

CERTIFICATION OF ENROLLMENT

SENATE BILL 5049

65th Legislature
2017 Regular Session

Passed by the Senate April 17, 2017
Yeas 49 Nays 0

President of the Senate

Passed by the House April 5, 2017
Yeas 97 Nays 0

Speaker of the House of Representatives

Approved

Governor of the State of Washington

CERTIFICATE

I, Hunter G. Goodman, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 5049** as passed by Senate and the House of Representatives on the dates hereon set forth.

Secretary

FILED

**Secretary of State
State of Washington**

SENATE BILL 5049

AS AMENDED BY THE HOUSE

Passed Legislature - 2017 Regular Session

State of Washington

65th Legislature

2017 Regular Session

By Senator King

Read first time 01/11/17. Referred to Committee on Transportation.

1 AN ACT Relating to relocation assistance following real property
2 acquisition; and amending RCW 8.26.010.

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

4 **Sec. 1.** RCW 8.26.010 and 1988 c 90 s 1 are each amended to read
5 as follows:

6 (1) The purposes of this chapter are:

7 (a) To establish a uniform policy for the fair and equitable
8 treatment of persons displaced as a direct result of public works
9 programs of the state and local governments in order that such
10 persons shall not suffer disproportionate injuries as a result of
11 programs designed for the benefit of the public as a whole and to
12 minimize the hardship of displacement on such persons;

13 (b) To encourage and expedite the acquisition of real property
14 for public works programs by agreements with owners, to reduce
15 litigation and relieve congestion in the courts, to assure consistent
16 treatment for owners affected by state and local programs, and to
17 promote public confidence in state and local land acquisition
18 practices;

19 (c) To require the state, local public agencies, and other
20 persons who have the authority to acquire property by eminent domain
21 under state law to comply with the provisions of this act in order to

1 assure the fair and equitable treatment of all persons and property
2 owners impacted by public projects.

3 ~~(2) ((Notwithstanding the provisions and limitations of this~~
4 ~~chapter requiring a local public agency to comply with the provisions~~
5 ~~of this chapter, the governing body of any local public agency may~~
6 ~~elect not to comply with the provisions of RCW 8.26.035 through~~
7 ~~8.26.115 in connection with a program or project not receiving~~
8 ~~federal financial assistance. Any person who has the authority to~~
9 ~~acquire property by eminent domain under state law may elect not to~~
10 ~~comply with RCW 8.26.180 through 8.26.200 in connection with a~~
11 ~~program or project not receiving federal financial assistance.~~

12 ~~(3))~~ Any determination by the head of a state agency or local
13 public agency administering a program or project as to payments under
14 this chapter is subject to review pursuant to chapter 34.05 RCW;
15 otherwise, no provision of this chapter may be construed to give any
16 person a cause of action in any court.

17 ~~((4))~~ (3) Unless otherwise prohibited by law, any state or
18 local public agency providing a grant, loan, or matching funds for
19 any program or project that displaces persons who are eligible for
20 relocation assistance under this chapter may not limit, restrict, or
21 otherwise prohibit grant, loan, or matching fund money from being
22 used for any required relocation assistance payments.

23 (4) The governing body of any local public agency may elect not
24 to comply with the provisions of RCW 8.26.035 through 8.26.115 in
25 connection with a program or project not receiving federal financial
26 assistance initiated on or before December 31, 2017.

27 (5) Nothing in this chapter may be construed as creating in any
28 condemnation proceedings brought under the power of eminent domain,
29 any element of value or of damage not in existence immediately before
30 March 16, 1988.

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