
HOUSE BILL 1202

State of Washington 65th Legislature 2017 Regular Session

By Representatives Young, McCaslin, Taylor, and Shea

Read first time 01/13/17. 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
3 RCW; adding a new section to chapter 36.70A RCW; adding a new section
4 to 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
8 erode the property rights of our citizens. Among the most egregious
9 examples of this can be seen in the material and documents produced
10 through the 1971 Ramsar treaty on wetlands, the 1972 earth summit,
11 the 1973 convention on international trade in endangered species, the
12 1973 united nations environment program, the 1975 Belgrade charter,
13 the 1976 conference on human settlements, the 1982 world charter for
14 nature, the 1983 world commission on environment and development, the
15 1988 global forum on human survival, the 1990 international council
16 for 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
19 development, the 1996 conference on human settlements, and approval
20 of the earth charter in 2000.

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

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

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

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

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

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

33 (3) The state of Washington and all political subdivisions may
34 not enter into any agreement, expend any sum of money, or receive
35 funds contracting services or giving financial aid to or from
36 nongovernmental, nonprofit, or intergovernmental organizations for
37 the implementation of policy recommendations originating in or
38 traceable to international law, international accord, or ancillary

1 plans of action that contravene the Constitutions of the United
2 States and Washington state.

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

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

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

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

22 NEW SECTION. **Sec. 6.** A new section is added to chapter 90.58
23 RCW 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.

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