

SENATE BILL REPORT

SHB 1064

As Passed Senate, April 3, 2021

Title: An act relating to disclosing the availability of high-speed internet access.

Brief Description: Requiring the disclosure of high-speed internet access availability in the seller's disclosure statement.

Sponsors: House Committee on Consumer Protection & Business (originally sponsored by Representatives Eslick, Kloba, Leavitt, Wylie, Gregerson, Ryu, Young, Robertson, Kirby and Fey).

Brief History: Passed House: 2/5/21, 96-0.

Committee Activity: Business, Financial Services & Trade: 3/16/21, 3/18/21 [DP].

Floor Activity: Passed Senate: 4/3/21, 46-0.

Brief Summary of Bill

- Adds questions about the availability of Internet service to the seller disclosure statement for residential property.

SENATE COMMITTEE ON BUSINESS, FINANCIAL SERVICES & TRADE

Majority Report: Do pass.

Signed by Senators Mullet, Chair; Hasegawa, Vice Chair; Dozier, Ranking Member; Brown, Frockt, Hobbs and Wilson, L.

Staff: Clinton McCarthy (786-7319)

Background: In real estate transactions for the sale of improved residential real property, absent an express waiver or exemption, sellers must provide buyers with a completed seller disclosure statement no later than five business days after mutual acceptance of a written purchase agreement. The disclosure statement requires the seller to answer yes, no, or don't

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know on a list of items, and if the questions require, the seller is given space to provide more details. The seller disclosure statement includes the following categories:

- title;
- water;
- sewer or on-site sewage system;
- structural;
- systems and fixtures;
- homeowners' association or common interests;
- environmental;
- manufactured and mobile homes; and
- full disclosure by sellers.

Within three business days of receipt of the disclosure statement, the buyer may approve and accept the disclosure statement or rescind the purchase agreement. If the disclosure statement is delivered late or not delivered, the buyer's right to rescind expires the earlier of three days after receipt of the disclosure statement, or the date the transfer closes.

Summary of Bill: For residential real estate transactions entered into on or after January 1, 2022, the seller disclosure statement is amended to include questions about whether the property currently has Internet access and who the provider is. The seller may answer by providing the information, or by checking the don't know boxes.

Appropriation: None.

Fiscal Note: Not requested.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: This is a needed disclosure. Buyers need to know about the availability of Internet access. In the beginning, the bill was more technical. This bill needs to be simple as to whether Internet access is available or not. The inclusion of this question is important for prospective buyers to know. The simplified question will provide more meaningful responses.

Persons Testifying: PRO: Representative Carolyn Eslick, Prime Sponsor; Mary Hull-Drury, Washington Realtors.

Persons Signed In To Testify But Not Testifying: No one.