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**SUBSTITUTE SENATE BILL 5057**

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**State of Washington**

**63rd Legislature**

**2013 Regular Session**

**By** Senate Natural Resources & Parks (originally sponsored by Senators Ericksen, Hargrove, Sheldon, Holmquist Newbry, Becker, King, Honeyford, and Shin)

READ FIRST TIME 02/08/13.

1 AN ACT Relating to public access to lands acquired in whole or part  
2 with public funds; adding a new section to chapter 79A.25 RCW; adding  
3 a new section to chapter 77.12 RCW; adding a new section to chapter  
4 43.30 RCW; adding a new section to chapter 43.21A RCW; adding a new  
5 section to chapter 79A.05 RCW; and adding a new section to chapter  
6 90.71 RCW.

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

8 NEW SECTION. **Sec. 1.** A new section is added to chapter 79A.25 RCW  
9 to read as follows:

10 (1)(a) When providing any funds for or reimbursing expenses from  
11 the fee simple acquisition of real property, state agencies must  
12 ensure, through means such as contracts or deed restrictions, that the  
13 general public has regular access to the real property for purposes  
14 including outdoor recreation.

15 (b) State agencies may approve a request to limit the general  
16 public's access to a property: (i) Consistent with the statutory  
17 conditions of a funding or reimbursement program; or (ii) to address  
18 significant risks to cultural and natural resources or significant  
19 impacts to adjacent landowners.

1 (c) Any limitations on general public access must be narrowly  
2 tailored, with regards to timing, geographic area, and allowable uses,  
3 to address the specific risks or impacts identified.

4 (2) This section applies to any funds distributed by or reimbursed  
5 from a state agency, including the office and the boards administered  
6 by the office, the department of natural resources, the department of  
7 fish and wildlife, the Puget Sound partnership, the state parks and  
8 recreation commission, and the department of ecology, for purposes of  
9 the fee simple acquisition of real property through grant programs or  
10 other funding mechanisms, including for purposes of salmon recovery  
11 funding, estuary restoration, or through the Washington wildlife and  
12 recreation program.

13 NEW SECTION. **Sec. 2.** A new section is added to chapter 77.12 RCW  
14 to read as follows:

15 The department shall comply with the applicable requirements of  
16 section 1 of this act.

17 NEW SECTION. **Sec. 3.** A new section is added to chapter 43.30 RCW  
18 under the subchapter heading "Part 5 powers and duties--general" to  
19 read as follows:

20 The department shall comply with the applicable requirements of  
21 section 1 of this act.

22 NEW SECTION. **Sec. 4.** A new section is added to chapter 43.21A RCW  
23 to read as follows:

24 The department shall comply with the applicable requirements of  
25 section 1 of this act.

26 NEW SECTION. **Sec. 5.** A new section is added to chapter 79A.05 RCW  
27 to read as follows:

28 The commission shall comply with the applicable requirements of  
29 section 1 of this act.

30 NEW SECTION. **Sec. 6.** A new section is added to chapter 90.71 RCW  
31 to read as follows:

1           The partnership shall comply with the applicable requirements of  
2 section 1 of this act.

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