive funds

1 contracting services or giving financial aid to or from
2 nongovernmental, nonprofit, or intergovernmental organizations for the
3 implementation of policy recommendations originating in or traceable to
4 international law, international accord, or ancillary plans of action
5 that contravene the Constitutions of the United States and Washington
6 state.

7 NEW SECTION. **Sec. 4.** A new section is added to chapter 42.04 RCW
8 to read as follows:

9 In addition to other remedies provided by law, any person aggrieved
10 or adversely affected by the failure of the state of Washington or any
11 political subdivision abiding by the prohibition set forth in sections
12 2 and 3 of this act may apply to the superior court of the county where
13 the agency is located or to the superior court of Thurston county if
14 the defendant is a state agency. The superior court has jurisdiction
15 to hold a prompt hearing where petitioners may show cause that the
16 state of Washington or political subdivision has failed to adhere to
17 the requirements of this act and adopted, implemented, or expended
18 money in the implementation of policy recommendations in violation of
19 this chapter. The court may issue a temporary or permanent injunction
20 restraining any person, agency, or all agencies from further violations
21 of this chapter.

22 NEW SECTION. **Sec. 5.** A new section is added to chapter 36.70A RCW
23 to read as follows:

24 Sections 1 through 4 of this act apply to all actions required by
25 or taken under the authority of this chapter.

26 NEW SECTION. **Sec. 6.** A new section is added to chapter 90.58 RCW
27 to read as follows:

28 Sections 1 through 4 of this act apply to all actions required by
29 or taken under the authority of this chapter.

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